

City Council Meeting Agenda

Date: Monday, February 24, 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

5. NOTICE OF PROCLAMATIONS

6. COMMITTEE OF THE WHOLE

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

7.1. Correspondence 7.1.1 through 7.1.2 **(CMC 4/2025)**

7.2. 2024 Status Report regarding City's response to Cannabis Retail Store Applications provided to AGCO – City Wide **(C 10/2025)**

8. CONSENT AGENDA

8.1. Broadway Multi-Use Trail - Matchett to Ojibway Parkway; Legal Agreement with Ontario Ministry of Transportation - Ward 1 **(C 33/2025)**

- 8.2. Amendment to Disposal of Land Policy – City Wide (**C 34/2025**)
 - 8.3. Delegation of Authority Semi-Annual Report for Period July 1, 2024 – December 31, 2024 (City Wide) (**C 35/2025**)
- CONSENT COMMITTEE REPORTS
- 8.4. Minutes of the Active Transportation Expert Panel of its meeting held October 28, 2024 (**SCM 36/2025**) (**SCM 390/2025**)
 - 8.5. 2024 Annual Report of the Active Transportation Expert Panel (**SCM 37/2025**) (**SCM 1/2025**)
 - 8.6. 2024 Annual Report of the Environment & Climate Change Advisory Committee (**SCM 38/2025**) (**SCM 2/2025**)
 - 8.7. 2024 Annual Report of the Transit Windsor Working Group (**SCM 39/2025**) (**SCM 6/2025**)
 - 8.8. Banner Policy Implementation- City Wide (**SCM 41/2025**) (**S 4/2025**)
 - 8.9. Way Finding Signs for “Place of Worship” - City Wide (**SCM 42/2025**) (**S 178/2024**)
 - 8.10. Additional Information Memo for Report No. S 122/2023; Official Plan Amendment and Zoning By-law Amendment, southwest corner of Wyandotte St. E. by Florence Ave.; Applicant: Ganatchio Gardens Inc.; File Nos. OPA 162 [OPA/6731] and Z-026/22 [ZNG/6730]; Ward 7 (**SCM 44/2025**) (**S 122/2023**) (**AI 2/2025**)
 - 8.11. OPA & Rezoning – Rock Developments East Windsor Inc. – Catherine Street - OPA 192 OPA/7265 Z-042/24 ZNG/7264 - Ward 8 (**SCM 45/2025**) (**S 1/2025**)
 - 8.12. Official Plan Amendment and Zoning By-law Amendment Applications for the property known as 0 North Service Road; Applicant: Dardevco Inc.; File Nos. OPA 191 [OPA/7261] and Z-029/24 [ZNG/7233]; Ward 8 (**SCM 46/2025**) (**S 5/2025**)
 - 8.13. Minutes of the International Relations Committee of its meeting held December 11, 2024 (**SCM 47/2025**) (**SCM 23/2025**)
 - 8.14. Minutes of the Property Standards Committee of its meeting held November 7, 2024 (**SCM 48/2025**) (**SCM 24/2025**)

9. REQUEST FOR DEFERRALS, REFERRALS AND/OR WITHDRAWALS

10. PRESENTATIONS AND DELEGATIONS

11. REGULAR BUSINESS ITEMS (Non-Consent Items)

11.1. Auditor General Status Update Report 2025 (**SCM 58/2025**)

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. Report No. 56 of the International Relations Committee (**SCM 51/2025**)

13. BY-LAWS (First and Second Reading)

13.1 **By-law 29-2025** - A BY-LAW TO AMEND BY-LAW 9361, BEING A BY-LAW TO CLOSE, STOP UP AND CONVEY PART OF THE EAST/WEST ALLEY NEXT SOUTH OF WYANDOTTE STREET EAST, EAST OF ROSSINI, R.P. 813, authorized by CAO 281/2024, dated January 22, 2025.

13.2 **By-law 30-2025** - A BY-LAW TO ASSUME FOR SUBSEQUENT CLOSURE THE 5.59 METRE EAST/WEST ALLEY EAST OF ALEXIS ROAD, SOUTH OF TECUMSEH ROAD EAST AND WEST OF CHANDLER ROAD, CITY OF WINDSOR, authorized by CR466/2024, dated October 28, 2024.

13.3 **By-law 31-2025** - A BY-LAW TO CLOSE, STOP UP AND CONVEY THE 5.59 METRE EAST/WEST ALLEY EAST OF ALEXIS ROAD, SOUTH OF TECUMSEH ROAD EAST AND WEST OF CHANDLER ROAD, CITY OF WINDSOR, authorized by CR466/2024, dated October 28, 2024.

13.4 **By-law 32-2025** - A BY-LAW TO AMEND BY-LAW NUMBER 58-1999, BEING A BY-LAW TO CLOSE, STOP UP AND CONVEY THE NORTH/SOUTH ALLEY BETWEEN BRUCE AND SOUTH CAMERON, NORTH OF NORTHWOOD (formerly Pall Mall), AND THE NORTH/SOUTH AND EAST/WEST ALLEYS BETWEEN BRUCE AND CHURCH FROM PICADILLY TO NORTHWOOD (formerly Pall Mall), IN THE CITY OF WINDSOR, authorized by CAO 278/2024, dated January 28, 2025.

13.5 **By-law 33-2025** - A BY-LAW TO AMEND BY-LAW NUMBER 133-2018 BEING A BY-LAW TO ESTABLISH A MUNICIPAL ACCOMMODATION TAX IN THE CITY OF WINDSOR, authorized by B8/2025, dated January 27, 2025.

- 13.6 **By-law 34-2025** - A BY-LAW TO AMEND BY-LAW NO. 2667, BEING A BY-LAW TO AUTHORIZE THE SALE OF THAT PORTION OF THE ALLEY SHOWN ON R.P. 1173, LYING BETWEEN THE EASTERLY LIMIT OF THE SAID PLAN AND THE EASTERLY LIMITS OF LOTS 7 TO 17 INCLUSIVE, BOUNDED ON THE SOUTH BY THE NORTHERLY LIMIT OF ONTARIO STREET AND ON THE NORTH BY THE EASTERLY PRODUCTION OF THE NORTHERLY LIMIT OF SAID LOT 7, IN THE CITY OF WINDSOR, authorized by CAO 285/2024, dated January 22, 2025.
- 13.7 **By-law 35-2025** - A BY-LAW TO ASSUME FOR SUBSEQUENT CLOSURE THE 5.48 METRE NORTH/SOUTH ALLEY NORTH OF LAFORET STREET, EAST OF BABY STREET, CITY OF WINDSOR, authorized by CR373/2023, dated September 5, 2023.
- 13.8 **By-law 36-2025** - A BY-LAW TO CLOSE, STOP UP AND CONVEY THE 5.48 METRE NORTH/SOUTH ALLEY NORTH OF LAFORET STREET, EAST OF BABY STREET, CITY OF WINDSOR, authorized by CR373/2023, dated September 5, 2023.
- 13.9 **By-law 37-2025** - A BY-LAW TO ADOPT AMENDMENT NO. 192 TO THE OFFICIAL PLAN OF THE CITY OF WINDSOR, see Item 8.11.
- 13.10 **By-law 38-2025** - A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW", see Item 8.11.
- 13.11 **By-law 39-2025** - A BY-LAW TO ASSUME FOR SUBSEQUENT CLOSURE THE 4.27 METRE NORTH/SOUTH ALLEY NORTH OF YPRES AVENUE, EAST OF CHRYSLER CENTRE, SOUTH OF VIMY AVENUE AND WEST OF CADILLAC STREET, CITY OF WINDSOR, authorized by CR223/2024, dated May 27, 2024.
- 13.12 **By-law 40-2025** - A BY-LAW TO CLOSE, STOP UP AND CONVEY THE 4.27 METRE NORTH/SOUTH ALLEY NORTH OF YPRES AVENUE, EAST OF CHRYSLER CENTRE, SOUTH OF VIMY AVENUE AND WEST OF CADILLAC STREET, CITY OF WINDSOR, authorized by CR223/2024, dated May 27, 2024.
- 13.13 **By-law 41-2025** - A BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE 24TH DAY OF FEBRUARY, 2025.

14. MOVE BACK INTO FORMAL SESSION

15. NOTICES OF MOTION

16. THIRD AND FINAL READING OF THE BY-LAWS

By-law 29-2025 through 41-2025 inclusive

17. PETITIONS

18. QUESTION PERIOD

19. STATEMENTS BY MEMBERS

20. UPCOMING MEETINGS

Environment, Transportation, and Public Safety Standing Committee - **CANCELLED**
Wednesday, February 26, 2025
4:30 p.m., Council Chambers

Environment, Transportation, and Public Safety Standing Committee
Sitting as the Transit Windsor Board of Directors
Wednesday, February 26, 2025
4:30 p.m., Council Chambers

Development & Heritage Standing Committee
Monday, March 3, 2025
4:30 p.m., Council Chambers

Committee of Management for Huron Lodge
Tuesday, March 4, 2025
9:00 a.m., Room 140, 350 City Hall Square West

Community Services Standing Committee
Wednesday, March 5, 2025
9:00 a.m., Council Chambers

City Council Meeting – **CANCELLED**
Monday, March 17, 2025
10:00 a.m., Council Chambers

Transit Windsor Working Group
Wednesday, March 26, 2025
9:00 a.m., Room 140, 350 City Hall Square West

Environment, Transportation, and Public Safety Standing Committee
Wednesday, March 26, 2025
4:30 p.m., Council Chambers

Environment, Transportation, and Public Safety Standing Committee
Sitting as the Transit Windsor Board of Directors
Wednesday, March 26, 2025
Immediately following the Environment, Transportation & Public Safety Standing
Committee meeting, Council Chambers

Community Services Standing Committee
Wednesday, April 2, 2025
9:00 a.m., Council Chambers

Development & Heritage Standing Committee
Monday, April 7, 2025
4:30 p.m., Council Chambers

City Council Meeting
Monday, April 14, 2025
10:00 a.m., Council Chambers

21. ADJOURNMENT



Correspondence Report: CMC 4/2025

ATTACHMENTS

Subject: Correspondence for Monday, February 24, 2025 City Council Meeting

No.	Sender	Subject
7.1.1	Association of Municipalities of Ontario (AMO)	Policy Update – Action on Tariffs and Trade Commissioner, Economic Development Commissioner, Finance & City Treasurer GM2025 Note & File
7.1.2	Committee of Adjustment	Applications to be heard by the Committee of Adjustment/Consent Authority, Thursday, February 27, 2025 Z2025 Note & File

Action on Tariffs and Trade

Policy Update • February 11, 2025

Tariffs and trade disruptions have the potential to seriously harm Ontario's economy with significant impacts on communities. Ontario's municipalities want to do their part. To support broader federal and provincial efforts, AMO has:

- Highlighted Ontario municipalities commitment to playing our part in protecting our shared prosperity in Ontario and Canada by writing to the Prime Minister, the Premier of Ontario and federal and provincial opposition leaders in early December 2024;
- Reaffirming and strengthening this commitment through a statement issued by AMO's Board of Directors in January, noting that changes in US immigration and social policy could trigger migration with massive implications for municipal resources; and
- Calling on the Ontario government to work with AMO to effectively harness municipal procurement as a tool in federal and provincial tariff responses.

AMO is focused on making the case for Ontario municipalities as a critical part of stimulus efforts, including the need for federal and provincial investments to:

- Mitigate cost escalation on municipal capital projects to continue to ensure continuity for the construction sector and related industries;
- Increase and repair social housing stock in the face of excess residential construction capacity and growing housing need; and
- Offset broader fiscal impacts on the municipal sector of potential economic slowdown.

Thanks to the many municipalities who have submitted data to support this work. Final analysis and information will be provided to members as it becomes available.

AMO continues to support the Federation of Canadian Municipalities in its efforts as part of a coordinated federal strategy. FCM's Canada-wide virtual listening tour is gathering municipal trade-related concerns, questions and local initiatives at canada-usa@fcm.ca.

Contact:

Policy

policy@amo.on.ca

T 416.971.9856

COMMITTEE OF ADJUSTMENT/CONSENT AUTHORITY AGENDA RECORD

PLEASE BE ADVISED THIS MEETING IS CONDUCTED ELECTRONICALLY.

The following applications are scheduled to be heard by the Committee of Adjustment/Consent Authority on Thursday, February 27, 2025 in the order stated below.
 LOCATION: Via Electronic Participation

ITEM	TIME	ROLL #	FILE #	APPLICANT	LOCATION	REQUEST
1	3:30 PM	3739030500061000000	A-004/25	2832765 ONTARIO INC.	417 HYDE ST	RELIEF: Proposed single-family dwelling and ADU's with maximum Lot coverage, minimum rear yard depth, and required number of parking spaces RELIEF: Proposed single family dwelling and 2 ADU's with maximum main building GFA.
2	3:30 PM	3739050300089000000	A-005/25	14351495 CANADA INC.	982 CAMPBELL AVE	CONSENT: Create a new lot.
3	3:30 PM	3739010450090000000	B-004/25	ROMAN CATHOLIC EPISCOPAL CORPORATION LONDON DIOCESE	1981-1991 NORMAN RD	RELIEF: Proposed electronic sign with minimum distance from a residential area.
4	3:30 PM	3739080160137000000	A-007/25	OAKWOOD BIBLE CHAPEL	2514 CABANA RD W	CONSENT: Create a new lot with easements.
6	3:30 PM	3739070680007000000	B-007/25	THE HEARN GROUP INC, GEM PROPERTIES INC	6412 & 6560 TECUMSEH RD E	CONSENT: Lot addition with easements.
5	3:30 PM	3739070680015100000	B-005/25	GRACHANICA SERBIAN EASTERN ORTHODOX CHURCH	0 CATHERINE ST	CONSENT: Create a new lot with easements.
7	3:30 PM	3739070680009000000	B-006/25	THE HEARN GROUP INC, GEM PROPERTIES INC	0 CATHERINE ST, 6412 & 6560 TECUMSEH RD E	CONSENT: Create a new lot with easements.

If a person or public body that files an appeal of a decision of the Committee of Adjustment in respect of the proposed consent does not make written submissions to the Committee of Adjustment before it gives or refuses to give a provisional consent, the Ontario Land Tribunal may dismiss the appeal.

In addition, if you wish to be notified of the decision of the Committee of Adjustment in respect of the proposed applications, you must make a written request to the Committee of Adjustment at the address shown below with the specific file number please email COAdjustment@citywindsor.ca. **NOTE:** To access the Agenda Record, Comments for the upcoming meeting, and past Committee of Adjustment Minutes, please visit our website at: [Committee of Adjustment Meeting Agenda \(citywindsor.ca\)](http://CommitteeofAdjustmentMeetingAgenda.citywindsor.ca)

Subject: 2024 Status Report regarding City's response to Cannabis Retail Store Applications provided to AGCO – City Wide

Reference:

Date to Council: February 24, 2025
Author: Sonya Pacheco
Executive Administrative Assistant
spacheco@citywindsor.ca
519-255-6100 x6606
CAO Office
Report Date: 1/13/2025
Clerk's File #: GP/13047

To: Mayor and Members of City Council

Recommendation:

THAT the report of the Chief Administrative Officer regarding the City's response to Cannabis Retail Store Applications provided to the Alcohol and Gaming Commission of Ontario (AGCO) for 2024 **BE RECEIVED** for information.

Executive Summary:

N/A

Background:

At the August 24, 2020 Council Meeting, City Council approved CR442/2020 as follows:

*“That with regards to the City of Windsor receiving requests for written submissions regarding an application for a Cannabis Retail Store Authorization, from the Alcohol and Gaming Commission of Ontario (AGCO), that Administration **BE DIRECTED** to follow provincial guidelines for locations of cannabis retail stores as the City of Windsor's municipal guidelines, as well as the City of Windsor's zoning requirements, and to approve accordingly those applications that meet these minimum standards, without the need for Council approval, and further,*

*That Administration **BE DIRECTED** to report back to Council as communications items on the application submissions that have been forwarded to the AGCO.”*

Discussion:

From January 2024 to December 2024, the Office of the CAO received a total of **three (3)** notifications from AGCO through iAGCO, its online service portal, regarding Cannabis Retail Store Authorization Applications Undergoing Public Notice.

The Public Notice offers the municipality and residents of the municipality in which the proposed store is located an opportunity to respond to the application online through iAGCO on or before the deadline date set in the Public Notice.

The Office of the CAO, in conjunction with the Planning Department, responded to all **three (3)** notifications based on the Province's guidelines for cannabis retail store applications.

As per the Province's guidelines, the City will only object to applications that are within 150 metres of a school and those that are in a location where the zoning does not permit a retail store.

A listing of Cannabis Retail Store Applications for 2024 is attached to this report as Appendix A.

Risk Analysis:

The level of risk is low. Comments to the AGCO must be submitted by the municipality within fifteen (15) calendar days. If comments are not received within this period, they will not be considered. However, the AGCO is the provincial authority in cannabis retail licenses and the City has no recourse if the AGCO issues a license despite any objections made. Since the new resolution, there has been little issue in being able to submit comments to the AGCO on or before the deadline date set out in the Public Notice.

Climate Change Risks

Climate Change Mitigation:

N/A

Climate Change Adaptation:

N/A

Financial Matters:

N/A

Consultations:

Conner O'Rourke, Zoning Coordinator, Planning Department

Stefan Pavlica, Zoning Coordinator, Planning Department

Michelle Moxley-Peltier, Environmental Sustainability and Climate Change

Kate Tracey, Senior Legal Counsel, Legal & Real Estate

Conclusion:

The annual status report is provided to City Council to fulfill an ongoing commitment for submitting comments regarding Cannabis Retail Store Applications to the AGCO on behalf of the municipality. For 2024, the City made no objections to the applications submitted.

Planning Act Matters:

N/A

Approvals:

Name	Title
Joe Mancina	Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:

- 1 Appendix A - 2024 Cannabis Retail Submissions

2024 Cannabis Retail Store Applications

(Listed in order City was notified by iAGCO)

	Address	Name	WARD	RESOLUTION	
1	397 Wyandotte St W	Discounted Cannabis/Uncle Sam’s Cannabis	3	No objection by Administration	AGCO determined that issuance of the cannabis Retail Store Authorization for this premises is not contrary to the public interest.
2	3749 Tecumseh Rd E	Discounted Cannabis	5	No objection by Administration	
3	8486 Wyandotte St E	Regulators Cannabis	6	No objection by Administration	AGCO determined that issuance of the cannabis Retail Store Authorization for this premises is not contrary to the public interest.



Council Report: C 33/2025

Subject: Broadway Multi-Use Trail – Matchett to Ojibway Parkway; Legal Agreement with Ontario Ministry of Transportation – Ward 1

Reference:

Date to Council: February 24, 2025

Author: Rajan Ray

Engineer II

(519) 255-6100 Ext. 6168

rrey@citywindsor.ca

Design – Engineering

Report Date: 2/7/2025

Clerk's File #: MT/13478

To: Mayor and Members of City Council

Recommendation:

THAT the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to sign an ownership & maintenance Agreement with the Ministry of Transportation (MTO), satisfactory in form to the City Solicitor, in technical content to the City Engineer, and in financial content to the City Treasurer.

Executive Summary:

N/A

Background:

The Gordie Howe International Bridge (GHIB) project, once completed, will feature a dedicated multi-use trail designed for both pedestrians and cyclists crossing the Windsor-Detroit border consisting of a single lane, facilitating two-way traffic for active transportation users. Its inclusion aims to benefit local communities and travelers by encouraging active lifestyles, promoting cross-border tourism, and offering a sustainable alternative to reduce the environmental impact of border traffic. This multi-use trail will connect Detroit, Michigan to Windsor and ultimately to the Trans Canada Trail as shown in Appendix A – Figure 1a).

The Broadway Street multi-use trail (Broadway MUT) will run along the north side of Broadway Street between Matchett Road and Ojibway Parkway, connecting to the Canadian Port of Entry via an existing Ministry of Transportation (MTO) trail. A small

portion of the Broadway MUT will be constructed on MTO lands where it connects to the existing Rt. Hon. Herb Gray Parkway trail system as shown on the attached Appendix B. Once complete, it will link Ojibway Parkway to Malden Park, providing access to the Rt. Hon. Herb Gray Parkway trail and the GHB. Additionally, as part of this project, a trailhead at Malden Park will be built, offering safe parking and a meeting point for users wishing to access the trail on the GHB.

Funded through the GHB project's Community Benefits Plan, the proposed Broadway MUT was prioritized based on community consultations (2015–2018) that highlighted strong support for active transportation.

Construction of the Broadway MUT and Malden Park trailhead is anticipated to begin in spring 2025 and last approximately five weeks. Once complete, the multi-use trail (as shown in Appendix B - Figure 1b) will become part of the City of Windsor municipal trail network and will be owned and maintained by the City of Windsor.

Discussion:

A key aspect of the GHB project is the Community Benefits Plan initiative, which fosters economic, social, and environmental growth in local communities and prioritizes meaningful, lasting impacts for the Windsor-Detroit region. The Broadway MUT is part of this initiative, connecting trails between USA and Canada.

The Broadway MUT will be designed and constructed by Amico Infrastructures Inc. and facilitated through Bridging North America (BNA). The City has reviewed and provided input into the design of the Broadway MUT and will permit the construction accordingly.

Since the Broadway MUT will be owned and operated by the City following its completion, an ownership and maintenance agreement is required between the City and MTO with reference to the section that will be situated on MTO lands. It is anticipated that the agreement will be structured similar to an agreement that was completed recently for the construction and maintenance of the Matchett Multi-use trail along Matchett from Malden Park to Broadway Street. Approval is required from Council for the City to sign this agreement.

Risk Analysis:

Risk to the Corporation is mitigated through having a comprehensive agreement which ensures clear delineation of responsibilities related to the Broadway MUT

Climate Change Risks:

Climate Change Mitigation:

Execution of the proposed agreement does not materially impact climate change mitigation.

Construction of the Broadway MUT will result in greenhouse gas emissions that are accounted for within the annual community greenhouse gas emissions inventory. It is anticipated that construction emissions in general will be offset by the improved functionality of the transportation network in the area over time.

Climate Change Adaptation:

Execution of the proposed agreement does not materially impact climate change adaptation.

Stormwater design for the Broadway MUT will follow standards in place at the time of construction and include considerations for extreme participation and high surface water levels as appropriate. As climate change presents more global and local threats, some forms of active transportation may provide an alternative mode of travel, where other methods of travel may not be available or accessible. Warmer winter temperatures may also encourage year-round cycling.

Financial Matters:

No City funding is required for the construction of the Broadway MUT as it will be constructed as part of the Community Benefits Plan related to the GHIB at not cost to the City. Once construction is completed, the City will assume ownership of the trail and will be responsible for the on-going maintenance, including on the small portion within MTO lands. Administration will monitor costs to maintain the trail and will, to the extent possible, mitigate any increases through existing operating budget approvals.

Consultations:

Kate Tracey – Senior Legal Counsel, Legal & Real Estate

Kathy Buis – Financial Planning Administrator

Michael Dennis – Manager, Strategic Capital Budget Dev & Ctrl, Asset Planning

Janelle Coombs – Engineer II

Conclusion:

Administration recommends the agreement for the Ownership and Maintenance of the multi-use trail with the Ministry of Transportation be executed.

Planning Act Matters:

N/A

Approvals:

Name	Title
Mark Spizzirri	Manager, Performance Measurement and Business Case Development
Fahd Mikhael	Manager of Design
Stacey McGuire	Executive Director of Engineering / Deputy City Engineer
David Simpson	Commissioner of Infrastructure Services and City Engineer
Wira Vendrasco	City Solicitor
Dana Paladino	(A) Senior Executive Director, Corporate Services
Ray Mensour	Commissioner, Community and Corporate Services
Janice Guthrie	Commissioner of Finance and City Treasurer
Joe Mancina	Chief Administrative Officer

Notifications:

Name	Address	Email
Jodie Lucente, P. Eng. Sr. Project Engineer, Corridor Management West Operations	Ministry of Transportation 659 Exeter Rd London, ON N6E 1L3	jodie.lucente@ontario.ca

Appendices:

- 1 Appendix A - Figure 1(a) Broadway Multiuse Trail Key area
- 2 Appendix B - Figure 1(b) Broadway Multiuse Trail

Appendix A



Figure 1a: Broadway Multiuse Trail Key area: multiuse trail system (Canada side)

Appendix B

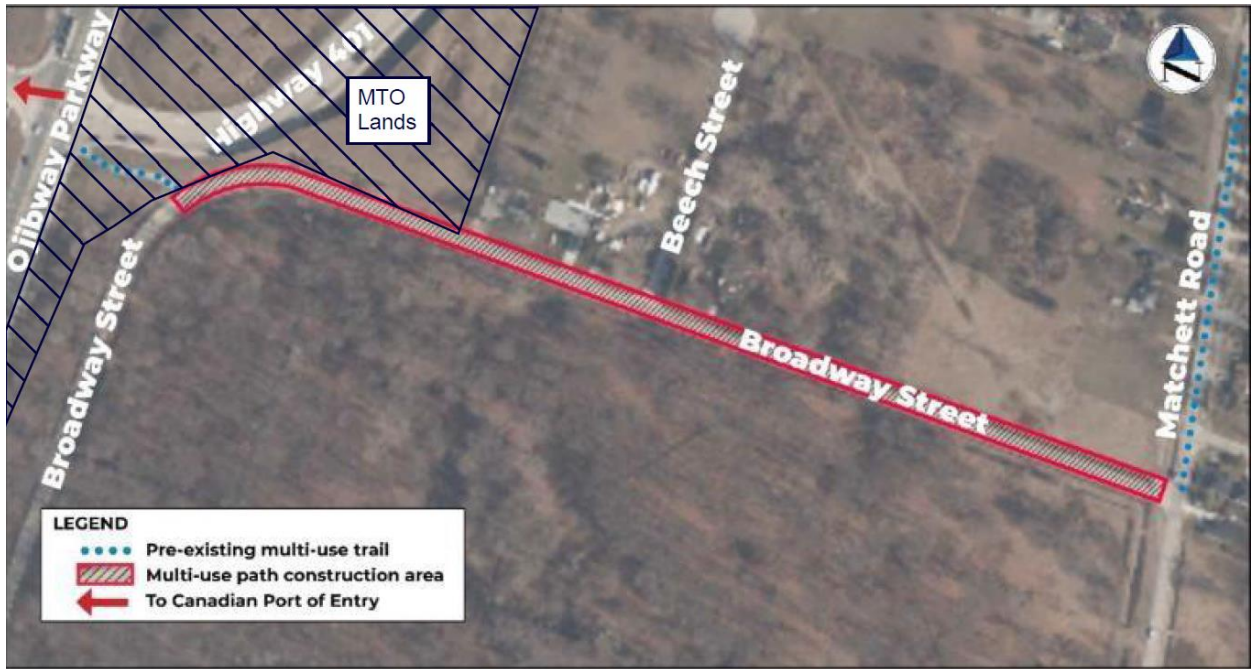


Figure 1(b) Broadway Multi-use Trail

Subject: Amendment to Disposal of Land Policy – City Wide

Reference:

Date to Council: February 24, 2025
Author: Denise Wright
Manager of Real Estate Services
(519) 255-6100 x6403
dwright@citywindsor.ca
Legal Services, Real Estate & Risk Management
Report Date: 2/7/2025
Clerk's File #: APM2025

To: Mayor and Members of City Council

Recommendation:

- I. THAT Council **APPROVE** the amendment of By-law 52-2014, by deleting Schedule "A" The Corporation of the City of Windsor Disposal of Land Policy and substituting therefor Schedule "A" attached hereto as Appendix "A".
- II. THAT Council **APPROVE** the amendment of By-law 208-2008 by deleting Schedule "A-1" of By-law 208-2008 and substituting therefor Schedule "A-1" attached hereto as Appendix "B".
- III. THAT Council **AUTHORIZE** the Manager or Real Estate Services to sign any Non-Disclosure Agreements required in connection with real estate negotiations for the purpose of obtaining studies, appraisals, assessments and similar information.

Executive Summary:

N/A

Background:

Section 270. (1) of the *Municipal Act, 2001* provides as follows:

A municipality shall adopt and maintain policies with respect to the following matters:

1. *Its sale and other disposition of land.*

In December 2007 City Council adopted By-law 247-2007 "Dealings With Real Property Policy". By-law 247-2007 was a consolidation of various by-laws, resolutions and policies, which governed the methods in which the municipality dealt with its real property.

In 2014, Council repealed By-law 247-2007 and adopted the Disposal of Land Policy, approved by CR30/2014 and adopted by By-law 52-2014, to make the disposal of real property more user friendly while continuing to maintain a fair, equitable and transparent process.

Discussion:

Administration has reviewed the current policy and made amendments to various parts of the policy to more accurately reflect the realities of the current business climate. While some of the amendments are housekeeping and editorial in nature, a notable change is the addition of authority for the Manager of Real Estate Services to sign Non-Disclosure Agreements in connection with real estate negotiations, for the purpose of obtaining studies, appraisals, assessments and similar information. While this has been included in the new Land Disposal Policy, should the recommendation be approved, the Manager of Real Estate Services will be able to sign Non-Disclosure Agreements relating to both purchase and sale transactions.

Administration is also recommending that the time period for other City departments to provide their comments on potential properties for disposal be shortened from twenty (20) days to ten (10) days, in order to ensure that these circulations progress in a timely manner.

Currently the requirement for a buyer to acknowledge that it is not a City employee, Mayor or Member of Council is set out in the Delegation of Authority By-Law, Schedule A1 – Property Transactions. It is recommended that this requirement be included in the Land Disposal Policy also, as this conflict of interest statement should be required for all disposals of land, not only those delegated to the CAO for approval.

As property values have risen considerably since 2014, Administration is also recommending that the threshold for obtaining appraisals be raised from \$50,000 to \$75,000. This will provide more flexibility when selling smaller parcels for lot consolidation purposes. It is also recommended that the market value for lands to be sold by City Real Estate Staff directly and not required to be listed on MLS be increased from \$25,000 to \$50,000.

Under the current Land Disposal Policy, deposits submitted to the City with Agreements of Purchase and Sale are determined by the Manager of Real Estate Services, but can not be less than \$1,000. Again, as property values continue to increase, it is prudent to ensure deposits are significant enough to offset the risk of a buyer not completing a transaction. Administration is recommending that deposits be a minimum of five per cent (5%) of the purchase price.

Under the Municipal Act, there is no longer a statutory requirement for Council to declare lands surplus and direct that surplus lands be advertised in the local newspaper. Administration is proposing that, while not required, Council still provide

direction with respect to surplus lands and is recommending that the current Land Disposal Policy be amended to remove the requirement to advertise surplus lands in the “Civic Corner” of the Windsor Star. Rather, surplus lands will be listed for sale on the City’s website or, in the case where lands are sold by a licensed realtor, on the Multiple Listing Service and the City’s website. As fewer people tend to purchase newspaper subscriptions today, these online forums will allow a greater number of people to find City-owned properties for sale.

The amended Disposal of Land Policy is attached as Appendix A. Some of the proposed changes necessitate corresponding amendments to Schedule A1 of the Delegation of Authority By-Law (By-Law 208-2008), which is attached as Appendix B. Therefore By-law 208-2008 also needs to be amended.

Risk Analysis:

Failure to periodically review and update the Disposal of Land Policy could expose the Corporation to a low level of reputational risk if the Corporation’s policies do not accurately reflect the realities of the today’s business climate and current legislation.

Climate Change Risks

Climate Change Mitigation:

Amending the Disposal of Land Policy does not result in any climate change risk.

Climate Change Adaptation:

N/A

Financial Matters:

N/A

Consultations:

Kate Tracey, Senior Legal Counsel

Conclusion:

The current policy for the sale of land was approved in 2014. Administration has reviewed the current policy and is proposing amendments to various parts of the policy to more accurately reflect the realities of the current business climate and the desire of Council, together with related proposed amendments to the Delegation of Authority By-law. Approval of the recommendation will help streamline the City’s land disposal process.

Approvals:

Name	Title
Denise Wright	Manager, Real Estate Services

Name	Title
Denise Wright	Manager, Real Estate Services
Wira H.D. Vendrasco	City Solicitor
Dana Paladino	Acting Senior Executive Director, Corporate Services
Ray Mensour	Commissioner, Corporate and Community Services
Joe Mancina	Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:

- 1 Amended Disposal of Land Policy
- 2 Amended Schedule A1 – Property Transactions, from DoA By-Law 208-2008

APPENDIX A

THE CORPORATION OF THE CITY OF WINDSOR POLICY

Service Area:	Office of the City Solicitor	Policy No.:	
Department:	Legal	Approval Date:	
Division:	Real Estate Services	Approved By:	City Council
		Effective Date:	
Subject:	DISPOSAL OF LAND	Procedure Ref.:	Municipal Act 2001, c. M. 25, s. 270. (1)
		Pages:	Replaces: Disposal of Land Policy
Prepared by	Denise Wright		Date: February 3, 2014

DEFINITIONS

Appraisal: a valuation of the Market Value of Land that is satisfactory to the Manager of Real Estate Services.

CAO is the City's Chief Administrative Officer

City: The Corporation of the City of Windsor

Disposal: the sale, transfer, conveyance or exchange of the fee simple interest in Land.

Land: includes vacant land, buildings and other improvements thereon.

Market Value: the most probable price which Land should bring in a competitive and open market as of a specified date under all conditions requisite to a fair sale, the buyer and seller each acting prudently, knowledgeably and in their own best interests and assuming the price is not affected by undue stimulus.

Other Land Interests: a granting of an interest in Land that is not a Disposal, such as easement or lease, etc.

Special Project: Land to be used for development or other opportunity, as determined by Council.

Surplus: Land which is not required for municipal purposes, as determined by Council.

Viable Land: a parcel of Land, which, on its own, would be eligible for a building permit.

1. POLICY

1.1 Surplus Land will be considered for Disposal so as to achieve the best interest of the City.

2. PURPOSE

- 2.1** To abide by section 270. (1) of the *Municipal Act, 2001* requiring municipalities to “adopt and maintain policies with respect to... sale and other disposition of land.”
- 2.2** To promote consistent, transparent and equitable processes in Disposals in a manner consistent with the best interest of the City.

3. SCOPE

- 3.1** Subject to section 3.2, this Policy is applicable to all City operations involving Disposals, including any agencies, boards or commissions whose financial operations are accounted for within the City’s financial statements.
- 3.2** This Policy is not applicable to any Disposals where:
- 3.2.1** The transaction is governed by any federal legislation or legislation of the Province of Ontario (examples include tax sales and expropriation by the province);
 - 3.2.2** The transaction is completed in accordance with Council direction, or the approval of the CAO as authorized through delegation AND the legal entity obtaining ownership or interest in the Land is any government authority including but not limited to the federal government, Ontario provincial government, crown agencies, school boards having jurisdiction within the City limits and the Essex Region Conservation Authority;
 - 3.2.3** The Disposal is being done by a corporation AND the City is the sole shareholder of that corporation;
 - 3.2.4** The City is transferring Land to a corporation, in which the City is the sole shareholder AND the transaction is completed in accordance with Council direction or CAO approval as authorized through delegation;
 - 3.2.5** The property is deemed to be a Special Project AND the transaction is completed in accordance with Council direction or CAO approval as authorized through delegation as applicable;
 - 3.2.6** Any other City policy that may supersede this policy;
 - 3.2.7** A closed street or alley is conveyed to an abutting property owner AND the transaction is completed in accordance with Council

direction or CAO approval as authorized through delegation, as applicable, or the Street and Alley Closing policy;

3.2.8 The transaction involves Other Land Interests AND it is completed in accordance with Council direction or CAO approval as authorized through delegation, as applicable, or other approved by-laws or policies; or

3.2.9 Other agreements authorized by Council such as a development agreement.

4. RESPONSIBILITY

4.1 Manager of Real Estate Services will:

4.1.1 periodically review listings of all City-owned Land to determine which Land may be considered Surplus;

4.1.2 circulate potentially Surplus Land to City staff for comment and input;

4.1.3 make recommendations to Council about declaring Lands surplus and seek Council's authority to offer the Land for sale;

4.1.4 pursue Disposals per this policy and make recommendations to Council, or the CAO as authorized through delegation;

4.1.5 retain qualified Multiple Listing Services ("MLS") brokers or agents to assist, as appropriate, with the Disposal;

4.1.6 obtain independent property Appraisals for Land in keeping with any requirements imposed by any applicable legislation, by-law, or this policy;

4.1.7 report the details of any Disposal to the appropriate departments and to the Chief Financial Officer and City Treasurer or as he or she may further delegate for the purposes of maintaining accurate corporate records;

4.1.8 in consultation with other City staff and departments, initiate any changes to existing policies, procedures or recommendations addressing Disposals; and

4.1.9 execute non-disclosure agreements as they relate to real estate transactions

4.2 City Finance Division staff, under the direction of the Chief Financial Officer and City Treasurer, or as he or she may further direct, will prepare and maintain all databases and records with respect to City Land.

4.3 Other City staff will receive and review proposed Disposals of City Land circulated by City Real Estate Staff and, within ten (10) business days of such circulation, will provide comment, information and input as to whether the Land being proposed for Disposal may be considered Surplus.

5. DISPOSAL RULES

5.1 Authority

5.1.1 Disposals require Council approval unless the transaction meets the criteria of delegated authority under Schedule "A1", Property Transactions in By-Law 208-2008, a copy of which is attached to this Policy as Appendix A, in which case the transaction must comply with such criteria.

5.1.2 Any Agreements of Purchase and Sale accepted by the Manager of Real Estate Services must contain the following acknowledgment that the other party is NOT:

- i. A City employee, the Mayor or a Member of Council;
- ii. A family member of a City employee, the Mayor or a Member of Council where family member includes a parent, spouse, child, sibling, grandparent, grandchild, step and common-law relationships and in-law relationships; or,
- iii. A corporation or partnership of which an employee is a shareholder or partner.

5.2 Property Values

5.2.1 For Land with an estimated Market Value of seventy-five thousand dollars (\$75,000) or more, at least one independent Appraisal will be obtained.

5.2.2 Disposal will be at Market Value, or equivalent consideration, unless Council or the CAO as authorized through delegation, directs otherwise.

5.3 Method of Disposal

5.3.1 Subject to direction from City Council all Surplus Land will either be listed on the MLS of the local Real Estate Board or offered for sale by City Real Estate staff, save and except:

5.3.1.1 Land, which has a Market Value as determined by the Manager of Real Estate Services of less than \$50,000 in which case City Real Estate Staff will offer the Land for Disposal on the City web site and place a "for sale" sign on the Land if feasible and advertise as deemed appropriate by the Manager of Real Estate Services;

5.3.1.2 Landlocked Land of any size, which may be sold directly to the abutting property owner(s), provided the Land is sold at no less than the Market Value established by either City Real Estate Staff or by an independent Appraisal. If more than one abutting property owner wishes to acquire the landlocked Land, City Real Estate Staff will contact the abutting owners to determine whether a consensus can be arrived at in splitting the Land amongst interested abutting owners. In the event that a consensus cannot be arrived at, all interested abutting property owners will be requested to provide Administration with an offer for the entire landlocked parcel;
or

5.3.1.3 Land, which is not Viable Land and which cannot be rendered Viable Land by means of an application under the *Planning Act* may be sold directly to the abutting property owner(s) for lot consolidation purposes at the value established by City Real Estate Staff taking into consideration all relevant factors but, in any event, for no less than on a cost-recovery basis. If more than one abutting property owner wishes to acquire the Land City Real Estate Staff will contact the abutting owners to determine whether a consensus can be arrived at in splitting the Land amongst interested abutting owners. In the event that a consensus cannot be arrived at, all interested abutting property owners will be requested to provide Administration with an offer for the entire parcel.

- 5.3.2** All Viable Land will be marketed for a period of at least ten (10) business days prior to the review and consideration of any offer to purchase except as otherwise provided in this policy.
- 5.3.3** City Real Estate Staff will confirm whether there is any right for a former owner to repurchase the Land under the *Expropriations Act* and advise Council of same in the report required under 5.1.1.
- 5.3.4** All offers to purchase Land from the City by means of an Agreement of Purchase and Sale must be accompanied by a deposit in an amount determined by the Manager of Real Estate Services but in any case not less than five per cent (5%) of the purchase price.
- 5.3.5** Unless otherwise directed by Council, all Disposals will be on a cash basis. If the City Solicitor determines that exceptional and specific circumstances exist that would warrant consideration of a Disposal on something other than a cash basis, the City Solicitor will present the exceptional and specific situation to Council for determination.

5.4 Land Transactions

5.4.1 Disposals will be done in a manner consistent with accepted conveyancing practices, and in accordance with all applicable federal and provincial legislation and municipal by-laws and policies.

5.4.2 The City Solicitor or designate, has the authority to extend or abridge the closing date or extend or abridge the timeframes on any conditions previously approved by Council, or CAO as authorized through delegation, on any Disposal provided such extension or abridgement does not change the original intent of the approved Disposal.

5.5 Unserviced Land

5.5.1 Land located in areas lacking municipal services will be retained by the City until such time as services are available except as provided in 5.5.2.

5.5.2 In the event of a special circumstance involving the potential Disposal of unserviced Land, City Real Estate Staff will bring the issue to Council for consideration.

5.6 Parkland and Natural Environmental Areas There will be no Disposal of Parkland without Council approval.

5.6.2 Subject to section 5.6.1, Disposal of Parkland and other Land having significant natural features requires satisfaction of Official Plan requirements and, if applicable, the implementation of appropriate measures to protect the significant natural features.

5.7 Designated Heritage Properties

5.7.1 There will be no Disposal of Land designated under Part IV or Part V of the *Ontario Heritage Act* (a “Designated Heritage Property”) without Council’s prior approval.

6. RECORDS, FORMS AND ATTACHMENTS

6.1 Filing and retention of records related to Disposals will be in accordance with legislative requirements, guidelines of governing and professional bodies and City policy.

APPENDIX B

SCHEDULE "A1" TO BY-LAW 208-2008 - PROPERTY TRANSACTIONS

I. Property Acquisition and Interest:

1. The Chief Administrative Officer is authorized to approve fee simple land acquisitions, acquisition of easements and consent to enter/temporary working easements up to and including a limit of \$100,000 (exclusive of any taxes, registration and legal fees, real estate commissions and survey costs), subject to the following:
 - a. Transactions over \$75,000 must be supported by an independent appraisal;
 - b. The transaction must be in accordance with either a council resolution or a council approved budget; or in the case of a donation, the acquisition must be in the best interests of the City and must be in compliance with the Donations Policy;
 - c. The land is not being acquired by means of expropriation;
 - d. The owner has acknowledged in writing that he/she/it is NOT:
 - i. A City employee, the Mayor or a Member of Council;
 - ii. A family member of a City employee, the Mayor or a Member of Council where family member includes a parent, spouse, child, sibling, grandparent, grandchild, step and common-law relationships and in-law relationships; or,
 - iii. A corporation or partnership of which an employee is a shareholder or partner.

II. Property Sale and Property Interest:

2. The Chief Administrative Officer may approve fee simple land sales (including vacant or improved properties and closed rights-of-way if not sold to an abutting property owner and is permitted under the applicable closing or conveying bylaw) or other conveyances of an interest in land up to and including \$100,000 (exclusive of any taxes, registration and legal fees, rehabilitation costs, real estate commission and survey costs), subject to the following conditions:
 - a. In the opinion of the City Solicitor, the fee simple sale of land is not contrary to Bylaw 52-2014 (Disposal of Land policy) as amended from time to time. Other conveyances of an interest in land up to and including \$100,000 (exclusive of any taxes, registration and legal fees, rehabilitation costs, real estate commission and survey costs) are not subject to By-Law 52-2014 (Disposal of Land policy);

III. General:

The Chief Administrative Officer may refer any matter arising under this Schedule "A1" to Council for its consideration.

Notwithstanding any delegated authority contained in this Schedule "A1", Council must approve any sale or acquisition where, in the opinion of the Chief Administrative Officer, there is a perceived or apparent conflict of interest.



Subject: Delegation of Authority Semi-Annual Summary Report for Period July 1, 2024-December 31, 2024 (City Wide)

Reference:

Date to Council: February 24, 2025
Author: Pina Ciotoli
Executive Administrative Assistant
Suite 520, 350 City Hall Square West
(519) 255-6100 x 6311

CAO Office
Report Date: 2/7/2025
Clerk's File #: AS/7748

To: Mayor and Members of City Council

Recommendation:

THAT the Delegation of Authority Summary Report for the period of July 1, 2024 through December 31, 2024 **BE RECEIVED** for information; and further,

THAT City Council **APPROVE** an amendment to the Delegation of Authority By-law 208-2008 by replacing Section 3.14 regarding "Ice Rentals in municipal arenas and requests for the lease of advertising on Zamboni ice resurfacing machines where written agreements are necessary" with "Requests for the rental of ice in municipal arenas where written agreements are necessary"; and further,

THAT City Council **APPROVE** the addition of a new item to the Delegation of Authority By-law 208-2008 that authorizes the Chief Administrative Officer to approve the execution of agreements related to advertising where the City receives revenue; and further,

THAT City Council **APPROVE** an amendment to the Delegation of Authority By-law 208-2008 Section 3.25 regarding Grant Applications submitted by the City for existing approved programs to include the following:

"In cases where grant application criteria change substantially from what had previously been communicated through CAO or Council Report, Administration will seek additional approvals to confirm continued application"; and

THAT City Council **AUTHORIZE** the City Solicitor to amend the Delegation of Authority By-law 208-2008 to reflect the changes as outlined in the recommendation section of this report.

Executive Summary:

N/A

Background:

The objective of the Delegation of Authority (DOA) process is to reduce the number of general administrative reports requiring City Council approval by delegating administrative responsibilities to senior management staff. This process is designed to streamline the council agenda, speed up delivery of standard approvals, improve customer service and allow City Council more time to focus on policy, strategic planning, and major issues facing our city.

The DOA process was first approved in November 2004 (CR1063/2004, By-law 389-2004) and further consolidated as By-law 208-2008 in December 2008 in order to include additional items City Council had delegated to the Chief Administrative Officer (CAO) since the original by-law was drafted. Since then, as new items are delegated by City Council to the CAO for approval, By-law 208-2008 is updated accordingly.

It is noted that all items approved by the CAO through this process are reported to City Council annually through this report.

Discussion:

Recommended Amendment to the Delegation of Authority By-law 208-2008: Section 3.14

CR1413/87 gave the approval for the CAO to authorize a list of specific matters subject to a favourable recommendation of the responsible department head and lists items numbered “a” through “u” that were added to the DOA By-law when it was initially consolidated in November of 2004. Item “o” from this list, now known as Section 3.14 of the DOA By-law pertains to “Ice Rentals in municipal arenas and requests for the lease of advertising on Zamboni ice resurfacing machines where written agreements are necessary”.

The entire clause is specific to arenas and the information being recommended to be removed within this section is specific to ice resurfacing machines (Zambonis) which would be covered under the new item, recommended below in this report – authority for the CAO to approve revenue generating advertising agreements. Adding the proposed new section below would cover any general advertising in all City locations where the City generates revenue and written agreements are necessary at all locations and would not be specific to arenas and Zambonis.

Recommended Addition to the Delegation of Authority By-law 208-2008 regarding Revenue Generating Advertising Agreements

It has been identified that the process for approving revenue generating advertising agreements is inconsistent. There have been times when this request has gone to Council and other times to the CAO referencing different sections of the DOA By-law as the authority. For consistency purposes, and in order to provide clarity, the Legal Department is requesting delegation to the CAO be added to the DOA By-law to approve revenue generating advertising agreements. Any advertisements considered controversial by Administration will be presented to Council for their discussion and decision.

Recommended Amendment to the Delegation of Authority By-law 208-2008: Section 3.25

At the September 23, 2024 meeting of Council, Councillor Gignac shared concerns surrounding grant applications that may have parameter changes during the period of consideration and continue to proceed under current approvals without going back to Council. The CAO assured Council that the intent of Section 3.25 of the Delegation of Authority By-law is related to grant applications. Administration looks at the parameters of all grant applications prior to submission and when they meet certain thresholds, they come to Council for authorization.

The budgetary aspect of the grant application is also important to ensure that Administration has Council's approval around whatever financial commitments are required in terms of matching funds. In all cases where grant funding is pursued, the programs have laid out clear parameters, have been through Council or CAO approval, and Council has committed the funding that is required as matching funding. In those cases, Administration is simply proceeding in accordance with Council's direction and with the funding that is available. If there are parameters to a grant program that have changed substantially from what Council has previously approved or directed, under an abundance of caution, Administration would return to Council because the parameters of what Council authorized are not consistent with what Administration reported.

To ensure clarity in the process, in cases where the grant application has changed substantially or more information has been provided, Section 3.25 of the delegation of authority by-law will be amended to include the following language:

"In cases where grant application criteria change substantially from what had previously been communicated through CAO or Council Report, Administration will seek additional approvals to confirm continued application."

Reporting Results for July 1, 2024 to December 31, 2024

During the above noted time-period, a total of 205 reports were processed under "Delegation of Authority". The top three (3) types of DOA reports approved between July 1, 2024 and December 31, 2024 were:

- 77 reports authorized by the Purchasing By-law (37.6%),
- 34 reports pertaining to City as Lessor; Grantor; Grantee (16.6%); and

- 27 reports pertaining to Administrative Matters (delegated by CR232/2012) (13.17%).

A summary listing all approved administrative reports under delegated authority during July 1, 2024 to December 31, 2024 is attached for City Council's review (Appendix A).

Also attached for this time period, is a spreadsheet outlining the report types approved for each Ward as well as a chart further illustrating the breakdown by report type (Appendices B and C).

Risk Analysis:

The level of corporate risk is minimized by virtue of the Chief Administrative Officer By-law 149-2024, the Delegation of Authority By-law 208-2008, and the Purchasing By-law 93-2012 which clearly outline approval and spending limits. Items outside the authority of these by-laws are not approved by Administration without a Council Resolution to do so. The \$150,000 limit for CAO approval of expenditures as set out in the Purchasing By-law exists as one example of ongoing risk mitigation for the Corporation.

It is noted that with a previously approved amendment to the Purchasing By-law, the CAO may approve a requisition and make an award of a Request for Tender (RFT) greater than \$150,000 provided the funds have been included in the Council-approved Operating Budget or Capital Budget, and the RFT Response does not exceed that approved budget. Administration in the CAO's Office review each report to ensure if the value is in excess of \$150,000 that the departmental Financial Planning Advisor has included the relevant Council Resolution or Budget Resolution number. This does not include Requests for Proposals (RFPs) which still require City Council approval for amounts greater than \$150,000.

Climate Change Risks

Climate Change Mitigation:

N/A

Climate Change Adaptation:

N/A

Financial Matters:

While some delegation of authority items have financial matters, the semi-annual report is a summary of CAO Reports approved during a specified timeframe and therefore this report does not contain any financial matters for consideration.

Consultations:

Dawn LaMontagne, Purchasing Supervisor

Joshua Meloche, Senior Legal Counsel

Natasha Gabbana, Senior Manager, Asset Planning

Conclusion:

This report, for the period of July 1, 2024 to December 31, 2024, is provided to City Council to fulfill an ongoing commitment to submit a summary report outlining items approved under delegated authority as a means of monitoring all matters approved under the Delegation of Authority By-law.

Planning Act Matters:

N/A

Approvals:

Name	Title
Larissa McCorkell	Senior Manager of Administration / Executive Assistant to the Chief Administrative Officer
Wira Vendrasco	City Solicitor
Joe Mancina	Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:

APPENDIX A

Spreadsheet by Type and Jurisdiction For Period July 1, 2024 to December 31, 2024

DELEGATION OF AUTHORITY ITEM	1	2	3	4	5	6	7	8	9	10	City Wide	Combined	Grand Total
(Jul-Dec 2024)	15	22	18	2	16	6	11	1	10	2	94	8	205
Administrative Matters (delegated by CR232/2012)	0	1	3	0	1	0	3	0	1	0	17	1	27
Administrative Matters (formerly CR 1413/87)	2	2	0	0	1	0	0	0	0	1	0	0	6
Appointment of Drainage Engineer	0	0	0	0	1	0	1	0	0	0	0	0	2
By-Law Amendments	0	0	1	0	1	1	0	0	1	1	0	0	5
CAO By-Law	1	0	0	0	0	0	0	0	0	0	19	0	20
City as Lessor; Grantor: Grantee	6	8	8	0	8	1	1	0	2	0	0	0	34
Enwin Hydro Connection Agreements	0	0	0	0	0	1	1	0	0	0	0	0	2
Grant Application	1	1	1	0	0	1	1	0	0	0	6	1	12
Installation of Jump Harnesses	0	0	0	0	0	0	1	0	0	0	0	0	1
Letter of Support	1	0	0	1	0	0	0	0	0	0	5	0	7
Property Transactions	0	1	0	0	1	0	0	0	1	0	0	0	3
Purchasing By-Law	4	8	4	1	3	2	3	1	5	0	41	5	77
Short Term Use of Facilities	0	0	1	0	0	0	0	0	0	0	0	1	2
Student and Youth Employment Opportunities Program	0	1	0	0	0	0	0	0	0	0	1	0	2
Use of Tourism Reserve Fund (CR427/2018)	0	0	0	0	0	0	0	0	0	0	3	0	3
Vendor Discounts	0	0	0	0	0	0	0	0	0	0	2	0	2
Grand Total	15	22	18	2	16	6	11	1	10	2	94	8	205

The following reports are P&C and not detailed in this report:

- Most of the reports categorized as “CAO By-Law” relating to personnel matters approved under By-law 218-2002 and By-law 149-2024 (September 23, 2024): CAO 93/2024, CAO 138/2024, CAO 146/2024, CAO 156/2024, CAO 163/2024, CAO 177/2024, CAO 183/2024, CAO 184/2024, CAO 189/2024, CAO 193/2024, CAO 195/2024, CAO 198/2024, CAO 201/2024, CAO 206/2024, CAO 210/2024, CAO 211/2024, CAO 223/2024, CAO 225/2024, CAO 230/2024, CAO 287/2024
- Most of the reports categorized as “Legal Matters” relate to property transactions, City as Lessor/Grantor/Grantee, Purchasing By-Law or Administrative Matters (delegated by CR232/2012): CAO 108/2024, CAO 115/2024, CAO 161/2024, CAO 163/2024, CAO 172/2024, CAO 178/2024, CAO 186/2024, CAO 204/2024, CAO 212/2024, CAO 228/2024, CAO 254/2024, CAO 255/2024, CAO 258/2024, CAO 262/2024, CAO 293/2024

APPENDIX B

Listing of Reports Approved under Delegation of Authority July 1, 2024 – December 31, 2024

Ward 1

CAO #	DESCRIPTION	STATUS	DELEGATION OF AUTHORITY ITEM
CAOP 112/2024	Agreement between City and Handicare Canada Inc for purchase and installation of seven (7) Beka Avera Premium Plus Tubs Type: Sole Source Financials: \$145,735.40 excluding HST	Approved August 29, 2024	Purchasing By-Law
CAOP 113/2024	Agreement between Handicare Canada Inc for purchase of twenty-nine (29) ceiling lifts at Huron Lodge Type: Sole Source Financials: \$161,412.75 exclusive of HST (B28/2024)	Approved August 29, 2024	Purchasing By-Law
CAO 147/2024	Lease Agreement: CAW Local 200 Computer for Kids Location: 4150 Sandwich St Term: July 1, 2024 - June 30, 2025 Financial Revenue: \$16,405.60/annually excluding HST	Approved July 8, 2024	City as Lessor; Grantor: Grantee
CAO 153/2024	Lease Agreement: Windsor South Canadian Little League Location: Veterans Memorial Park Term: July 1, 2024 - June 30, 2025 Financial Revenue: \$1/annually excluding HST	Approved July 12, 2024	City as Lessor; Grantor: Grantee
CAO 159/2024	Consent to Enter: Essex County Field Naturalists Location: Ojibway Prairie Complex Term: July 22, 2024 - December 31, 2024 Financials: N/A	Amendment Approved July 19, 2024	City as Lessor; Grantor: Grantee
CAOP 169/2024	Agreement amendment between City and WSP E&I Canada Ltd to complete Cultural Heritage Evaluation Report related to Municipal Class Environmental Assessment for Ojibway Parkway Wildlife Overpass Project Type: RFP 21-20 Financials: \$33,345 excluding HST	Approved December 20, 2024	Purchasing By-Law
CAO 179/2024	Consent to Enter: Powerserve Inc Location: Lake Como Park South Term: August 1, 2024 - September 13, 2024 Financials: N/A	Approved August 13, 2024	City as Lessor; Grantor: Grantee
CAO 181/2024	Correcting Deed: 1959 Lansing St Financials: \$83.11 excluding HST	Approved August 7, 2024	Administrative Matters (formerly CR 1413/87)
CAO 206/2024	P&C: Personnel Matter Financials: N/A	Approved September 18, 2024	CAO By-Law

CAO 208/2024	Grant Application: New Horizons for Seniors Program for two (2) Obie Interactive Projectors Financials: N/A	Approved September 11, 2024	Grant Application
CAO 209/2024	Correcting Title Deficiency: 3149 Church St Financials: \$1	Approved September 24, 2024	Administrative Matters (formerly CR 1413/87)
CAO 213/2024	Consent to Enter: Miller Waste Systems Inc for preliminary construction work Location: 4255 Sandwich St Term: September 16, 2024 - December 31, 2024 Financials: N/A	Approved September 13, 2024	City as Lessor; Grantor: Grantee
CAO 221/2024	Agreement between City and KR Communications to decommission and replace existing Hartmann head end controllers with new controllers and reconnect existing door hardware to new controllers Type: Emergency Purchase Order Financials: \$117,390 excluding HST	Approved October 8, 2024	Purchasing By-Law
CAO 240/2024	Letter of Support: Tall Grass Ontario for application to Habitat Stewardship Program for Invasive Species Control Project and North-South Environmental for application to Habitat Stewardship Program for Eastern Prairie Fringed Orchid Recovery Project Financials: N/A	Approved October 29, 2024	Letter of Support
CAO 254/2024	P&C: Property Matter Financials: N/A	Approved November 19, 2024	City as Lessor; Grantor: Grantee

Ward 2

CAO #	DESCRIPTION	STATUS	DELEGATION OF AUTHORITY ITEM
CAO 243/2024	Grant Application: Toronto Blue Jays - Jays Care Foundation Field of Dreams 2025 for replacement of Cullen Field backstop project at Mic Mac Park Financials: N/A	Approved October 29, 2024	Grant Application
CAO 245/2024	Consent to Enter: Hotel-Dieu Grace Hospital Location: 1427 Prince Rd Term: September 1, 2024 - March 31, 2025 Financials: N/A	Approved November 1, 2024	City as Lessor; Grantor: Grantee
CAO 251/2024	Correcting Title Deficiency: 1930 Ambassador Dr Financials: N/A	Approved November 13, 2024	Administrative Matters (formerly CR 1413/87)

CAO 253/2024	Lease Agreement: Jason McKinlay Location: 3277 Sandwich St, Unit 11 Term: December 1, 2024 - November 30, 2025 Financial Revenue: \$4,131.60/year excluding HST	Approved November 21, 2024	City as Lessor; Grantor: Grantee
CAO 261/2024	Lease Agreement: Dr. Darlene Maxey Location: 3277 Sandwich St, Room 10 Term: December 1, 2024 - November 30, 2025 Financial Revenue: \$5,074.73/year excluding HST	Approved December 18, 2024	City as Lessor; Grantor: Grantee
CAO 268/2024	Agreement between City and Knox Company to allow Windsor Fire & Rescue Services access to lock boxes on Gordie Howe International Bridge Financials: N/A	Approved December 12, 2024	Administrative Matters (delegated by CR232/2012)
CAO 273/2024	Lease Agreement: Windsor West Little League (1993) Inc Location: Mic Mac Park Term: Oct 1, 2024 - Sept 30, 2025 Financials: \$1/annually excluding HST	Approved December 23, 2024	City as Lessor; Grantor: Grantee
CAO 293/2024	P&C: Property Matter Financials: N/A	Approved December 27, 2024	City as Lessor; Grantor: Grantee

Ward 3

CAO #	DESCRIPTION	STATUS	DELEGATION OF AUTHORITY ITEM
CAOP 114/2024	Agreement between City and Sentinal Polymers for flooring replacement at Adventure Bay Water Park Type: Sole Source Financials: \$202,699.17 excluding HST (B28/2024)	Approved September 4, 2024	Purchasing By-Law
CAO 115/2024	P&C: Legal Matter Financials: N/A	Approved July 8, 2024	City as Lessor; Grantor: Grantee
CAOP 117/2024	Agreement between City and Air Liquide Canada Inc for supply and deliver of carbon dioxide service at Windsor Family Aquatic Centre Type: Sole Source Financials: \$16,920 excluding HST	Approved September 12, 2024	Purchasing By-Law
CAO 141/2024	Amendment to Alley Closing By-Law 12417 Financials: N/A	Approved July 11, 2024	By-Law Amendments
CAOP 149/2024	Agreement between City and Windsor Eats Inc for Special Events Food and Beverage Services at Jackson Park for 2024 Bright Lights Windsor display	Approved November 20, 2024	Purchasing By-Law

	Type: RFT 93-24 Financials: N/A		
CAO 155/2024	Lease Agreement: Windsor Essex Community Housing Corporation Location: 495 Glengarry Ave, Glengarry Non-Profit Housing Corporation Term: July 4, 2024 - August 23, 2024 Financial Revenue: \$400 excluding HST	Approved August 28, 2024	City as Lessor; Grantor: Grantee
CAOP 167/2024	Agreement between City and Mid South Contractors ULC to replace three (3) Uninterrupted Power Supply units at City Hall Campus Type: Sole Source Financials: \$328,572.50 excluding HST (B28/2024)	Approved December 20, 2024	Purchasing By-Law
CAO 172/2024	P&C: Legal Matter Financials: N/A	Approved August 16, 2024	City as Lessor; Grantor: Grantee
CAO 187/2024	Agreement between City and The Canadian Museum for Human Rights for exhibition entitled The Witness Blanket displayed at Chimczuk Museum from June 2, 2025-September 30, 2025 Financials: \$2,895 excluding HST	Approved August 21, 2024	Administrative Matters (delegated by CR232/2012)
CAO 191/2024	Agreement between City and Nadine Williams for exhibition entitled The Fabric of Our Being displayed at Chimczuk Museum from January 1, 2025-March 31, 2025 Financials: \$3,620 excluding HST	Approved August 21, 2024	Administrative Matters (delegated by CR232/2012)
CAO 214/2024	Lease Agreement: Parkside Tennis Location: 6 Memorial Dr Term: September 1, 2024 - August 31, 2029 Financials: \$80,630.43/annually excluding HST	Approved October 3, 2024	City as Lessor; Grantor: Grantee
CAO 216/2024	Consent to Enter: Congregation Shaar Hashomayim Location: parking lot of 68 Giles Blvd E. Term: 8am to 4pm on September 26, 2024 Financials: N/A	Approved September 24, 2024	City as Lessor; Grantor: Grantee
CAO 242/2024	Consent to Enter: Windsor Police Services Location: 68 Giles (building and parking lot) Term: October 31, 2024 and November 18-22, 2024 Financials: N/A	Approved November 6, 2024	City as Lessor; Grantor: Grantee
CAO 252/2024	Delegate authority to sign all related claims, progress reports, applicable schedules related Experience Ontario funding for Bright Lights to Executive Director, Parks, Recreation &	Approved November 20, 2024	Administrative Matters (delegated by CR232/2012)

	Facilities Financials: N/A		
CAO 258/2024	P&C: Property Matter Financials: N/A	Approved November 26, 2024	City as Lessor; Grantor: Grantee
CAO 259/2024	Lease Agreement: Samantha Rae Buhler o/a The Hub Location: Charles Clark Square, 215 Chatham St E (concession) Term: December 1, 2024 to November 30, 2025 Financials: \$4,667.54/annually excluding HST	Approved December 17, 2024	City as Lessor; Grantor: Grantee
CAO 263/2024	Agreement between City and St. Clair College Centre for the Arts to host the 2024 Manager Meeting on December 18, 2024 and 2024 Retiree Breakfast on January 30, 2025 Financials: \$1,695 excluding HST (deposit per event)	Approved December 6, 2024	Short Term Use of Facilities
CAO 275/2024	Grant application: Experience Ontario 2025 application for the Bright Lights 2025-2026 project Financials: N/A	Approved December 18, 2024	Grant Application

Ward 4

CAO #	DESCRIPTION	STATUS	DELEGATION OF AUTHORITY ITEM
CAOP 120/2024	Agreement between City and Piera Con Enterprises Inc for provision of Wyandotte St E and Marentette Ave curb extension Type: RFT 102-24 Financials: \$198,391 excluding (CR248/2019)	Approved September 19, 2024	Purchasing By-Law
CAO 190/2024	Letter of Support: Pelee Island Bird Observatory application to Windsor Essex Community Foundation Impact Grants to create bird/pollinator garden at Optimist Community Centre Financials: N/A	Approved August 21, 2024	Letter of Support

Ward 5

CAO #	DESCRIPTION	STATUS	DELEGATION OF AUTHORITY ITEM
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CAOP 135/2024	Agreement between City and ABC Recreation Ltd for playground replacement/repair at Francois Court Park Type: Sole Source Financials: \$25,000 excluding HST	Approved November 5, 2024	Purchasing By-Law
CAO 144/2024	Lease Agreement: Asian Centre of Windsor Location: 1168 Drouillard Rd, Units 6 and 17 Term: February 1, 2024 - January 31, 2025 Financial Revenue: \$7,978.05/annually excluding HST	Approved July 9, 2024	City as Lessor; Grantor: Grantee
CAOP 151/2024	Agreement between City and ABC Recreation Ltd for purpose of insurance claim Type: Sole Source Financials: \$272,322.72 excluding HST	Approved November 21, 2024	Purchasing By-Law
CAO 161/2024	P&C: Legal Matter Financials: N/A	Approved July 16, 2024	City as Lessor; Grantor: Grantee
CAO 176/2024	Correcting Title Deficiency: 2424 & 2428 Cadillac St Financials: N/A	Approved August 13, 2024	Administrative Matters (formerly CR 1413/87)

Ward 6

CAO #	DESCRIPTION	STATUS	DELEGATION OF AUTHORITY ITEM
CAOP 111/2024	Agreement between City and Cinema Stage Inc for sound system upgrades at WFCU Centre Type: RFT 94-24 Financials: \$275,701.53 excluding HST (B28/2024)	Approved August 28, 2024	Purchasing By-Law
CAOP 155/2024	Agreement between City and Cardinal Services Group for condenser replacement, Riverside Library Type: RFT 122-24 Financials: \$204,930 excluding HST (B6-2021)	Approved November 27, 2024	Purchasing By-Law
CAO 157/2024	Amendment to Alley Closing By-Law 12027 Financials: N/A	Approved July 15, 2024	By-Law Amendments
CAO 180/2024	Consent to Enter: Essex Standard Condominium Corporation No 162 Location: 8787 McHugh St Term: August 11, 2024 - August 26, 2024 Financials: N/A	Approved August 9, 2024	City as Lessor; Grantor: Grantee
CAO 197/2024	Agreement between City and EnWin Utilities Ltd to provide temporary power to existing transformer at St. Paul Pumping Station, 7730 Riverside	Amended September 10, 2024	Enwin Hydro Connection Agreements

	Dr E Financials: \$5,782 excluding HST		
CAO 207/2024	Grant Application: Community Sport and Recreation Infrastructure Fund for artificial turf sports field at McHugh Soccer Complex Financials: N/A	Approved October 4, 2024	Grant Application

Ward 7

CAO #	DESCRIPTION	STATUS	DELEGATION OF AUTHORITY ITEM
CAOP 90/2024	Agreement between City and Dillon Consulting Ltd for additional construction and inspection services at East Marsh Pumping Station Type: RFP 14-21 Financials: \$55,090 excluding HST	Approved September 19, 2024	Purchasing By-Law
CAOP 106/2024	Amendment to Contract PO 7183 with Quinlan Inc to include additional asphalt paving Type: RFT 34-24 Financials: \$30,000 excluding HST	Approved August 16, 2024	Purchasing By-Law
CAOP 142/2024	Agreement between City and Enwin Utilities for electrical hookup connection at Little River Corridor Park at 9420 Little River Rd Type: Exemption from Purchasing By-law Financials: N/A	Approved November 7, 2024	Purchasing By-Law
CAOP 144/2024	Agreement between City and Enwin Utilities for electrical hookup at Elizabeth Keshon Park. 1415 Banwell Rd Type: Exemption from Purchasing By-law Financials: N/A	Approved November 13, 2024	Enwin Hydro Connection Agreements
CAO 186/2024	P&C: Legal Matter Financials: N/A	Approved October 10, 2024	City as Lessor; Grantor: Grantee
CAO 194/2024	Agreement between City and Kingdom Construction Inc for In-Water Works permit and Works on Shore Lands for Erosion Control for East Marsh Pumping Station DMAF project Financials: N/A	Approved September 10, 2024	Administrative Matters (delegated by CR232/2012)
CAO 218/2024	Grant Application: Housing Enabling Core Servicing Stream for Banwell Rd and Wyandotte St E Road System Improvements Project Financials: N/A	Approved October 15, 2024	Grant Application

CAO 219/2024	Appointment of Dillon Consulting Ltd as Drainage Engineer to prepare report for improvements to Parent Outlet Drain Financials: N/A	Approved September 20, 2024	Appointment of Drainage Engineer
CAO 239/2024	Agreement between City and Windsor Figure Skating Club for skating harness to be installed at Forest Glade Arena on Rink B Financials: N/A	Approved October 28, 2024	Installation of Jump Harnesses
CAO 255/2024	P&C: Property Matter Financials: N/A	Approved November 19, 2024	Administrative Matters (delegated by CR232/2012)
CAO 262/2024	P&C: Property Matter Financials: N/A	Approved December 9, 2024	Administrative Matters (delegated by CR232/2012)

Ward 8

CAO #	DESCRIPTION	STATUS	DELEGATION OF AUTHORITY ITEM
CAOP 102/2024	Amendment to Roster Contract Purchase Order CO6918 with WSP E&I Canada Limited (WSP) for additional environmental investigation work Type: Sole Source Financials: \$8,200 excluding HST	Approved August 16, 2024	Purchasing By-Law

Ward 9

CAO #	DESCRIPTION	STATUS	DELEGATION OF AUTHORITY ITEM
CAOP 98/2024	Agreement between City and Amico Infrastructures Inc for Howard Ave & South Cameron Intersection Improvements Project Type: RFT 64-24 Financials: \$12,842,188 excluding HST (CR261/2023)	Approved August 8, 2024	Purchasing By-Law
CAOP 121/2024	Agreement between City and South Shore Contracting of Essex County Inc for Grand Marais Drain flood control improvements Type: RFT 97-24 Financials: \$2,546,530 excluding HST (B28/2024)	Approved September 20, 2024	Purchasing By-Law
CAOP 124/2024	Amendment to Contract PO 6826 with WSP Canada Limited to include scope change to lower and widen Dawson Drain in Municipal Drain Engineer's Report Financials: \$127,289 excluding HST	Approved October 17, 2024	Purchasing By-Law

CAOP 152/2024	Agreement between City and Rosati Group Inc for time and labour to relocate stockpiled soil material on Airport lands Type: Sole Source Financials: \$144,223 excluding HST	Approved November 27, 2024	Purchasing By-Law
CAOP 165/2024	Agreement between City and Dillon Consulting Ltd for County Rd 42 Corridor Transportation Assessment Type: Sole Source Financials: \$106,500 excluding HST	Approved December 20, 2024	Purchasing By-Law
CAO 170/2024	Amendment to Alley Closing By-Law 55-2012 Financials: N/A	Approved August 26, 2024	By-Law Amendments
CAO 178/2024	P&C: Legal Matter Financials: N/A	Approved August 7, 2024	Property Transactions
CAO 182/2024	Agreement between City and Briva Finance (Equite) S.E.C. to sign Landlord Consent Agreement for 3499 Wheelton Dr Financials: N/A	Approved August 8, 2024	Administrative Matters (delegated by CR232/2012)
CAO 185/2024	Consent to Enter: Enbridge Gas Inc Location: Windsor Airport Term: May 1, 2024 - Agreement will terminate upon dedication of cargo road as a public highway by Licensor Financials: \$1/annually excluding HST	Approved September 12, 2024	City as Lessor; Grantor: Grantee
CAO 228/2024	P&C: Legal Matter Financials: N/A	Amendment Approved November 1, 2023	City as Lessor; Grantor: Grantee

Ward 10

CAO #	DESCRIPTION	STATUS	DELEGATION OF AUTHORITY ITEM
CAO 169/2024	Amendment to Alley Closing By-Law 223-2007 Financials: N/A	Approved August 9, 2024	By-Law Amendments
CAO 203/2024	Correcting Title Deficiency: 0 Alexandra Ave Financials: \$83.11 excluding HST	Approved August 29, 2024	Administrative Matters (formerly CR 1413/87)

City Wide

CAO #	DESCRIPTION	STATUS	DELEGATION OF AUTHORITY ITEM
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CAOP 84/2024	Agreement between City and Dor-Co Sales & Service Ltd for overhead door maintenance at various City facilities Type: RFT 78-24 Financials: \$767.25 per hour excluding HST	Approved July 1, 2024	Purchasing By-Law
CAOP 85/2024	Agreement between City and WSP Canada Inc to provide Community Improvement Plan Review Type: RFP 63-24 Financials: \$112,730 excluding HST	Approved August 7, 2024	Purchasing By-Law
CAOP 86/2024	Agreement between City and Green Tree Professional Tree Service Inc for provision of tree and stump removal services Type: RFT 18-24 Financials: \$200,000 annually excluding HST (B28/2024)	Approved July 9, 2024	Purchasing By-Law
CAOP 87/2024	Agreement between City and Kodiak Group Holdings Co for supply of safety footwear to City of Windsor employees Type: RFT 74-24 Financials: \$120,000 excluding HST	Approved July 8, 2024	Purchasing By-Law
CAOP 89/2024	Agreement between City and BXF Infrastructures Inc for provision of manhole casting levelling at various locations Type: RFT 3-24 Financials: \$147,145.70 excluding HST	Approved July 23, 2024	Purchasing By-Law
CAOP 91/2024	Agreement between City and Flow-Kleen Technology Ltd for catch basin cleaning Type: RFT 36-24 Financials: 279,955.16 excluding HST (B27/2024)	Approved July 24, 2024	Purchasing By-Law
CAO 93/2024	P&C: Personnel Matter Financials: N/A	Approved September 20, 2024	CAO By-Law
CAOP 93/2024	Agreement between City and Cardinal Services Group for HVAC maintenance Type: RFT 87-24 Financials: \$444,814 excluding HST (B27/2024; M05/2024)	Approved July 25, 2024	Purchasing By-Law
CAOP 94/2024	Agreement between City and GIP Paving Inc for cold milling and asphalt paving Type: RFT 90-24 Financials: \$1,653,890 excluding HST (B5/2023; B28/2024)	Approved July 29, 2024	Purchasing By-Law
CAOP 95/2024	Agreement between City and Fine Line Markings Inc for provision of crack sealing of asphalt pavements Type: RFT 58-24 Financials: \$273,360 excluding HST (B27/2024)	Approved July 29, 2024	Purchasing By-Law
CAOP 97/2024	Agreement between City and Vermeer Canada Inc to purchase one (1) new, unused 2024 Vermeer BC1500XL gas engine brush chipper Type: Sole Source Financials: \$109,997 excluding HST	Approved August 7, 2024	Purchasing By-Law

CAOP 100/2024	Agreement between City and Oracle Canada ULC for purchase of additional PeopleSoft licenses Type: Sole Source Financials: \$53,200 excluding HST	Approved August 8, 2024	Purchasing By-Law
CAOP 101/2024	Agreement between City and R.J. Pharmacy for flu/COVID vaccination clinics for City employees Type: Exempt from Purchasing By-law Financials: \$945 excluding HST	Approved August 8, 2024	Purchasing By-Law
CAOP 104/2024	Agreement between City and Ebert Tree Farm Ltd for tree planting services of up to 1,000 trees Type: RFT 37-20 Financials: \$295,000 excluding HST (B27/2024)	Approved August 12, 2024	Purchasing By-Law
CAOP 105/2024	Agreement between City and Global Maintenance Co, Lucas Renovations, Metnor Landscaping for labour and equipment for dirty yard clean up on as needed basis Type: RFT 68-24 Financials: N/A (costs passed on to property owner)	Approved August 22, 2024	Purchasing By-Law
CAOP 108/2024	P&C: Legal Matter Financials: N/A	Approved August 21, 2024	Purchasing By-Law
CAOP 109/2024	Agreement between City and Pitney Bowes of Canada Ltd for lease, service, maintenance on Mail Postage Machine-SendPro MailCentre 2000 Type: RFP 62-24 Financials: \$6,977.88 excluding HST	Amendment approved October 2, 2024	Purchasing By-Law
CAOP 115/2024	Agreement amendment between City and Lucier Glove & Safety Products Inc to amend pricing to existing service contract for safety clothing and services Type: RFT 100-21 Financials: \$13,000 excluding HST	Approved September 16, 2024	Purchasing By-Law
CAOP 119/2024	Agreement between City and Nasci Construction Services Ltd for provision of crack sealing of asphalt pavements at various locations Type: RFT 24-24 Financials: \$114,500 excluding HST	Approved September 12, 2024	Purchasing By-Law
CAOP 123/2024	Agreement between City and Green Tree Professional Tree Service Inc and Davey Tree Expert Co of Canada Ltd for provision of tree and stump removal services Type: RFT 17-24 Financials: \$513,540 annually excluding HST (B27/2024)	Approved September 27, 2024	Purchasing By-Law
CAOP 125/2024	Amendment to service agreement between City and Pollard Distribution Inc for supply of salt brine to storage facilities for winter seasons Type: RFT 127-17 Financials: \$154,000 excluding HST (MD5/2024)	Approved October 17, 2024	Purchasing By-Law

CAOP 126/2024	Agreement between City and triOS College Business Technology Healthcare Inc for provision of onsite therapeutic massages for City employees during Wellness Week Type: Exemption from Purchasing By-law Financials: N/A	Amended October 31, 2024	Purchasing By-Law
CAOP 128/2024	Agreement between City and Alite Road Patching & Road Work Inc for snow removal on municipal sidewalks and Multi Use Trails Type: RFT 61-24 Financials: \$165,000 excluding HST (B27/2024)	Approved October 17, 2024	Purchasing By-Law
CAOP 129/2024	Agreement between City and C.L. Benninger Equipment o/a Southpoint Equipment for purchase of nine (9) new 2024 Kubota RTV-4WD utility vehicles and attachments Type: Sole Source Financials: \$229,093 excluding HST (CRB28/2024)	Approved October 15, 2024	Purchasing By-Law
CAOP 130/2024	Agreement between City and AccertaClaim Servcorp Inc for dental/denture claim services for Employment and Social Services Type: Sole Source Financials: \$117,680 excluding HST	Approved October 18, 2024	Purchasing By-Law
CAOP 133/2024	Contract purchase order between City and Dutchmaster Nurseries Ltd for fall tree nursery stock Type: RFT 111-24 Financials: \$221,250 excluding HST (CR424/2024)	Approved October 28, 2024	Purchasing By-Law
CAOP 134/2024	Agreement between City and Wear it Proud - A Dynamic Design Company for extension of Corporate Apparel Pilot Program for additional one year Type: Sole Source Term: November 1, 2024 to October 31, 2025 Financials: No cost to City	Approved October 28, 2024	Purchasing By-Law
CAO 138/2024	P&C: Personnel Matter Financials: N/A	Approved July 12, 2024	CAO By-Law
CAOP 138/2024	Agreement between City and Pesce & Associates HR Consultants for conducting Salary Market Review (2023/2024) for Non Union Positions Type: Sole Source Financials: \$24,000 excluding HST	Approved November 12, 2024	Purchasing By-Law
CAOP 139/2024	Agreement between City and Carrier Truck Center Inc for purchase of one (1) new, unused 2025 International CV-515 Standard Cab, Heavy Duty, DRW, Diesel, 4WD truck with aluminum dump body and accessories Type: RFT 113-24 Financials: \$152,929 excluding HST (B28/2024)	Approved November 7, 2024	Purchasing By-Law

CAOP 141/2024	Agreement between City and Turf Care Products Canada Ltd for two (2) new, unused Toro Groundsmaster 4000-D Mowers Type: Sole Source Financials: \$274,410 excluding HST (CR424/2024)	Approved November 7, 2024	Purchasing By-Law
CAOP 143/2024	Amendment between City and Deloitte LLP to continue building in-progress City's Business Continuity Management Program Type: Sole Source Financials: \$39,000 excluding HST	Approved November 26, 2024	Purchasing By-Law
CAO 146/2024	P&C: Personnel Matter Financials: N/A	Approved July 4, 2024	CAO By-Law
CAOP 146/2024	Agreement between City and Meraki IT Consulting Inc for decommissioning of Cloudpermit and redesign of AMANDA Type: Sole Source Financials: \$928,625 excluding HST (CR293/2023, CR245/2024)	Approved December 3, 2024	Purchasing By-Law
CAOP 147/2024	Agreement between City and Victory Ford for purchase and delivery of two (2) new, unused 2024 Ford E-Series Cutaway Vans with Knapheide Enclosed Service Utility Bodies and Accessories Type: Sole Source Financials: \$141,135 excluding HST	Approved November 20, 2024	Purchasing By-Law
CAOP 148/2024	Agreement between City and Oxford Dodge Chrysler Ltd for purchase and delivery of one (1) new, unused 2024 Ram 3500 Standard Cab & Chassis Tradesman, Heavy Duty, 2WD truck with aluminum service body and accessories Type: RFT 114-24 Financials: \$138,151 excluding HST	Approved November 21, 2024	Purchasing By-Law
CAO 149/2024	Authorization for City Treasurer, or designate, to sign Canada Revenue Agency T2 Short Return forms as required Financials: N/A	Approved July 8, 2024	Administrative Matters (delegated by CR232/2012)
CAOP 150/2024	Agreement between City and Telus Communications Inc for use and implementation of FOCUS as Corporate GPS/AVL solution Type: RFP 95-16 Financials: \$150,000 excluding HST	Approved November 21, 2024	Purchasing By-Law
CAO 156/2024	P&C: Personnel Matter Financials: N/A	Approved July 11, 2024	CAO By-Law
CAOP 156/2024	Agreement between City and Urban Transportation Associates Inc for sixty (60) Automatic Passenger Counters for Transit fleet Type: RFT 115-24 Financials: \$393,714 excluding HST (CR352/2022)	Approved December 3, 2024	Purchasing By-Law
CAO 158/2024	Agreement between City and ZOLL Medical Canada Inc for Hosted-Cloud Software Service Financials: N/A	Approved July 16, 2024	Administrative Matters (delegated by CR232/2012)

CAOP 158//2024	Agreement between City and Essex Region Conservation Authority for renewal of Enforcement Transfer Agreement Type: Sole Source Financials: \$4,760/annually excluding HST	Approved December 23, 2024	Purchasing By-Law
CAOP 159/2024	Agreement between City and Fulline Farms & Garden Equipment for purchase of one (1) new, unused 2024 JCB 950, Rough Terrain Forklift and accessories Type: RFT 124-24 Financials: \$144,000 excluding HST (B5/2023)	Approved December 10, 2024	Purchasing By-Law
CAOP 161/2024	Cellular Service agreement with any carrier, for trial of twelve (12) mobile phone plans as part of pilot program Type: Low Dollar Purchase in accordance with Purchasing By-Law 93-2012 Financials: N/A	Approved December 10, 2024	Purchasing By-Law
CAOP 162/2024	Agreement between City and 2045162 Ontario Ltd o/a Clark Marketing Communications for licensing, hosting, and support of Asset Management Software (AMS) Type: Sole Source Financials: \$280,233 excluding HST (Projected Net City Cost \$98,485)	Approved December 16, 2024	Purchasing By-Law
CAO 163/2024	P&C: Personnel Matter Financials: N/A	Approved July 26, 2024	CAO By-Law
CAO 164/2024	Agreement between City and Windsor Essex County Health Unit to access data for planning and analysis in accordance with Pathway to Potential Windsor-Essex Poverty Reduction Strategy 2024-2028 Financials: N/A	Amended August 6, 2024	Administrative Matters (delegated by CR232/2012)
CAO 165/2024	Request 2024-03 by TWEPI for use of Tourism Development Infrastructure and Program Reserve Fund for Canadian National Junior Team Summer Showcase Financials: \$30,000 excluding HST	Approved July 24, 2024	Use of Tourism Reserve Fund (CR427/2018)
CAOP 166/2024	Agreement between City and Workforce Software Inc for provision of extending agreements for additional 2 year term Type: Sole Source Financials: \$725,000 excluding HST (B27/2024)	Approved December 20, 2024	Purchasing By-Law
CAO 168/2024	Grant Application: Ontario Ministry of the Solicitor General for Fire Protection Grant for purchase of cancer prevention equipment Financials: \$124,740 excluding HST	Approved September 3, 2024	Grant Application
CAOP 168/2024	Agreement between City and Ren's Feed & Supplies Ltd (Ren's Pets) to offer in-store coupons when residents obtain new or renewal of	Approved December 20, 2024	Purchasing By-Law

	dog licenses for 2 year term Financials: N/A		
CAO 171/2024	Letter of Support: Canadian Mental Health Association for advanced screening application to Public Health Agency of Canada's Intersectoral Action Fund Financials: N/A	Approved July 25, 2024	Letter of Support
CAO 177/2024	P&C: Personnel Matter Financials: N/A	Approved August 7, 2024	CAO By-Law
CAO 183/2024	P&C: Personnel Matter Financials: N/A	Approved August 23, 2024	CAO By-Law
CAO 184/2024	P&C: Personnel Matter Financials: N/A	Approved August 16, 2024	CAO By-Law
CAO 195/2024	P&C: Personnel Matter Financials: N/A	Approved August 21, 2024	CAO By-Law
CAO 188/2024	Authorization for Chief Information Officer/Executive Director of Technology, or designate, to take any necessary actions to facilitate processing Microsoft-provided or Microsoft-partnered provided benefits for specific projects Financials: N/A	Approved September 4, 2024	Administrative Matters (delegated by CR232/2012)
CAO 189/2024	P&C: Personnel Matter Financials: N/A	Approved September 10, 2024	CAO By-Law
CAO 192/2024	Authorization for Commissioner of Economic Development, or designate, to sign Transit Windsor related claims, progress reports and applicable schedules and other such documents, as may be required as part of request for payment for Investing in Canada Infrastructure Program (ICIP) – Public Transit Financials: N/A	Approved Aug 22, 2024	Administrative Matters (delegated by CR232/2012)
CAO 193/2024	P&C: Personnel Matter Financials: N/A	Approved September 5, 2024	CAO By-Law
CAO 196/2024	Status report on Compliance with Applicable Laws and Regulations 2024 Q1-Q2 Financials: N/A	Approved November 2024	Administrative Matters (delegated by CR232/2012)
CAO 198/2024	P&C: Personnel Matter Financials: N/A	Approved August 26, 2024	CAO By-Law
CAO 201/2024	P&C: Personnel Matter Financials: N/A	Approved September 19, 2024	CAO By-Law
CAO 202/2024	Authorization for City to participate in Students Commission of Canada "Take our Kids to Work Day" Term: November 2024 - November 2027 Financials: \$1,000/year excluding HST	Approved September 3, 2024	Student and Youth Employment Opportunities Program
CAO 210/2024	P&C: Personnel Matter Financials: N/A	Approved September 13, 2024	CAO By-Law

CAO 211/2024	P&C: Personnel Matter Financials: N/A	Amendment Approved October 28, 2024	CAO By-Law
CAO 215/2024	Grant Application: Municipal Climate Change Offer from Enbridge Gas Inc Financials: N/A	Approved October 4, 2024	Grant Application
CAO 217/2024	Agreement between City and Fire Marshal's Public Fire Safety Council to allow Fire & Rescue Services to participate in Safe Community Project Zero Campaign Financials: No direct cost to City	Approved September 16, 2024	Administrative Matters (delegated by CR232/2012)
CAO 222/2024	Agreement between City and Canada Border Services Agency (CBSA) Import/Export Program Account to gain access to CBSA Assessment and Revenue Management (CARM) Client Portal Financials: N/A	Approved October 3, 2024	Administrative Matters (delegated by CR232/2012)
CAO 223/2024	P&C: Personnel Matter Financials: N/A	Approved October 15, 2024	CAO By-Law
CAO 225/2024	P&C: Personnel Matter Financials: N/A	Approved October 24, 2024	CAO By-Law
CAO 226/2024	Summary of Ministry of Labour (MOL) and Labour Canada visits Term: July 1, 2022 to December 31, 2023 Financials: N/A	Approved October 22, 2024	Administrative Matters (delegated by CR232/2012)
CAO 227/2024	Letter of Support: Essex Windsor Solid Waste Authority for application for amendment for Organic Waste Transfer Station at 3560 North Service Rd E Financials: N/A	Approved October 11, 2024	Letter of Support
CAO 229/2024	Request 2024-04 by TWEPI for use of Tourism Development Infrastructure and Program Reserve Fund for gift-promotional items for 2025 Ontario Bike Summit Financials: \$45,000 excluding HST	Approved October 15, 2024	Use of Tourism Reserve Fund (CR427/2018)
CAO 230/2024	P&C: Personnel Matter Financials: N/A	Approved November 6, 2024	CAO By-Law
CAO 231/2024	Acknowledgement of Snow Angel Volunteers for 2023-2024 season Financials: \$28,544 excluding HST	Approved October 15, 2024	Administrative Matters (delegated by CR232/2012)
CAO 232/2024	Agreement between City and First Work to provide sponsorship funding for Futures Conference funded by Windsor Regional Employment Network Financials: N/A	Approved October 18, 2024	Administrative Matters (delegated by CR232/2012)
CAO 233/2024	Agreement between City and The Nature Conservancy of Canada to receive funding for Invasive Phragmite Control Fund Financials: \$12,568.33 excluding HST	Approved October 23, 2024	Administrative Matters (delegated by CR232/2012)

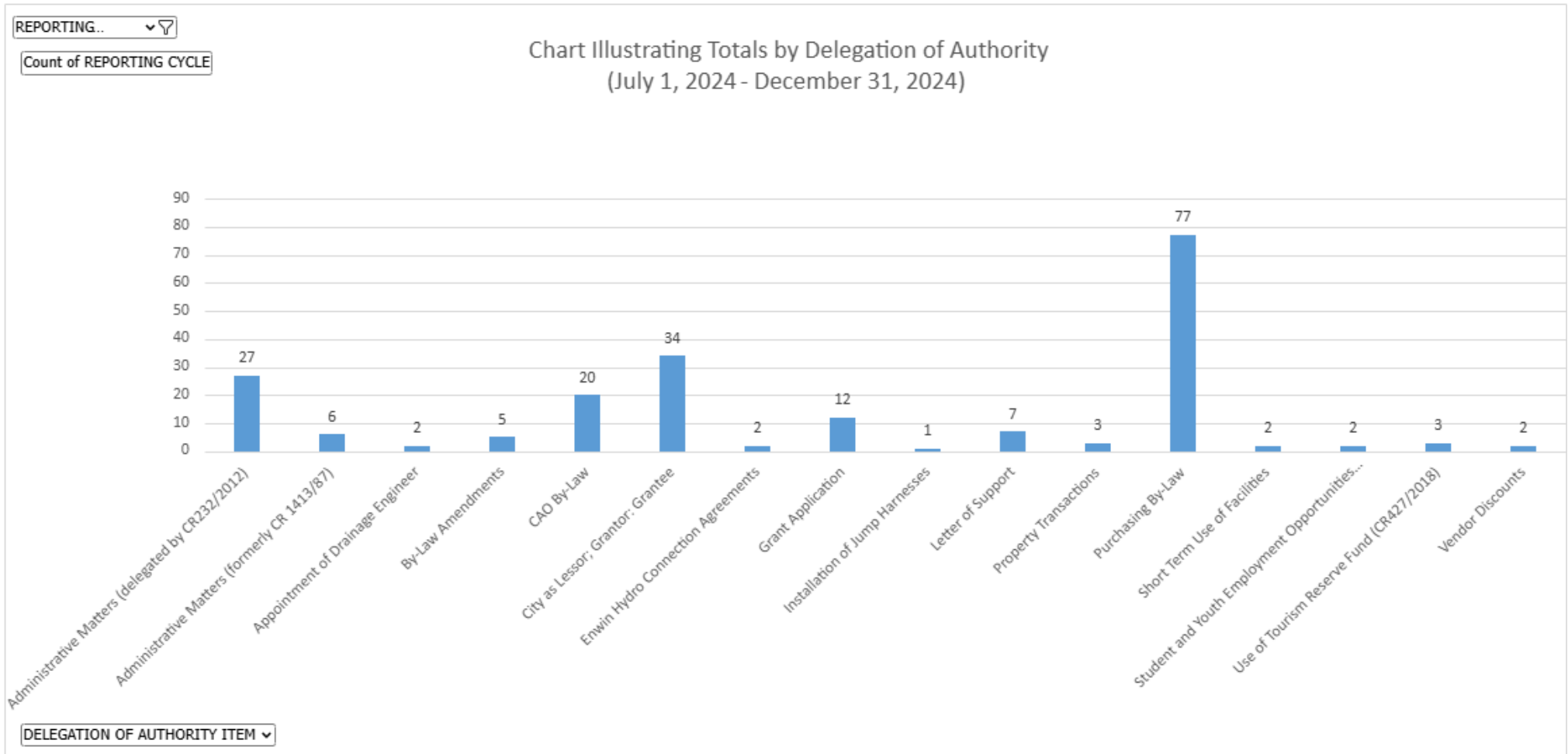
CAO 235/2024	Agreement between City and Ministry of Children's Community and Social Services Ontario in support of 211 Gender based Violence (GBV) project funding proposal Financials: N/A	Approved October 11, 2024	Administrative Matters (delegated by CR232/2012)
CAO 237/2024	Vendor Discount: Agreement between City and Perkopolis for provision of managed discount rewards and benefits program for employees Financials: N/A	Approved November 1, 2024	Vendor Discounts
CAO 238/2024	Agreement between City and Rogers Communications Canada Inc insofar as terms and conditions of Vendor of Record Ontario Master Agreement Financials: N/A	Approved December 3, 2024	Administrative Matters (delegated by CR232/2012)
CAO 246/2024	Agreement between City and Postmedia Network for promotional print advertising for Open Streets Windsor Financials: \$1,000 excluding HST	Approved November 13, 2024	Administrative Matters (delegated by CR232/2012)
CAO 247/2024	Grant Application: Health Canada Emergency Treatment Fund application to help provide rapid responses to emergent, critical needs related to substance use and overdose crisis Financials: N/A	Approved November 5, 2024	Grant Application
CAO 249/2024	Agreement between City and Windsor Police Service (WPS) to sign Request and Authorization under Trespass to Property Act, R.S.O. 1990 authorizing (WPS) to enforce Trespass to Property Act on Corporation's behalf while engaged to provide security services at any City premise for a period of 5 years Financials: N/A	Approved November 20, 2024	Administrative Matters (delegated by CR232/2012)
CAO 257/2024	Vendor Discount: Costco Wholesale Canada Financials: N/A	Approved December 2, 2024	Vendor Discounts
CAO 269/2024	Agreement between City and Lifesaving Society for use of Swim to Life Program Term: January 1, 2025 to December 31, 2029 Financials: \$6,000 excluding HST	Approved December 11, 2024	Administrative Matters (delegated by CR232/2012)
CAO 277/2024	Grant Application: Ontario Nuclear Emergency Management Program (NEMP) Transfer Fund application for Mass Notification System, Nuclear HazMat Response, and Community Evacuation Shelter Supplies Financials: N/A	Approved December 23, 2024	Grant Application
CAO 282/2024	Letter of Support: Windsor Family Health Team's Nomination for Transformative Change Awards 2025 Financials: N/A	Approved December 17, 2024	Letter of Support

CAO 284/2024	Letter of Support: Canadian Mental Health Association - Windsor Essex Branch Nomination for Transformative Change Awards 2024 through Alliance for Healthier Communities Financials: N/A	Approved December 20, 2024	Letter of Support
CAO 287/2024	P&C: Personnel Matter Financials: N/A	Approved December 20, 2024	CAO By-Law
CAO 288/2024	Grant Application: National Crime Prevention Strategy 2024 Call for Applicants by Public Safety Canada for Lead, Play, Thrive- Empowering Youth for the Future Financials: N/A	Approved December 20, 2024	Grant Application
CAO 289/2024	Letter of Support: St. Clair College MetaCare Consortium Digital Health Transformation Initiative Financials: N/A	Approved December 20, 2024	Letter of Support
CAO 290/2024	Request 2024-06 by TWEPI for use of Tourism Development Infrastructure and Program Reserve Fund (\$50,400) for Hockeyfest-Game and cancellation of Project 2021-02 for FCM 2022 Board Meeting (\$32,750) and reallocation of funds to 2024-06 Financials: \$83,150 excluding HST	Approved December 23, 2024	Use of Tourism Reserve Fund (CR427/2018)
CAO 292/2024	Grant Application: Canada-Ontario Housing Benefit (COHB), One-Time Shelter Expansion / Encampment Response Initiative Funding under Homelessness Prevention Program and Last Mile Funding Initiatives for "Ready to Build" Housing Projects under Canada Ontario Community Housing Initiative – Ontario Priorities Housing Initiative Financials: N/A	Approved December 23, 2024	Grant Application

Combined

CAO #	DESCRIPTION	STATUS	DELEGATION OF AUTHORITY ITEM
CAOP 88/2024	Agreement between City and LEA Consulting Ltd for Engineering Services on EC Row Expressway at Little River Drain Type: RFT 83-24 Financials: \$168,909.75 excluding HST (B5/2023) Wards: 7, 9	Approved July 9, 2024	Purchasing By-Law
CAOP 96/2024	Agreement between City and GIP Paving Inc for cold milling and asphalt paving Type: RFT 8-24 Financials: \$1,661,046 excluding HST (B28/2024) Wards: 2, 3, 4, 5, 6, 7, 8, 10	Approved September 3, 2024	Purchasing By-Law

CAOP 122/2024	Agreement between City and DiPonti Paving Inc for installation of speed bumps Type: RFT 82-24 Financials: \$243,500 excluding HST (CR467/2023, CR408/2023, CR365/2024) Wards: 3, 4, 9, 10	Approved September 24, 2024	Purchasing By-Law
CAOP 131/2024	Agreement between City and LifeMark Occupational Health and Wellness Inc for provision of On-Site Health Screenings for City employees during Wellness Week Type: RFQ Financials: \$7,374 excluding HST Wards: 1, 2, 3, 5, 10	Approved October 23, 2024	Purchasing By-Law
CAOP 136/2024	Agreement between City and KONE Inc for elevator maintenance at various City facilities Type: RFT 65-24 Financials: \$240,880 excluding HST (B28/2024) Wards: 1, 3	Approved November 4, 2024	Purchasing By-Law
CAO 166/2024	Grant Application: Local Leadership for Climate Adaptation - Adaptation in Action Grant for Reimagined Adie Knox Herman Recreation Complex, InfoWorks ICM Sewer Model Update Project, and Thermal Comfort and Extreme Heat Project Financials: N/A Ward: 1, 2, 6, 7	Approved July 30, 2024	Grant Application
CAO 200/2024	Agreement between City and Europro (Tecumseh Mall) & Primaris Management Inc (Devonshire Mall) for Windsor Fire & Rescue Services to host Fire Prevention Week displays Term: October 10-12, 2024 Financials: No cost to City Wards: 8, 9	Approved September 6, 2024	Short Term Use of Facilities
CAO 271/2024	Agreement between City and Vanessa Lai and Josh Hazel for access to Gateway Park, 1271 Riverside Dr W for purpose of Adopt-a-Park or Trail Term: January 1, 2025 to December 31, 2027 Financials: \$500 excluding HST Wards: 2, 3	Approved December 12, 2024	Administrative Matters (delegated by CR232/2012)





Committee Matters: SCM 36/2025

Subject: Minutes of the Active Transportation Expert Panel of its meeting held October 28, 2024

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Gary Kaschak

Decision Number: **ETPS 1039**

THAT the minutes of the Active Transportation Expert Panel meeting held October 28, 2024, **BE RECEIVED**.

Carried.

Report Number: SCM 390/2024

Clerk's Note:

1. Please refer to Item 7.1 from the Environment, Transportation & Public Safety Standing Committee held on January 29, 2025.
2. To view the stream of this Standing Committee meeting, please refer to:
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20250129/-1/10536>



Committee Matters: SCM 390/2024

**Subject: Minutes of the Active Transportation Expert Panel of its meeting held
October 28, 2024**

Active Transportation Expert Panel

Meeting held October 28, 2024

A meeting of the Active Transportation Expert Panel is held this day commencing at 2:30 o'clock p.m. via Zoom video conference, there being present the following members:

Dr. Paul Henshaw
Teena Ireland
Kevin Morse
Jocelyn Nikita
James Sommerdyk

Guest in attendance:

Bob Cameron

Also present are the following resource personnel:

Gholamreza (Ray) Sayyadi, Transportation Planning Senior Engineer
Kathy Quenneville, Chair, and Active Transportation Coordinator
Ian Day, Senior Manager Traffic Operations/Parking
Karen Kadour, Committee Coordinator

1. Call to Order

Kathy Quenneville, Chair calls the meeting to order at 2:34 o'clock p.m. and the Expert Panel considers the Agenda being Schedule A attached hereto, matters which are dealt with as follows:

2. Declaration of Conflict

None disclosed.

3. Adoption of the Minutes

Moved by Dr. Paul Henshaw, seconded by Teena Ireland,
That the minutes of the Active Transportation Expert Panel of its meeting held May 30, 2024 **BE ADOPTED** as presented.
Carried.

4. Business Items

4.1 2024 Operating Budget – Expenditure Planning and Possible Initiatives to Fund

Kathy Quenneville, Chair advises that the balance of the 2024 operating budget is \$6,100. Possible initiatives to fund includes the following:

- Safety Village cycling safety programs or in school programs for students
- Bike safety event (due to timing may be considered in 2025)
- Bike racks for schools
- Cycling related items for children, i.e. helmets, bike locks, lights
- Promotional ads, i.e. safety message geared at motorists regarding pedestrian and cyclist safety

The Chair asks if there is interest in forming a subcommittee to review the feasibility of the foregoing initiatives.

Kevin Morse advises that bike racks cost approximately \$1,000 (as some racks are dated) and adds that the Windsor Essex County Health Unit has a list of high priority schools if the Expert Panel wishes to target specific groups. As there are areas that are not safe, he suggests purchasing bike locks for the students. He proposes that bike racks be placed in city parks to encourage children to ride their bikes.

Jim Sommerdyk states upon reviewing the Mandate for the Active Transportation Expert Panel that, there does not appear to be advocacy, rather it is more about providing advice. The Chair responds that in the past the former committee did not invest in bike education for children, i.e. helmets, and bike equipment.

Dr. Paul Henshaw supports the Safety Village doing a school education training for Grades 3 and 4 and, for the children who undertake the training, to provide bike locks.

Teena Ireland requests the purchase of helmets and bike racks especially in the downtown core.

Jocelyn Nikita would like to see a general approach for the larger Windsor-Essex community and concurs with using the operating budget to focus on youth. She adds in the future, would like to see promotional ads that address pedestrian and cyclist safety.

The Chair advises that Barry Horrobin, Director of Planning and Physical Resources, City of Windsor would be willing to partner with the Active Transportation Expert Panel on safety videos.

Discussion ensues regarding how best to utilize the 2024 operating budget.

Jocelyn Nikita suggests doing a holiday giveaway, i.e. bike locks, helmets to provide public awareness of the Expert Panel.

Dr. Paul Henshaw refers to the promotional ads/public service announcement initiative and indicates that the announcement would state “sponsored by the Active Transportation Expert Panel” and would provide public awareness of the Expert Panel.

Moved by Jocelyn Nikita, seconded by Dr. Paul Henshaw,
That **APPROVAL BE GIVEN** to an upset amount of \$4,000 for four schools to attend the Safety Village school education program.
Carried.

Kevin Morse proposes that the remainder of the 2024 operating budget be dedicated to the purchase of bike locks, and helmets.

Gholamreza (Ray) Sayyadi, Transportation Planning Senior Engineer suggests a “competition” in schools or the Safety Village via social media and as a prize, the winner would receive a cash amount, i.e. \$50 voucher to purchase something from Canadian Tire. He further proposes free bike repairs (funding to be provided from the 2024 operating budget).

Dr. Paul Henshaw expresses concern that if there is an initiative that involves Canadian Tire, then another store may ask why not us.

Dr. Paul Henshaw suggests contacting the Safety Village and requests that the 2024 operating budget be utilized to train as many children as the budget will allow and if this includes high priority schools, helmets will be provided.

The Chair indicates there are some schools that may not otherwise go to the Safety Village if the Expert Panel did not donate, as they cannot afford the transportation and many of these high equity needs schools, cannot ask the children for money. She suggests approaching specific schools and offer the opportunity to students to attend the Safety Village training at no cost.

Moved by Dr. Paul Henshaw, seconded by Teena Ireland,
That **APPROVAL BE GIVEN** to an expenditure in the upset amount of \$2,100 including taxes for the purchase of bike accessories.
Carried.

Jocelyn Nikita and Kevin Moore volunteer to assist the Chair in the pricing of bike locks and bells and lights. Kevin Moore will provide the list of priority schools.

4.2 Prioritization of future Projects

4.3 New Business

None.

5. Date of Next Meeting

The next meeting will be at the call of the Chair.

6. Adjournment

There being no further business, the meeting is adjourned at 3:40 o'clock p.m.



Committee Matters: SCM 37/2025

Subject: 2024 Annual Report of the Active Transportation Expert Panel

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Gary Kaschak

Decision Number: **ETPS 1040**

THAT 2024 Annual Report of the Active Transportation Expert Panel **BE APPROVED.**
Carried.

Report Number: SCM 1/2025

Clerk's Note:

1. Please refer to Item 7.2 from the Environment, Transportation & Public Safety Standing Committee held on January 29, 2025.
2. To view the stream of this Standing Committee meeting, please refer to:
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20250129/-1/10536>



Committee Matters: SCM 1/2025

Subject: 2024 Annual Report of the Active Transportation Expert Panel

ACTIVE TRANSPORTATION EXPERT PANEL 2024 Annual Report

COMMITTEE BUSINESS

In 2024, the newly formed Active Transportation (AT) Expert Panel held its first meeting on March 14th, following orientation and governance training conducted earlier that day. During the meeting, the Expert Panel received a presentation that included:

- An overview of the Active Transportation Master Plan, highlighting implementation action items related to the five overarching themes of the plan.
- A review of cycling and pedestrian design guidance publications.
- Details about the AT Expert Panel Budget, planned and current bikeway projects, and the Bikeways Development Budget.

In subsequent meetings, the AT Expert Panel:

- Provided input and feedback on planned and future bikeways projects;
- Hosted guest speaker Melissa Lauzon from the Safety Village, who presented on their bike safety and injury prevention education program for school-aged children.
- Discussed active transportation initiatives to fund:
- Addressed budget items, passing motions to allocate funding support as follows:
 - **Bike to Work Day refreshments**, upset amount for light refreshments for participants: \$1,000
 - **Fireworks Bike Valet**, upset amount for fencing, bike rack rental and security: \$2,500
 - **Safety Village Bike Education for Grade 4 Students**: \$4,000
 - **Bike Locks**, for school-aged children: \$2,100

EVENTS & OUTREACH

The Active Transportation Expert Panel event and outreach activities for 2024 were as follows:

- **Bike to Work Event** – May 30th, 2024, to promote commuter cycling. Downtown and surrounding area employees were encouraged to ride their bikes to work and gather at Charles Clark Square for refreshments. Participants visited booths from:
 - Transportation Planning, where they could obtain bike maps and provide feedback on the City's Active Transportation Master Plan.
 - The City's Wellness Committee, for health-related resources.
 - Bird Canada, where attendees could test ride e-bikes and e-scooters.
- **Ford Fireworks Secure Bike Parking** – Held on June 24, 2024, the Expert Panel offered free, secure bike parking for attendees of the fireworks display.
- **Safety Village Bike Education** – The Expert Panel committed funds to provide bike safety and injury prevention education field trips for 500 Grade 4 students in Spring 2025. To ensure all students can participate, the Safety Village offers scooters for students unable to ride bikes.



Committee Matters: SCM 38/2025

Subject: 2024 Annual Report of the Environment & Climate Change Advisory Committee

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

Decision Number: **ETPS 1041**

THAT the 2024 Annual Report of the Environment & Climate Change Advisory Committee **BE APPROVED**.

Carried.

Report Number: SCM 2/2025

Clerk's Note:

1. Please refer to Item 7.3 from the Environment, Transportation & Public Safety Standing Committee held on January 29, 2025.
2. To view the stream of this Standing Committee meeting, please refer to:
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20250129/-1/10536>



Committee Matters: SCM 2/2025

Subject: 2024 Annual Report of the Environment & Climate Change Advisory Committee



Environment and Climate Change Orientation

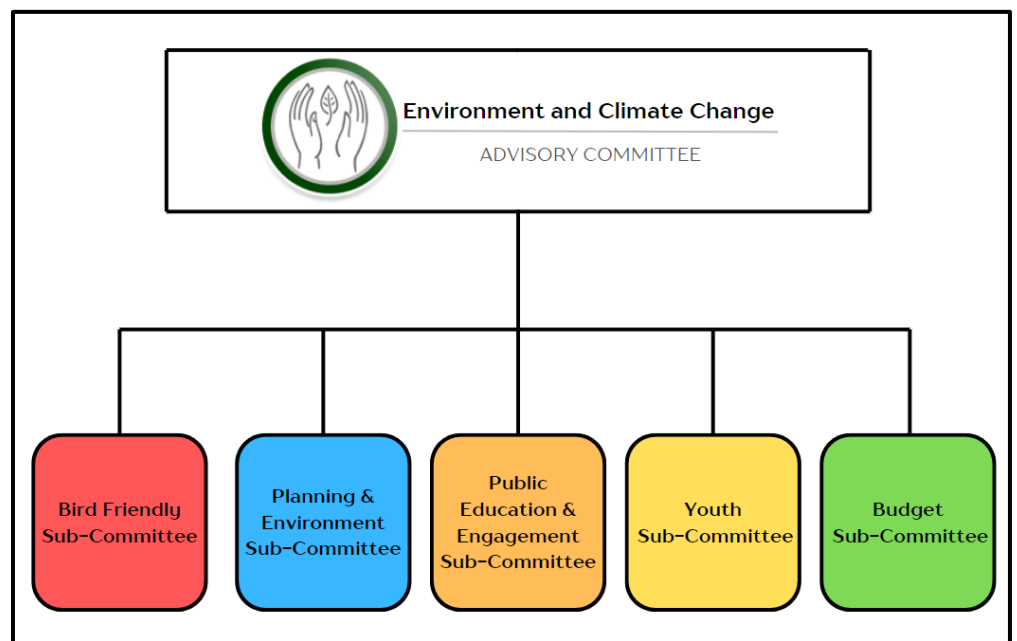
The Environment and Climate Change Advisory Committee (ECCAC) has completed its inaugural year in 2024 since its rebranding from the previous Windsor Essex County Environment Committee (WECEC). Orientation training took place March 19th, 2024 where the Occupational Health and Safety presentation was presented by Brett Bulmer and the finalized terms of reference were shared with the committee. Councillor Kieran McKenzie was additionally elected as the chair for the committee. This meeting involved understanding the members' greatest environmental concerns and the direction in which they would like to see this committee go.

Creation of Sub-committees and election of chairs

In the first official meeting held by ECCAC on May 19th, 2024, the committee supported and launched the creation of 5 sub-committees that would meet informally, all focused on key issues discussed in the orientation, to help support various environmental initiatives. The requirements were that these sub-committees were to meet at least 4 times a year and have at least one member from the ECCAC committee be on the sub-committee. Sub-committees were open to having as many members as they would like and could include members outside of ECCAC. These 5 sub-committees include:

1. Bird Team
2. Planning and Environment
3. Public Education and Engagement
4. Youth
5. Budget

Each sub-committee is chaired by a member of the ECCAC.



Subcommittee accomplishments and next steps

1. Bird Team

Accomplishments

The bird team was able to accomplish many things during the 2024 calendar year. It currently consists of 5 members representing various organizations such as the City of Windsor, Carolinian Canada, PIBO and the University of Windsor. Firstly, the committee, with support from City of Windsor staff, were able to submit the renewal application form for the City's Bird Friendly Status and were successful in the renewal application. This ensures the City will maintain its status and associated resources for at least another two years. In addition to this, the bird team has now successfully facilitated the addition of Chimney Swift Roosts sites into the EIS system at the City of Windsor for all City Staff to use.



An update to the City's Terms of Reference guide for building applications has also seen the ability for City staff on the committee to request sustainability briefings, which include considerations for bird friendly infrastructure.

Community engagement has also significantly increased this past year as numerous resources have been updated/uploaded to the City of Windsor's website. These include two new sections for residents to learn about bird friendly initiatives, a page dedicated to steps needed to take when encountering injured birds and new educational material for teachers surrounding climate change and bird friendly cities.

Links to the City website:

[Bird Friendly Community | City of Windsor](#)

[Resources for Teachers | City of Windsor](#)

[Understanding Human-related Causes of Bird Mortalities | City of Windsor](#)

[Bird Friendly City | City of Windsor](#)

Next Steps

The Bird Team will be looking to increase its efforts targeted at the impacts of wild/house cats on bird populations in the new year. Budget will be allocated to the

printing of educational pamphlets that will be distributed to veterinary clinics and the humane society for cat owners to learn more on the impacts that free range cats play on bird populations.

The team also completed a survey in fall 2024 during the world migratory week to track bird collisions against municipal buildings. The results from this survey will help prioritize which municipal buildings should be prioritized for future bird friendly window treatments.

2. Planning & Environment

Accomplishments

The goal of the planning and environment subcommittee is to bring forward recommendations for the official plan and policy documents. The integration of the new terms of reference guide for building applications has not only seen the integration of a sustainability brief, but now also mandates the integration of an energy strategy brief, flooding brief, shadow brief, heat island reduction brief or wind brief upon request. These are significant gains for the Environmental Sustainability and Climate Change Office to try and guide more sustainable development in the City.

Next Steps

The sub-committee will continue to revise official plan strategies to better protect natural areas in the City. With a new EV charging policy being drafted for council, this sub-committee could have a role to play in guiding this policy. There is also room for collaboration between the Planning & Environment sub-committee and the bird team to focus on some official plan or by-law amendments to support bird friendly infrastructure.

3. Public Education and Engagement

Accomplishments

The goal of this sub-committee is to develop and implement education and engagement strategies. Numerous ideas have been brainstormed for potential implementation in 2025. These include increasing educational opportunities with local schools and universities to increase awareness of the city's climate initiatives and planned actions. Collaboration with



environmental clubs in local high schools has been identified as a key area. The committee, in collaboration with City of Windsor staff, has been able to continue its promotional engagement. The City has recently launched a new climate change presentation geared towards grade school and high school students focused on climate change and the City's climate change plans.

Finally, ECCAC sponsored an environmental film that was shown during WIFF. The film was shown twice throughout the festival and accompanied by associated climate change discussions/panel with residents. The engagement strategy proved a huge success with the committee anticipating continuing this event for next year's festival.

Next Steps

The sub-committee will be looking to implement many of its ideas in the upcoming year. The idea of bringing back the "Pat on the Back Awards" has been suggested to increase engagement with local community organizations and schools.

4. Youth Sub-Committee

Accomplishments

The youth sub-committee is focused on ensuring continued youth engagement in City processes to ensure the concerns of everyone are being addressed. The youth sub-committee will focus on collaborating with high school students across the City to implement engagement opportunities for the City's youth. The committee has brainstormed some ideas for implementation in 2025. These ideas include creating a mock youth council to allow students from high schools across the City to create their own by-law amendments for environmental initiatives with the winners suggestions being brought forward to the standing committee. Additional ideas include running a makeshift conference for high school students to learn more about City initiatives and allow for the sharing of knowledge.

Next Steps

The committee will look to implement these changes in 2025 by engaging local schools to gather interest in this program. Once several schools have expressed interest, the sub-committee will look to acquire the necessary resources to launch this program.

5. Budget Sub-Committee

Accomplishments

The objective of the budget sub-committee is to address the financial implications associated not only with operational cost of the ECCAC, but also to identify areas where

the municipality could cut cost associated to natural areas. The sub-committee has compiled a report that was highlighted in December's ECCAC meeting, with recommendations being prepared for ETPS in 2025.

Next Steps

The sub-committee will be bringing forward recommendations in the new year for cost-effective savings that benefit natural landscapes.

Next Steps for ECCAC

The ECCAC will be playing a pivotal role in the upcoming year in the implementation of the Sandwich South Sustainable Neighbourhood Action Plan (SNAP). In Q1 of 2025, the finalized report will be shared with ECCAC outlining the 92 potential actions. ECCAC will be asked to go through the report and help prioritize community led actions outlined in the plan to help guide council in decision-making surrounding the implementation and timelines associated with many of these suggested actions.



Conclusion

To conclude, the ECCAC committee has been quite active in its first year in action. Major administrative and planning brainstorming sessions have occurred with great anticipation for their full-scale launch in 2025. While the expenditures of this initial year have been minuscule, we anticipate seeing them fully be utilized in 2025 with the launch of many new programs. The upcoming year promises to be a very busy year for ECCAC.



Committee Matters: SCM 39/2025

Subject: 2024 Annual Report of the Transit Windsor Working Group

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

Decision Number: **ETPS 1042**

THAT the 2024 Annual Report of the Transit Windsor Working Group **BE APPROVED**.
Carried.

Report Number: SCM 6/2025

Clerk's Note:

1. Please refer to Item 7.4 from the Environment, Transportation & Public Safety Standing Committee held on January 29, 2025.
2. To view the stream of this Standing Committee meeting, please refer to:
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20250129/-1/10536>



Committee Matters: SCM 6/2025

Subject: 2024 Annual Report of the Transit Windsor Working Group

Transit Windsor remains dedicated to enhancing transit services through the ongoing implementation of the Transit Master Plan while adapting to challenges in order to provide safe and reliable transportation for the community and surrounding municipalities. This report highlights the notable accomplishments achieved in 2024.

NEGOTIATION OF NEW COLLECTIVE AGREEMENT WITH ATU, LOCAL 616

The collective agreement between Transit Windsor and the Amalgamated Transit Union, Local 616 expired on September 30th, 2023. Collective bargaining began in 2023 and after several months of negotiations, Transit Windsor successfully negotiated a new 51-month collective agreement, that will expire on December 31st, 2027.

IMPLEMENTATION OF ROUTES 115 AND 305

Beginning September 1st, 2024, Routes 115 and 305 replaced the Dominion 5 route. These changes helped to streamline services to be more efficient for passengers providing two-way conventional transit service for the entire duration of the new Route 115 from the Windsor International Transit Terminal to St Clair College. Route 305 covers the local area around Vincent Massey Secondary School and provides new services to the Capri Pizzeria Recreation Complex. This route travels to and from the Terminal at Hotel-Dieu Grace Healthcare to St Clair College. These changes are part of the overall 2023 Service Plan as approved by City Council and part of the overall development of the Transit Master Plan. The remainder of the 2023 overall service plan changes will take place at the end of 2024 or the beginning of 2025.

CITY COUNCIL APPROVAL OF ROUTE 250

As part of the 2024 City Operating Budget, City Council approved the implementation of Route 250. This route will provide service to the Next Star Battery Plant and the Twin Oaks service area. The plan is to provide a two-way conventional transit service between Tecumseh Mall and Devonshire Mall. This route is proposed to be implemented in 2025.

RENEWAL OF THE U-PASS AGREEMENT

U-Pass riders constituted 25% of Transit Windsor's total ridership in 2024. With the expiry of the U-Pass Agreement on December 31st, 2024, Transit Administration successfully negotiated and renewed the U-Pass Agreement, with the UWSA, GSS, and OPUS for another five years.

INVESTING IN CANADA INFRASTRUCTURE PROGRAM (ICIP)

This multi-year funding initiative will enable Transit Windsor to increase the number of fully accessible bus stops through the installation of concrete pads. About 50 bus stops are planned for the installation of concrete pads.

Additionally, ICIP funding will facilitate the expansion of the West End Transit Terminal and the construction of a new East End Terminal, which will include new Operator facilities.

PUBLIC TRANSIT INFRASTRUCTURE STREAM (PTIS)

On July 11th, 2024, MP Irek Kusmierczyk, MPP Andrew Dowie, and MPP Anthony Leardi, were joined by Councillor and Transit Board Member Kieran McKenzie, Transit Windsor's Executive Director, and Acting City Engineer, at Transit Windsor, to hear the funding announcements for

Windsor Public Transit. Through PTIS, the federal government is investing \$45,527,116 to support 10 transit projects. Contributions of \$37,935,470 will come from the Government of Ontario, and \$34,315,651 from the City of Windsor.

LAUNCH OF BACK-TO-SCHOOL SOCIAL MEDIA CAMPAIGN

To prepare for back to school in 2024, we launched a series of informative and interactive posts through all social media platforms including Facebook, X (formerly Twitter), and Instagram. The series of informative videos provides students, and their families, with essential information to address common questions such as schedules, bus routes, and fare information. Highlights featured tips for navigating Transit Windsor's website for trip planning, accessing real-time information via the Transit Windsor apps, available discounts for students, and information on Windsor's investments to meet the growing service demands.

ORDERED 21 NEW BUSES

In 2023, 21 new buses were ordered, with buses 8070 and 8071 being the first two to arrive. Seven buses were delivered in December 2024, and the remaining buses are expected to arrive throughout 2025. Transit Windsor maintenance staff have been actively preparing these buses to be road-ready.

WARMING BUS PROJECT

In collaboration with Housing & Children Services, the Downtown Mission, and Transit Windsor, the Warming Bus project was successfully executed in 2024. Operating from February to April, the Warming Bus provided relief for individuals experiencing homelessness. Transit Windsor adjusted schedules to ensure an Operations Supervisor and Bus Operator were available to transport Human and Health Services personnel, alongside partners from either the Downtown Mission or the Windsor Youth Centre, to offer assistance and support to vulnerable individuals. This initiative was made possible by one-time funding from Infrastructure Canada.

SUCCESS OF THE SPECIAL EVENTS ONLINE RESERVATION PROCESS

In June of 2023, Transit Windsor launched an online reservation process for booking seats on the Special Events bus. This service provides direct transportation to concerts, sporting events, and venues at Comerica Park, Ford Field, and Little Caesars Arena. At the launch of this program, we transported 12,345 riders and in 2024, the ridership for this service increased to 22,796. This increase in service included the transportation of 3,500 customers for the NFL Draft event.

HOLIDAY BUS

Through Enwin Utilities' sponsorship, bus 607 was fully wrapped with a holiday theme. This bus was put into regular service and made appearances at the opening of Bright Lights and the Santa Claus parade. This was the first time that a Transit Windsor bus participated in the Santa Claus parade.

As detailed in this report, there have been many improvements and enhancements to Transit Windsor's service. There have been steady improvements in service levels and route additions that aim to serve the needs of our riders. We encourage committee members to review this report and consider any questions or recommendations for the next meeting. Your input is invaluable, and we thank you for your continued support.



Committee Matters: SCM 41/2025

Subject: Banner Policy Implementation- City Wide

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

Decision Number: **ETPS 1044**

THAT Council **APPROVE** the attached Banner Policy Implementation.
Carried.

Report Number: S 4/2025
Clerk's File: APR2025

Clerk's Note:

1. The recommendation of the Environment, Transportation & Public Safety Standing Committee and Administration are the same.
2. Please refer to Item 8.2 from the Environment, Transportation & Public Safety Standing Committee held on January 29, 2025.
3. To view the stream of this Standing Committee meeting, please refer to:
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20250129/-1/10536>

Subject: Banner Policy Implementation - City Wide

Reference:

Date to Council: January 29, 2025

Author: Ian Day

Senior Manager of Traffic Operations

519-255-6247 x6106

iday@citywindsor.ca

Public Works - Operations

Report Date: January 7, 2025

Clerk's File #: APR2025

To: Mayor and Members of City Council

Recommendation:

THAT Council **APPROVE** the attached Banner Policy Implementation

Executive Summary:

N/A

Background:

From the May 7, 2018 Council Meeting in response to CR185-2018- Riverwest Citizens Initiative to install Community Banners in the Riverwest neighbourhood

Moved by: Councillor Elliott

Seconded by: Councillor Holt

Decision Number: CR275/2018

Council requested that Administration **BE DIRECTED** to prepare a draft policy for Council's consideration regarding banners (how they can be requested, all costs associated, etc.) outlining what would be expected.

Discussion:

Banner installations are permitted for the promotion of civic, charitable or community-oriented events which are held to benefit the community at large, affiliated community

groups, registered charities or other not-for-profit groups. Banners may also be permitted for the identification of an area such as a Business Improvement Area (BIA) or other. The installation of banners creates a welcoming atmosphere, provides a sense of arrival to tourists/motorists and can be an effective means of promoting events or areas.

In 2018, the City had no policy in place to regulate or control the installation of banners on municipally or privately owned poles (i.e. street light poles, specialty banner poles) in the Right of Way. Administration was asked to develop a policy to define the purpose, scope responsibilities, rules and regulations for the installation of said banners in order to ensure public safety and compliance to City Standards.

The proposed policy is attached as Appendix 1.

Risk Analysis:

There is no risk in receiving this report for information.

Climate Change Risks

Climate Change Mitigation:

N/A

Climate Change Adaptation:

N/A

Financial Matters:

The cost of banner installation is borne by the requestor. Currently, Traffic Operations would prepare an invoice to the requestor including full cost recovery of all costs plus the appropriate admin and management, material restocking, and corporate overheads.

If the banner has reached the end of life or has been damaged, it will be removed at the discretion of Traffic Operations. Should Council wish to amend this and have the City responsible, budget increases would be required.

Consultations:

Amy Olsen – Technologist III, Engineering
Cindy Becker – Financial Planning Administrator, Public Works
Rob Slater - Executive Initiatives Coordinator
Katherine Donaldson - Corporate Policy Coordinator, Council Services

Conclusion:

Administration recommends that the Banner Policy be accepted as attached.

Approvals:

Name	Title
Mark Spizzirri	Manager of Performance Measurement & Business Case Development
Adam Pillon	Manager of Right-of-Way Engineering
Stacey McGuire	Executive Director of Engineering / Deputy City Engineer
Phong Nguy	(A) Executive Director of Operations / Deputy City Engineer
David Simpson	Commissioner, Infrastructure Services / City Engineer
Janice Guthrie	Commissioner of Finance / City Treasurer
Joe Mancina	Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:

Appendix 1 - BANNER POLICY January 6, 2025

**THE CORPORATION OF THE CITY OF WINDSOR
BANNER APPLICATION POLICY**

Service Area:	Infrastructure Services	Policy No.:	
Department:	Traffic Operations	Approval Date:	
Division:	Public Works Operations	Approved By:	
		Effective Date:	
Subject:	Banner Application Policy	Procedure Ref.:	
Review Date:		<i>Pages:</i>	Replaces:
Prepared By:	Ian Day, Senior Manager Traffic and Parking (A)		Date:

1. POLICY

1.1 The Banner Application Policy establishes guidelines for banners installed on municipally owned poles.

1.2 Banner installations are permitted for the promotion of civic, charitable or community-oriented events which are held to benefit the community at large, affiliated community groups, registered charities or other not-for-profit groups. Banners may also be permitted for the identification of an area such as a Business Improvement Area (BIA) or other. The installation of banners creates a welcoming atmosphere and provides a sense of arrival to tourists and other motorists. The City of Windsor (hereinafter referred to as “the City”) recognizes that banners can be an effective means of promoting events or areas.

2. PURPOSE

2.1 The purpose of this policy is to establish a process for the approval, design, fabrication, and installation of pole mounted banners to ensure public safety and compliance to City Standards.

3. SCOPE

3.1 This policy applies to the placement of all banners attached to City owned street light poles or specialty banner poles installed within the public right-of-way. Attachment requests for other utility owned poles must be submitted through the appropriate utility. A Right-of-Way permit may still be required.

3.2 This policy does not include cross-street banners.

4. **RESPONSIBILITY**

4.1 Applicants - All costs related to the supply, installation, maintenance, replacement, damage, removal and approval of banners shall be borne by the sponsoring organization in whose ownership and care the banners shall remain. If an organization requests the installation of banners in approved right-of ways that do not already have mounting hardware installed, the request shall be made at a minimum of two (2) months in advance. If approval is granted for said area, the applicant shall pay all costs associated with its installation.

4.2 The Recreation and Culture Department - shall administer banner permit requests and be responsible for the intake/distribution of Permit Applications and approval of banner content.

4.3 The Right-of-Way Division -shall be responsible for processing applications, obtaining payment and issuing permits.

4.4 The Traffic Operations Division - Traffic Operations shall be responsible for the installation, removal, and maintenance of banner mounting hardware or make the necessary arrangements, therefore. Traffic Operations may also be responsible for the installation and removal of all banners.

4.5 City Council - City Council approves the Banner Policy and any amendments to the Banner Policy.

5. **GOVERNING RULES AND REGULATIONS**

5.1 Banners shall be restricted to those advertising special community events or other matters which are held to benefit the community at large, including community festivals, events and activities as per the Sign By-law 250-2004. Banners identifying districts, such as Business Improvement Areas are also included in this Policy.

5.2 Banners which convey a religious or political message, promote a political party or election candidate, promote tobacco, present demeaning or derogatory portrayals of individuals or groups or contain anything which, in light of generally prevailing community standards is likely to cause deep or widespread offence, will not be permitted. Alcohol advertising will not be permitted in association with events geared to children or youth.

5.3 The content of the banner is to be reviewed and approved by the Manager Culture and Events. A copy of the final artwork shall be provided to Recreation and Culture when applying for the permit.

5.4 Banner content shall conform to the Sign By-law 250-2004.

- 5.5** Banners may be placed on poles located on arterial roadways. Collector road banner requests shall be reviewed on a per request basis. Banners are not permitted on Local roadways.
- 5.6** Banners shall be purchased, paid for and owned by the applicant.
- 5.7** Banner arms and mounting hardware shall only be installed and removed by Traffic Operations and are property of the City of Windsor.
- 5.8** The City Traffic Operations Department will install all banners on existing and new City-owned banner arms at the applicant's cost. Alternatively, if the applicant chooses to hire a third-party installer, they must notify the City as soon as the banners are installed. The City reserves the right to inspect all banners for compliance, with inspection costs to be covered by the applicant.
- 5.9** Banner hardware is NOT to be altered in any way. Any damage to hardware will be charged back to the most recent banner permit holder. Any deficiencies to hardware shall be brought to the attention of Traffic Operations immediately.
- 5.10** Completed applications shall be submitted to the Recreation and Culture Department a minimum of two (2) months prior to the desired banner display period.
- 5.11** Approvals for the display of banners shall be considered on a first come, first served basis. Where there is more than one such application made simultaneously for a single or overlapping display period, negotiations with the applicants will be held in an effort to reach a mutually agreeable arrangement for display. If a permit exists for banners currently the City reserves the right, without notification, to have top priority at any time.
- 5.12** The standard period of banner display permitted per applicant shall be twelve (12) months, longer term installations may be approved at the discretion of the City Engineer. If an applicant wishes to extend the display period, they will have to re-submit a permit five (5) business days in advance.
- 5.13** The applicant or sponsor shall deliver the banners to Traffic Operations as specified in the application at least two (2) weeks before the start of the approved display period. Traffic Operations will notify the applicant or sponsor when the banners are ready for pickup, which shall occur within two weeks after the display period ends.
- 5.14** If at any time a banner causes a safety hazard (significantly torn, damaged or detached from the pole) the banner shall be removed immediately by City staff without notice at the applicant's expense. To provide public safety, a work recoverable charge will be levied. The city will not reimburse any fees or charges in this eventuality.

5.15 The City reserves the right to not install or remove, without notice, any banners which are in a poor or unacceptable visual or physical condition or that create a hazard for a traveling public.

5.16 Regardless of pole ownership, a banner permit is required for placement of any banner and the associated hardware on poles located in the right-of-way.

6. RECORDS, FORMS AND ATTACHMENTS

6.1 Application Process:

6.1.1 Application Submission – Applications for the installation of banners on Municipal streetlight poles shall be made to the Manager of Culture and Events, within the Recreation and Culture Department. The applicant must include the following documentation in their application package:

- Completed Permit Application
- Certificate of Insurance, satisfactory to the Risk Management Division
- Photo or design of banner, complete with all dimensions
- New hardware and or bracket specifications
- List or map of banner locations, including pole numbers if available
- Inspection report, assessing all City owned poles and existing mounting hardware. Any that are not currently equipped with banner brackets will require a structural assessment. Any costs incurred as a result of installing new hardware are borne upon the permit holder.

6.1.2 Circulation - The application package (complete will all documentation listed above), will be distributed by the Recreation and Culture Department to the following Departments for review and approval:

- Right Of Way
- Traffic Operations
- CAO Office/ Communications
- Planning
- Risk Management

6.1.3 Permit Issuance – Provided there are no concerns as a result of the circulation process, a Right-of-Way Permit will be issued to complete the work, upon payment of the required fees (outlined on the current User Fee Schedule). An inspection must be scheduled by the applicant, upon banner installation or prior to subsequent permit issuance. The following documents may be required prior to permit issuance:

- Traffic Control Plan submitted to and reviewed by Traffic Operations

- Separate approval/agreement from pole owner authority (if not City owned)

6.2 Certificate of Insurance: the Applicant will provide a Certificate of Insurance in the Applicant's legal name confirming the Applicant has in force insurance coverage. The Certificate of Insurance must be satisfactory in form and content to the City's Risk Management Division.

6.3 Banner Size: Dimensions, attachment methods and mounting height shall conform to those contained in **Schedule A** attached to and forming part of these guidelines.

6.4 Fees: Any fees associated with the approval and installation of banners (and their associated mounting hardware), shall conform to the current User Fee Schedule.

DRAFT

SCHEDULE A

Pole Mounted Banners: Mounting height, banner dimensions and banner attachment methods to the mounting hardware, shall conform to the following standards.

Minimum Banner Mounting Height

1. When projecting over the street, the minimum height above the street as measured from the top of the curb must be a minimum height of 15 feet (4.5m).
2. When projecting over the sidewalk, the minimum height above the sidewalk must be a minimum of 12 feet (3.6m).
3. When located on a center median, the minimum height above the street as measured from the top of the adjacent curb must be a minimum of 15 feet (4.5m).

Banner Size and Mounting Requirements

Maximum Vertical Dimension: 84 inches (2.1m) top to bottom when laid flat

Maximum Horizontal Dimension: 30 inches (0.8m) wide

Top Rod Loop: 3.0 inches when laid flat, fabric shall be doubled stitched

Bottom Rod Loop: 3.0 inches when laid flat, fabric shall be doubled stitched

Rod Loop Closure: The outside ends of the banner loops shall be closed to prevent the banner from creeping to the center of the pole.

Seam Stitch Length: 1/8 inch minimum

Grommets: 3/8 inch inside dimension (i.d.) metal grommets shall be provided at the top and bottom of the banner on the pole side. The grommet must be attached at the loops

Banner Material: banners shall be a minimum of 18oz material (canvas or vinyl)



Committee Matters: SCM 42/2025

Subject: Way Finding Signs for “Place of Worship” - City Wide

Moved by: Councillor Renaldo Agostino

Seconded by: Councillor Mark McKenzie

Decision Number: **ETPS 1045**

THAT the report of the Senior Manager of Traffic Operations dated December 19, 2024, entitled “Way Finding Signs for “Place of Worship” - City Wide” an amendment to the Trailblazing and Identification Signs Policy **BE RECEIVED** by Council for information.
Carried.

Report Number: S 178/2024

Clerk’s File: SW2025

Clerk’s Note:

1. The recommendation of the Environment, Transportation & Public Safety Standing Committee and Administration are the same.
2. Please refer to Item 8.3 from the Environment, Transportation & Public Safety Standing Committee held on January 29, 2025.
3. To view the stream of this Standing Committee meeting, please refer to:
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20250129/-1/10536>

Subject: Way Finding Signs for “Place of Worship” - City Wide

Reference:

Date to Council: January 29, 2025

Author: Ian Day

Senior Manager of Traffic Operations

519-255-6247 x6106

iday@citywindsor.ca

Public Works - Operations

Report Date: December 19, 2024

Clerk's File #: SW2025

To: Mayor and Members of City Council

Recommendation:

THAT the report Way Finding Signs for Place of Worship an amendment to the Trailblazing and Identification Signs Policy **BE RECEIVED** by Council for information.

Executive Summary:

N/A

Background:

In 1988, City Council approved CR890/88 “The Guide Signing Policy for Major Tourist Attractions”. The Ouellette Avenue Mall was included in this designation. In 2000, City Council approved a new Trailblazing & Identification Sign Policy, CR366/2000, which amended CR890/88 to include the Via Italia Business Improvement Area and permit a maximum of 10 trailblazing or identification signs. The amendment also allowed the remaining BIAs to apply for trailblazing or identification signs according to the following criteria:

- Maximum of four (4) locations jointly agreed between the BIA and the Commissioner of Traffic;
- Design (colour and wording) to the satisfaction of BIA's on 300mm x 900mm” sign blank; and
- Cost of production and installation (including ongoing maintenance and replacement) recovered from requesting BIAs.

Discussion:

In 1988, the Guide for Signing Major Tourist Attractions was developed to avoid over signing highways by ensuring that only essential signs are erected. However; since major tourist attractions can generate significant volumes of traffic, it was considered desirable that Windsor establish a policy permitting exemptions to be made in the case of individual establishments, which are major tourism generators and by reason of their location, are difficult for out-of-town drivers to find. The objective of the policy was to establish guidelines and conditions for the erection and guide signing to major operators of a tourism nature. Applicants requesting the provision of special guide signing were required to meet certain criteria to have their request considered.

In late 2023 and early 2024, Traffic Operation began receiving request from several Places of Worship to install wayfinding signs, a survey of the city showed that some Places of Worship had already had wayfinding signs installed in the past. In order to maintain consistency with the policy, all Places of Worship should be extended the opportunity to install wayfinding signs. At the current time there are 155 Places of Worship shown on the city registry. If this request were to be permitted, there would be a maximum of 310 signs throughout the city.

Extending the benefits of the current tourist attraction designation to all Places of Worship through amendments to the Trail Blazing Policy would result in an increase in signs allowed in the City right of way. This would not have significant consequences.

Risk Analysis:

There is no risk in receiving this report for information.

Climate Change Risks

Climate Change Mitigation:

N/A

Climate Change Adaptation:

N/A

Financial Matters:

Under the current policy, the cost of trailblazing signage is borne by the requestor. Currently, Traffic Operations would prepare an invoice to the requestor including full cost recovery of all costs plus the appropriate admin and management, material restocking, and corporate overheads.

The cost to manufacture, install, and maintain wayfinding signage for Places of Worship are not currently included in the City's annual operating or capital budgets as the current policy requires the requesting "Places of Worship" to bear that cost. If the sign has reached the end of life or has been damaged, it will be removed at the discretion of

Traffic Operation. Should Council wish to amend this and have the City responsible for the costs, budget increases would be required.

Consultations:

Jason Parent – Supervisor Signs & Markings
 Cindy Becker – Financial Planning Administrator – Public Works

Conclusion:

The intent of the policy is still valid. Administration recommends that the Trailblazing and Identification Sign Policy be amended as attached to allow Places of Worship a maximum of 2 wayfinding signs per location.

Planning Act Matters:

N/A

Approvals:

Name	Title
Mark Spizzirri	Manager, Performance Reporting and Business Case Development
Ian Day	Senior Manager, Traffic Operations & Parking Services (A)
Phong Nguy	Executive Director of Operations / Deputy City Engineer (A)
David Simpson	Commissioner, Infrastructure Services and City Engineer
Janice Guthrie	Commissioner, Finance and City Treasurer
Joe Mancina	Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:

Appendix 1 - TRAILBLAZING AND IDENTIFICATION SIGN POLICY Revised November 14, 2024

**THE CORPORATION OF THE CITY OF WINDSOR
TRAILBLAZING AND IDENTIFICATION SIGN POLICY**

Service Area:	Office of the City Engineer	Policy No.:	
Department:	Public Works -Operations	Approval Date:	
Division:	Traffic Engineering & Parking	Approved By:	
		Effective Date:	
Subject:	Trailblazing and Identification Sign Policy Amendments	Procedure Ref.:	
Review Date:		Pages:	Replaces:
Prepared By:	Ian Day, Acting Senior Manager Traffic Operations and Parking		Date:

1. POLICY

1.1. To develop a standard for directional signing for tourist attractions, Business Improvement Areas (BIA) and Place of Worship in The City of Windsor.

2. PURPOSE

2.1. To establish guidelines and conditions for the erection of guide signing to major generators of a tourism nature, where in the opinion of Windsor, such action would be a significant benefit to the travelling public and to Windsor's roads system.

3. SCOPE

3.1. Applicants requesting the provision of special guide signing must meet the following conditions:

- a) The establishment must be primarily a tourist attraction, or similar operation of a tourism nature. Retail-oriented developments such as shopping centres or hotels and motels will not be eligible.
- b) The establishment shall not be centrally located within an established urban area or recreational or tourist centre. However, specific attractions could be signed within the specific area.
- c) Any tourism establishment, which of necessity must maintain on its own property an exclusive parking area containing not less than 500 individual parking spaces, would automatically qualify.

3.2. Each applicant will be considered on its own merit. The City's primary concern will be to ensure that the provision of such signing is necessary and desirable and would be of benefit to a significant number of the travelling public and to the Windsor road system.

In the case where a tourist facility is located in Essex County but could generate heavy traffic through Windsor, such a facility should be considered for guide signing from the Bridge and Tunnel exits to tie in with existing signs on county roads.

3.3 BIA's may apply for trailblazing or identification signs according to the following criteria:

- a) Maximum of ten (10) sign locations – jointly agreed between the BIA and the Manager of Traffic Operations.
- b) Design (color and wording) to satisfaction of BIA's on 300mm x 900mm sign blank.
- c) Cost of production and installation (including ongoing maintenance and replacement) recovered from requesting BIA's.

3.4 Place of Worship may apply for trailblazing or identification signs according to the following criteria:

- a) Maximum of one (2) sign locations – jointly agreed between the Place of Worship the Manager of Traffic Operations.
- b) Design (color and wording) to satisfaction of Place of Worship on 300mm x 900mm sign blank.
- c) Cost of production and installation (including ongoing maintenance and replacement) recovered from requesting Place of Worship.

4. RESPONSIBILITY

4.1. Traffic Operations – Traffic Operations shall be responsible, along with Recreation and Culture to review and approve all applications. All signs authorized under this policy shall be erected and maintained by the City of Windsor Traffic Operations. Signs will be manufactured in the City of Windsor's sign shop. The cost of manufacture and erection of the signs shall be borne by the applicant. Cost of product and installation of signs is estimated at \$190.00 per sign. Final costs will be provided upon completion of the work.

4.2. Recreation and Culture – Recreation and Culture shall be responsible, along with Traffic Operations to review and approve all new applications.

4.3. Applicants - Application of signs shall be in writing and shall state the conditions and circumstances given rise to application and the route(s) being requested. If required by The City of Windsor, the applicant shall provide additional data respecting attendance and parking usage and turnover to enable Windsor to assess the possible need for signing. In conjunction with the application for special guide signing, the applicant shall be required to make a

written undertaking to be financially responsible for the future replacement of all signs.

4.4. City Council – City Council approves the Trailblazing and Identification Sign Policy and any amendments.

5. GOVERNING RULES AND REGULATIONS

5.1. Signing of Routes

On approval of an application, Traffic Operations will review the location and access routes and will determine the nature and extent of the signing required on the basis of using the nearest suitable Windsor streets. Where considered advisable, such routes will by-pass heavily travelled streets or congested areas in order to make the best of the Windsor road system and to provide motorists with the best service possible. Final approval for the location of signs shall be at the discretion of the Road Authority.

Only one route will be signed from any given direction and where there is a choice between routes such as at an intersection, only one direction will be signed.

No more than three establishments will be signed on any one route or in any one location.

5.2. Types of Signing

Guide signs shall be manufactured and erected in accordance with the following:

- a) The signs shall consist solely of the name and/or symbol of the establishment, plus a separate directional arrow. No advertising of any kind whatsoever will be permitted.
- b) The appearance of the sign shall be generally consistent with standards used by road authorities. No more than two colours may be used. Signs shall be fabricated from standard gauge aluminum sign stock and shall preferably be reflectorized.
- c) Unless field conditions dictate otherwise, signs shall not exceed 45cm x 45cm in size. Arrow indications shall be 30cm x 45cm.
- d) Where there are already a number of other guide signs along the route in question or where more than one establishment requires special guide signing, Windsor may require that all or part of such signing be combined on a single sign. In such a case, the size and design of such sign shall be determined by Windsor and will normally consist of a white legend on a green reflectorized background.

5.3 Street Name Signs

Districts, Areas, or Neighbourhoods may apply for street names which may include a special colour scheme or identifying logo on a standard street name

sign blank, with a minimum 10 cm reflective lettering. Schedule B lists approved areas.

- 5.4 Future removal of signs – It shall be clearly understood by the applicant that if it shall subsequently be determined that the conditions originally warranting the erection of special guide signs no longer exist, or the number of establishments warranting special signing on any particular route exceeds three, that permission may be withdrawn and the signs removed.

Signs that have reached the end of life or have been damaged and require removal shall be done so at the discretion of Traffic Operations. The applicant shall be responsible for the cost of manufacturing and installation of a new sign, should they wish to replace the sign.

6. RECORDS, FORMS AND ATTACHMENTS

- 6.1. Approval Process:** Recreation and Culture, and Traffic Operations – Applications for Trailblazing and Identification Signs shall be submitted to Traffic Operations for approval. The applicant shall provide all necessary documentation which includes the sufficient technical specifications listed on the applicants form or policy. All applications shall be reviewed by the Senior Manager Traffic and Parking Operations and the General Manager of the Convention & Visitors Bureau.

6.2. Schedule “A”

Attractions Inside the City of Windsor

1. Jackson Park
2. Riverfront Parks (Windsor Sculpture Gardens, Dieppe Park, Peace Fountain)
3. City Centre
4. Art Gallery of Windsor
5. Casino Windsor
6. Downtown Windsor Business Improvement Area
7. Ford City Business Improvement Area
8. Walkerville Business Improvement Area
9. Olde Riverside Business Improvement Area
10. Olde Sandwich Business Improvement Area
11. Ottawa Street Business Improvement Area
12. Pillette Village Business Improvement Area
13. Erie Street Business Improvement Area
14. Wyandotte Town Centre Business Improvement Area
15. Places of Worship registered in the City of Windsor
 - a. Place of Worship is a space or a building where individuals or group of people come to perform act of devotion, veneration or religious study.

Sr No	Address	Building Name
1.	2614 Tecumseh Rd E	Grachanica Serbian Orthodox Church
2.	1825 Grand Marais Rd W	Glenwood United Church
3.	2690 Seminole St	St. Dimitrije Church
4.	1410 Drouillard Rd	Holy Trinity Russian Orthodox Church
5.	2115 Chilver Rd	St. Barnabas Church
6.	2895 Seminole St	Descent of the Holy Ghost Church
7.	891 St. Rose Ave	St. Rose Of Lima Church
8.	973 Pillette Rd	St. Paul's United Church
9.	1991 Norman Rd	St. Therese Church
10.	1320 Northwood St	Windsor Mosque
11.	1980 Meldrum Rd / Tecumseh Rd E	Grachanica Serbian Orthodox Church
12.	1728 Lincoln Rd	Emmanuel United Church / Ottawa United Ch.
13.	881 Glidden Ave	Riverside United Church
14.	840 Esdras Ave	Riverside Presbyterian Church
15.	1457 Drouillard Rd	Ukrainian Labour Federation Temple
16.	3065 Seminole St	Ss. Cyril & Methodius Catholic Church
17.	3200 Woodland Ave	Paulin Memorial Presbyterian Church
18.	5055 Wyandotte St E	Our Lady of Guadalupe Church
19.	2153 Parkwood Ave	St. Michael's Church
20.	1099 University Ave W	Clavary United Church/London Street Methodist
21.	1240 Pierre Ave	St. George Romanian Orthodox Church
22.	1493 Langlois Ave	Ss. Vladimir & Olga Ukrainian Catholic Church
23.	681 McEwan Ave	Holy Name of Mary Church
24.	1176 Victoria Ave / 160 Giles Blvd W	First Lutheran Church
25.	1334 Benjamin Ave / 1225 Ottawa St	Sacred Heart Rectory (Attached to Church)
26.	3305 Sandwich St	St. John's Anglican Church
27.	710 Mercer St	First Baptist Church
28.	1680 Dougall Ave	Westminster United Church
29.	1983 St. Mary's Gate	St. Mary's Church, Rectory, Cemetery, Lych Gate, Parish Hall
30.	1035 Ellis St E	Holy Trinity Church
31.	405 Victoria Ave	St. Andrew's Presbyterian Church
32.	1385 University Ave W	Church Of the Ascension
33.	3340 Sandwich St	Bedford United Church
34.	2879 Riverside Dr E	Our Lady of The Rosary Church
35.	85 Park St E	St. Alphonsus Church
36.	628 Ouellette Ave	Central United Church
37.	795 McDougall St	Mount Zion Church of God In Christ
38.	821 Wyandotte St E / 686 Marentette Ave	Immaculate Conception Church & Rectory

39.	708 Erie St E / 980 Louis Ave	Sant'angela Merici Church
40.	651-59 Lincoln Rd	Lincoln Road United Church & Hall
41.	114 Giles Blvd W	Christian Science Church
42.	115 Giles Blvd E	Synagogue Shaar Hashomayim
43.	1094 Drouillard Rd	St. John The Divine Russian Orthodox Church
44.	166 Tecumseh Rd W	St. Clare Church & Rectory/St. Peter's Maronite
45.	3652 Peter St	Sandwich First Baptist Church
46.	986 Ouellette Ave	Masonic Temple
47.	350 Huron Church Rd / University Ave W	Assumption Church
48.	664 Victoria Ave	Temple Baptist Church / Downtown Mission
49.	1396 Elsmere Ave / 868 Ellis St E	Free Magyar Reformed Church
50.	685 University Ave E	British Methodist Episcopal Church
51.	610 Giles Blvd E	Shaarey Zedek Synagogue
52.	795 Giles Blvd E	Giles Boulevard United Church
53.	1561 Ouellette Ave	St. Paulycös Anglican Church
54.	1215 Parent Ave.	Trinity Lutheran Church
55.	330 City Hall Square	All Saints' Church
56.	65 Ellis St. E.	Holy Cross Greek Orthodox Church
57.	580 Erie St W	Philadelphia Pentecostal Temple
58.	808 Marion Ave	Jeanne D'arc School/ St. Casimir Church
59.	993 Drouillard Road	Temple Hotel/Tavern
60.	1630 Partington Ave	Vietnamese Roman Catholic Church
61.	2401 Columbus Dr	The Gathering Church Windsor
62.	3739, 3759 Ypres Ave	St Jerome French Canadian; Roman Catholic Church
63.	8700 Jerome St	Saint Simeon Stylites Melkite Catholic Church
64.	2003, 2015 Balfour Blvd	St Vincent De Paul Church
65.	8300 Little River Rd	Riverside Baptist Church
66.	1995 Arthur Rd	Bethany Romanian Pentecostal Church of God
67.	3033 Rivard Ave	Ambassador Community Church; Reformation Presbyterian Church Windsor
68.	1543 Aubin Rd	First Filipino Baptist Church
69.	2425 Clemenceau Blvd	The Bible Way Church of God In Christ
70.	5350 Haig Ave	Windsor Seventh Day Adventist Church
71.	1709 George Ave	Windsor Mennonite Fellowship
72.	6870 Hawthorne Dr	Kingdon Hall Of Jehovah's Witness
73.	1970 Tourangeau Rd	Revival Harvest Church
74.	3199 Lauzon Rd	Windsor Vietnamese Alliance Church

75.	2940 Forest Glade Dr	Our Lady of The Atonement Parish Catholic Church
76.	3385 Forest Glade Dr	Middle Eastern Bible Fellowship Church
77.	3149 Forest Glade Dr	Forest Glade Presbyterian Church
78.	3550 Forest Glade Dr	The Church of Jesus Christ Of Latter Day Saints
79.	1985 Rossini Blvd	Peace Lutheran Church
80.	2320 Wyandotte St W	University Community Church
81.	318 McEwan Ave	Ministerio Cristiano Emanuel
82.	1821 Wyandotte St W	Campbell Baptist Church
83.	897 Windermere Rd	All Nations Full Gospel Church
84.	885 Randolph Ave	Place Of Worship with A Clergy Residence
85.	2095 Ottawa St	New Beginnings Christian Fellowship
86.	741 Lincoln Rd	Place Of Worship
87.	644 Partington Ave	Windsor Gospel Hall
88.	2000 Tecumseh Rd E	Ukrainian Orthodox Cathedral Of St Vladimir
89.	745, 747 Lincoln Rd	Noor E Islam Madressa & Cultural Center
90.	2100 Turner Rd	Turner Road Bible Chapel
91.	706 Goyeau St	Linh Son Temple - Chùa Linh Sơn Windsor
92.	1636 Tecumseh Rd W	Redeemed Christian Church Of God, Adullam (House Of Refuge)-Church
93.	2120 Byng Rd	St Michael's Byzantine Catholic Church
94.	1960 Tecumseh Rd E	St. George's Romanian Orthodox Church
95.	727, 733 McDougall St	Tanner-Price Methodist Episcopal Church
96.	397 Pierre Ave	Jesus Christ Tabernacle Church
97.	1701 Turner Rd	Croatian St Francis of Assisi Church
98.	810 Mercer St	New Life Fellowship Church
99.	1604 Dougall Ave	Rose City Community Church
100.	689 Aylmer Ave	Congregation Shaar Hashomaym Hashomayim Synagogue; Rachel Kaplan Hebrew Memorial Chapel
101.	3285 Manchester Rd	Ambassador Baptist Church
102.	7380 Wyandotte St E	United Pentecostal Church of Windsor
103.	711 McEwan Ave	Holy Name of Mary Rectory; Assumption Cares - Assumption Parish McEwan Campus
104.	1672 Victoria Ave	St Clare Of Assisi Church
105.	999 Drouillard Rd	New Song Church
106.	2595 Remington Ave	St James United Church
107.	2255 Totten St	West Side Church of Christ
108.	1566 Parent Ave	Cutting Edge International Church
109.	1396 Langlois Ave	Nativity Lutheran Church
110.	604 Charles St	Remington Park Tabernacle
111.	2525 Mark Ave	Congregation Beth El of Windsor
112.	2895 Parent Ave	Our Lady of Perpetual Help Church
113.	1175 Langlois Ave	Plymouth Brethren Windsor-Church

114.	2806 Lillian Ave	St Luke In The Fields; Anglican Church
115.	900 North Service Rd	Kingdom Hall Of Jehovah's Witnesses
116.	2001 Spring Garden Rd	Harvest Bible Church Windsor
117.	1201 Grand Marais Rd W	The Salvation Army South Windsor Citadel Church
118.	3325 Walker Rd	Open Arms Community Church
119.	3407 Woodward Blvd	Devonwood Community Church of The Nazarene
120.	4490 7th Con Rd	Windsor Christian Fellowship
121.	3401, 3411 Byng Rd	St David's and St. Mark's Anglican Church
122.	1808 Labelle St	St. Ignatius Of Antioch Orthodox Church
123.	7847, 7955 County Rd 42	Gurudwara Khalsa Prakash
124.	1600 Norfolk St	Saint Matthew's Anglican Church
125.	601 Lake Trail Dr	St. Vladimir & Olga Ukrainian Catholic Church
126.	4276 Roseland Dr E	St James Anglican Church
127.	4401 Mount Royal Dr	Our Lady of Mt Carmel Church
128.	1400 Cabana Rd W	St Gabriel Church; Corpus Christi Church
129.	1921 Cabana Rd W	Gethsemane Lutheran Church
130.	2510, 2514 Cabana Rd W	Oakwood Bible Chapel
131.	5920 Baseline Rd	Bethel Romanian Pentecostal Church
132.	2180 Howard Ave	Good Shepherd Pentecostal Ch; Freedom Church
133.	2585 Seminole St	International Movement Spanish Pentecostal Church of God
134.	385 Dieppe St	St. John Vianney Parish Catholic Church
135.	2400 Banwell Rd	Banwell Community Church
136.	1696 Cadillac St	First Romanian Baptist Church; Corner
137.	5145, 5155 Wyandotte St E	St Augustine Of Canterbury Anglican Church
138.	3150 Tecumseh Rd E	Grace Baptist Church
139.	4258 Seminole St	Roman Catholic Episcopal Corporation London Diocese
140.	5265 Wyandotte St E	New Apostolic Church
141.	130 Giles Blvd E	Dayspring Church Windsor
142.	2635 Rockwell Ave	Religious Congregation of The Grace & Truth Chapel
143.	2123 Parkwood Ave	Emmanuel Church Windsor
144.	903 Parent Ave	St Peter's Maronite Church
145.	605, 631 Giles Blvd E	Holy Apostolic Catholic Assyrian Church of The East St. Thomas Parish
146.	1767 Northway Ave	Baps Shri Swaminarayan Mandir
147.	579 Logan Ave	Ethiopian Orthodox Church
148.	506 Irvine Ave	Church Of Jesus Christ
149.	1219 Ottawa St	Jafri Islamic Centre of Canada (Shia Mosque)
150.	7007 Enterprise Way	Hindu Temple and Cultural Center Of Windsor

151.	1947 Meldrum Rd	North Central Windsor Catholic Family of Parishes
152.	3919 Howard Ave	Roseland Trinity United Church; Windsor Full Gospel Mission Church
153.	3714 King St; 3707 Queen St	Islamic Academy Windsor
154.	1650 Howard Ave	Living Faith Seventh-Day Adventist Church; Vineyard Christian Fellowship
155.	525 Elinor St	Calvary Baptist Church

Attractions Outside the City of Windsor

- 1. Point Pelee National Park
- 2. Jack Miners Bird Sanctuary

6.2.1. Schedule “B”

Areas For Street Name Signs

- 1. Casino District
- 2. Southwood Lakes
- 3. City Centre
- 4. University of Windsor



Committee Matters: SCM 44/2025

Subject: Additional Information Memo for Report No. S 122/2023; Official Plan Amendment and Zoning By-law Amendment, southwest corner of Wyandotte St. E. by Florence Ave.; Applicant: Ganatchio Gardens Inc.; File Nos. OPA 162 [OPA/6731] and Z-026/22 [ZNG/6730]; Ward 7

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

Decision Number: **DHSC 697**

THAT the request by Ganatchio Gardens Inc. to withdraw the application submitted under City Planner's Report No. S 122/2023, **BE RECEIVED**, and

THAT Administration **BE DIRECTED** to close the file(s) pertaining to the subject application.

Carried.

Report Number: AI 2/2025

Clerk's Note:

1. Please refer to Item 3.1 from the Development & Heritage Standing Committee held on February 3, 2025.
2. To view the stream of this Standing Committee meeting, please refer to:
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20250203-1/10538>

**Subject: Additional Information Memo for Report No. S 122/2023;
Official Plan Amendment and Zoning By-law Amendment, southwest
corner of Wyandotte St. E. by Florence Ave.; Applicant: Ganatchio
Gardens Inc.; File Nos. OPA 162 [OPA/6731] and Z-026/22 [ZNG/6730];
Ward 7**

Reference:

Date to Council: February 3, 2025
Author: Justina Nwaesei, MCIP, RPP
Senior Planner, Development
519 255-6543 ext. 6165
jnwaesei@citywindsor.ca

Report Date: January 13, 2025
Clerk's File #: Z/14606 & Z/14602

To: Mayor and Members of City Council

Recommendation:

THAT the request by Ganatchio Gardens Inc. to withdraw Report No. S 122/2023, File Nos. OPA 162 [OPA/6731] and Z-026/22 [ZNG/6730], **BE RECEIVED**, and

THAT Administration **BE DIRECTED** to close the file(s) pertaining to the subject application.

Additional Information:

The Planning Department prepared Report No. S 122/2023 dated September 14, 2023, in response to the OPA and ZBA applications submitted by Dillon Consulting Limited on behalf of the applicant (Ganatchio Gardens Inc). Report S 122/203 is herein attached as Appendix 2 to this Memo.

On October 3, 2023, the Development & Heritage Standing Committee (DHSC) considered the request from Melanie Muir of Dillon Consulting Limited (Applicant's Agent) to defer Report No. S 122/2023 (Item 7.1, October 3, 2023 DHSC Agenda.)

Below is the Committee members' motion in response to the request for deferral.

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

*THAT the report of the Senior Planner, Subdivisions dated September 14, 2023 entitled, "Official Plan Amendment and Zoning By-law Amendment for the vacant land located on the southwest corner of Wyandotte St. E. and Florence Ave. intersection; Applicant: Ganatchio Gardens Inc.; File Nos. OPA 162 [OPA/6731]; Z-026/22 [ZNG/6730]; Ward 7" **BE DEFERRED** to a future meeting of the Development & Heritage Standing Committee to allow for further discussions between administration and the proponent to take place.*

Carried.

*Report Number: S 122/2023
Clerk's File: Z/14606 & Z/1460*

It should be noted that the Applicant has had recent discussions with Planning staff, which resulted in a new application being submitted for consultation reviews. The new application is at the Stage 1 Planning Consultation level. Meanwhile, the applicant is requesting to formally withdraw the previous application / Report No. S 122/2023.

Attached as Appendix 1 is the letter received from Melanie Muir of Dillon Consulting requesting a withdrawal of the previous application / Report No. S 122/2023.

Approvals:

Name	Title
Greg Atkinson	Deputy City Planner - Development
Neil Robertson	Executive Director of Planning & Development / City Planner
David Simpson	Commissioner of Infrastructure Services and City Engineer
Aaron Farough	Senior Legal Counsel, Legal Services & Real Estate
Jelena Payne	Commissioner of Economic Development
Joe Mancina	Chief Administrative Officer

Appendices:

- 1 Appendix 1 - Request for Withdrawal
- 2 Appendix 2 - Report S 122-2023



Our File: 21-1691

January 10, 2025

The Corporation of the City of Windsor
Council Services Department
350 City Hall Square West, Room 530
Windsor, ON
N9A 6S1

Request for Withdraw of Application
Ganatchio Gardens Development
Florence Avenue at Wyandotte Street East
City of Windsor

3200 Deziel Drive
Suite 608
Windsor, Ontario
Canada
N8W 5K8
Telephone
519.948.5000
Fax
519.948.5054

On behalf of our client, Ganatchio Gardens Inc., we are requesting the withdrawal of the applications related to the aforementioned project, specifically OPA 162 (OPA/6731) and Z-026/22 (ZNG/6730). The applicant intends to redesign the site and initiate the planning process anew with a fresh application and submission package in the near future. The new design will differ significantly from the current application package, and after discussions with the City and Deputy City Planners, it was agreed that restarting the process would be the best course of action.

Should you have any questions, please contact the undersigned at (519) 791-2221 or mmuir@dillon.ca.

Yours sincerely,

DILLON CONSULTING LIMITED

A handwritten signature in blue ink, appearing to read "mmuir".

Melanie Muir, MCIP RPP
Associate

MAM:ldm
cc:

Wing On Li – Lankor Horizons Development Inc.
Ayman Haddad – Lankor Horizons Development Inc.
Neil Robertson – City of Windsor, Planning Department
Justina Nwaesei – City of Windsor, Planning Department
Greg Atkinson – City of Windsor, Planning Department



Council Report: S 122/2023

Subject: Official Plan Amendment and Zoning By-law Amendment for the vacant land located on the southwest corner of Wyandotte St. E. and Florence Ave. intersection; Applicant: Ganatchio Gardens Inc.; File Nos. OPA 162 [OPA/6731]; Z-026/22 [ZNG/6730]; Ward 7

Reference:

Date to Council: October 3, 2023
Author: Justina Nwaesei, MCIP, RPP
Senior Planner, Subdivisions
519 255-6543 ext. 6165
jnwaesei@citywindsor.ca

Planning & Building Services
Report Date: September 14, 2023
Clerk's File #: Z/14606 & Z/14602

To: Mayor and Members of City Council

Recommendation:

I THAT the applicant's request for a site-specific Official Plan policy to add "High Profile Residential Building" as a permitted use on the land located at the southwest corner of Wyandotte and Florence, described as Part of Lot 138, Concession 1, **BE DENIED** for the reason(s) noted in this report;

II THAT the applicant's request for a site-specific Official Plan policy to permit a residential development within 300m of the Little River Pollution Control Plant, **BE DENIED** for the reason(s) noted in this report;

III THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of part of the land located at the southwest corner of Wyandotte and Florence described as Part of Lot 138, Concession 1, from Green District 1.5 (GD1.5) and Residential District 2.1 with a holding prefix (HRD2.1) to Residential District 2.5 with a holding prefix (HRD2.5), subject to the following additional site-specific holding provisions;

"490. SOUTHWEST CORNER OF WYANDOTTE STREET EAST AND FLORENCE AVENUE

"For the lands comprising Part of Lot 138, Concession 1, the following additional provisions shall apply

- 1) *Multiple Dwelling* with 5 or more dwelling units,

Main building height - maximum	26.0 m
Required Parking Space – maximum	1.57 per dwelling unit
- 2) Sections 11.5.5.6.6 & 11.5.5.7.6 (Rear Yard Depth), shall be measured from the nearest building wall to the new south lot line of the subject lands after the conveyance of the 20.0 wide Archaeological Potential Zone

- 3) Section 11.5.5.6.7 & 11.5.5.7.7 (Side Yard Width), shall be measured from the nearest building wall to the new west lot line of the subject lands after the conveyance of the 4.4 m wide existing perimeter hedgerows
- 4) A *scenery loft* shall be an additional permitted facility on a *multiple dwelling* with five or more *dwelling units*, subject to the following:
 - (a) The "Exceptions To Maximum Building Height Provisions" in section 5.35 of By-law 8600 shall not apply to a *scenery loft* on the subject land; and
 - (b) The *Scenery Loft* Provisions in section 5.35.5 of By-law 8600 shall not apply, save and except the requirement for a maximum height of 4.0 metres.
- 5) Location of a *building* or *structure* within 300 metres of the east limit of the planned expansion of the Little River Sewage Treatment plant is prohibited. The distance shall be measured from the *lot line* of the property that will contain the expanded sewage treatment plant to the nearest wall of any building or structure located on the subject residential site.
- 6) An access area or direct vehicular access to Wyandotte Street East is prohibited.
- 7) Required parking for the townhome dwellings shall be located within attached garage and/or on the private driveway of each townhome dwelling unit.

[ZDM 14; ZNG/6730]"

IV THAT the holding (H) symbol **BE REMOVED** when the applicant/owner submits an application to remove the 'H' symbol and the following condition is satisfied:

- 1) The Owner(s) gratuitously convey to the Corporation of The City of Windsor lands sufficient in width for the creation of a 22.0 m wide road allowance for the extension of Florence Avenue south of Wyandotte Street East;

V. THAT the Site Plan Approval Officer **BE DIRECTED** to incorporate the following requirements (detailed in the attached Appendix A to this report) and other requirements found in Appendix D of this Report, in the Site Plan Approval and Site Plan Agreement for the proposed development on the subject land:

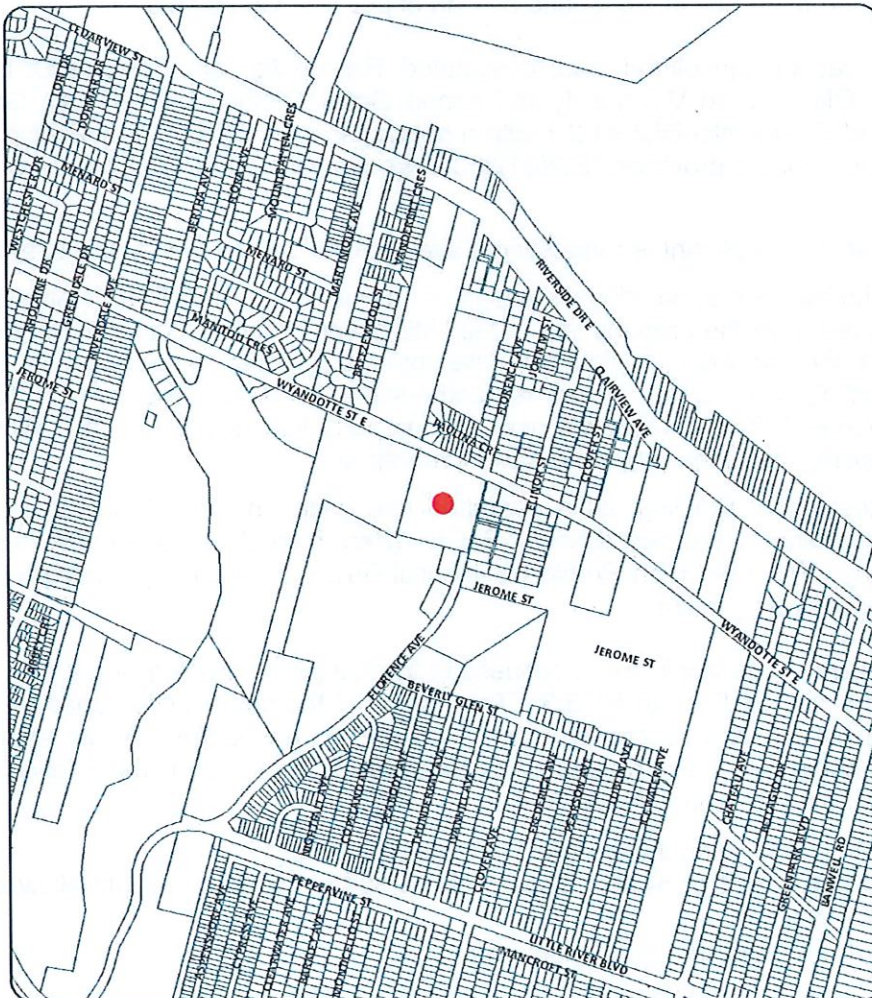
- A. Servicing Study
- B. Corner Cut-off (6.1m x 6.1m) at the southwest corner of the Wyandotte Street East and Florence Avenue intersection;
- C. Florence Avenue Construction
- D. Concrete sidewalks on both sides of Florence Avenue.
- E. Construct all sidewalks in conformity with the requirements of the *Accessibility for Ontarians with Disabilities Act* (AODA).
- F. Access driveways: maintain a minimum clearance of 55.0 m from the nearest cross road with existing or planned signals.
- G. Oversizing and cost sharing
- H. \$129,000.00, Servicing fee for Sanitary Sewer Stub south of the subject lands.
- I. Servicing of vacant lots fronting on east side of Florence Avenue Extension.
- J. 0.3m Reserve and cost-sharing.
- K. Parkland Conveyance - convey the GD1.4 portion of the subject land.
- L. Species at Risk/ Habitat Protection.

- M. Protection and preservation of the Archaeological Potential Zone (APZ) portion of the subject land
- N. Installation of a non-permeable 1.8m (6ft) fence with no gates between the boundaries of the proposed dwellings and the proposed parkland.
- O. Warning clause for proximity to a Sewage Treatment Plant.
- P. Phase 2 Environmental Site Assessment completed in accordance with the Canadian Standards Association (CSA) standard

Executive Summary: N/A

Background:

1. KEYMAP



KEY MAP - Z-026/22, ZNG-6730, OPA 162, OPA-6731

● SUBJECT LANDS

2. APPLICATION INFORMATION:

LOCATION:

Southwest corner of Wyandotte St. E. and Florence Avenue intersection, more particularly described as Part of Lot 138, Concession 1, as in R1158427 save and except Part 1, Plan 12R-22261, geographic township of Sandwich East, now in the City of Windsor, County of Essex.

WARD: 7

PLANNING DISTRICT: EAST RIVERSIDE

ZDM: 14

APPLICANT: GANATCHIO GARDENS INC. (C/O WING ON LI)

AUTHORIZED AGENT: DILLON CONSULTING LIMITED (C/O MELANIE MUIR)

PROPOSAL: The applicant is requesting site-specific amendments to the City of Windsor Official Plan and Zoning By-law 8600 for the land located at the southwest corner of Wyandotte Street East and Florence Avenue intersection, described as Part of Lot 138, Concession 1.

The subject land is a vacant agricultural land, designated 'Residential' on Schedule D: Land Use, City of Windsor Official Plan Volume 1, and zoned Green District 1.4 (GD1.4), Green District 1.5 (GD1.5) and Residential District 2.1 with a holding symbol (HRD2.1) by Zoning By-law 8600. A site-specific zoning provision (S.20(1)383) also applies to the GD1.4 area of the subject land.

Official Plan Amendment: The applicant is requesting a site-specific Official Plan policy to permit

- (a) a reduction in the required separation distance from a Pollution Control Plant, from 300m to 230m measured from the property line of the Little River Pollution Control Plant to the property line of the proposed residential development. [Section 5.4.10.3 of the OP prohibits residential, commercial, mixed use and institutional development within 300m of a Pollution Control Plant, measured from the property line of the Pollution Control Plant to the property line of the proposed development]; and
- (b) 'High Profile Residential Building' as a permitted use under the Residential land use designation. According to the new Section 6.3.2.1 (Permitted Uses) of the OP, which was approved by OPA 159, 'High Profile Residential Buildings' are not permitted in the Residential land use designation.

Zoning By-law Amendment: The applicant is requesting to change the zoning of parts of the subject land from GD1.5 and HRD2.1 to RD3.3. The portion of the subject site zoned GD1.4 will be dedicated as parkland and its current zoning will remain unchanged. A site specific zoning by-law amendment is also being requested on the subject land to permit the following on the part of the subject land that is zoned residential:

- townhome dwelling as additional permitted use on the property,
- a maximum building height of 54.0m, instead of the 30.0m maximum height allowed in the RD3.3 district; and
- a scenery loft with no maximum gross floor area.

Proposed Development: To construct an L-shaped 16-storey multiple dwelling containing 275 dwelling units, a 2-storey clubhouse (for residents) on an elevated platform, along with 28 ground level townhomes and associated parking areas (both covered and open parking lots.)

- The proposed twenty-eight (28), 2-storey townhome dwellings are positioned along the Wyandotte Street East and future Florence Avenue extension rights-of-ways, and are intended to serve as a buffer and provide the appropriate transition from the existing low-density residential dwellings to the north and east of the Subject Site.
- Each townhome dwelling will feature two (2) parking spaces per unit via private driveways, as well as two (2) additional spaces within the attached garages. A sum total of four (4) parking spaces are proposed per townhome dwelling. Parking for the townhome dwellings is located at the rear of the units.
- The proposed one (1) 16-storey multiple dwelling building with a scenery lot loft is positioned along the south and west lot lines (rear lot line and interior side lot line). The proposed multiple dwelling is designed to include various amenities such as access to four (4) outdoor terraces resulting from stepping back the built form as the height of the building increases.
- The proposed scenery loft is an additional enclosed amenity area located above the uppermost storey of the building and is readily available to all future residential occupants. The scenery loft will also provide access to additional outdoor amenity space in the form of a rooftop garden.
- The proposed development includes a total of 544 parking spaces in the form of covered surface parking, open surface parking, private driveways, and attached garages. Of the 544 parking spaces, 432 are proposed in the form of both open and covered surface parking areas to service the proposed multiple dwelling. The covered surface parking allows for an outdoor terrace to be provided above the parking area.

Also included as part of the proposed development is the conveyance of 0.32 ha (0.79 ac) of land to the City of Windsor for the future extension of the Florence Avenue right-of-way north to provide connection to Wyandotte Street East.

SUBMISSIONS BY APPLICANT: Supporting materials were received for the subject application. Copy the link below to access and review the materials submitted by the applicant for the subject applications. <https://www.citywindsor.ca/residents/planning/Land-Development/Development-Applications/current-development-applications/Pages/0-Wyandotte-Sreet-East-Ganatchio-Gardens-Inc.aspx>

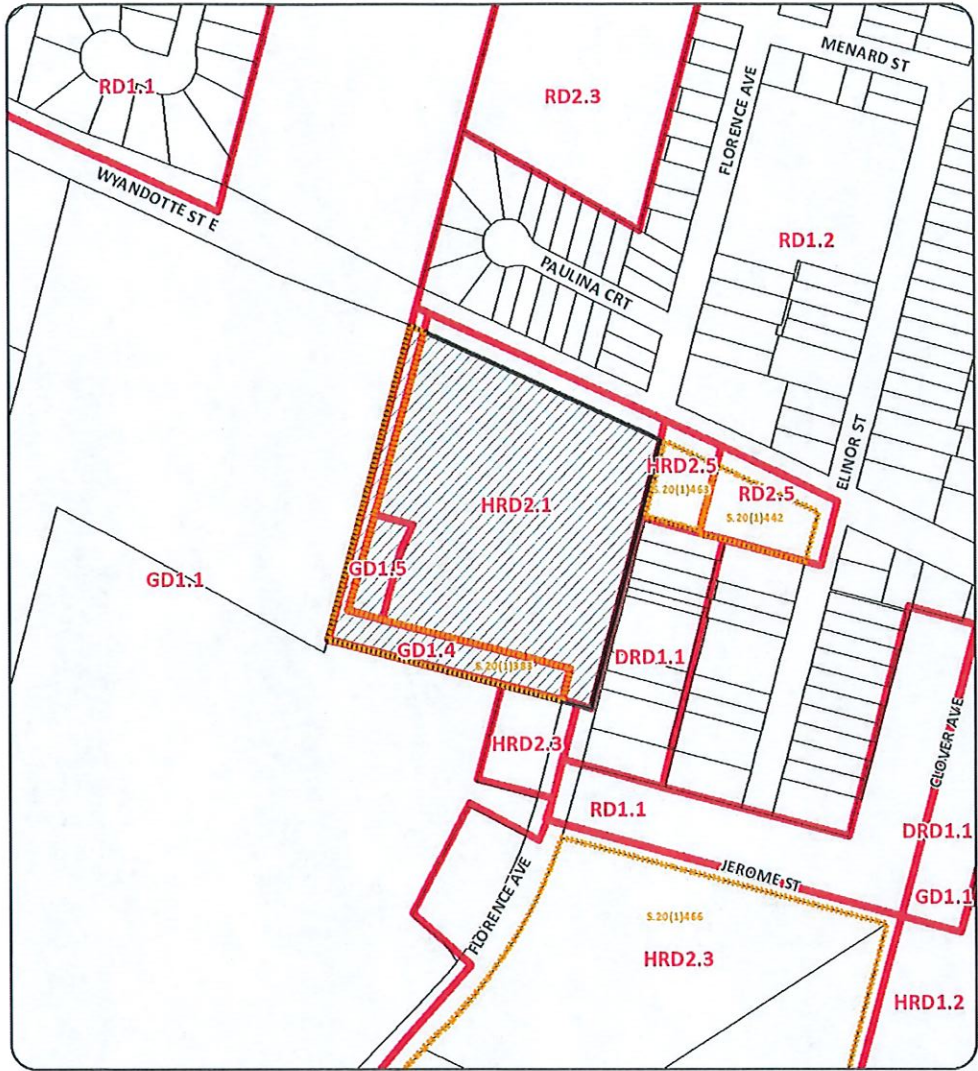
CONCEPT PLAN: See attached Appendix B to this report.

3. SITE INFORMATION

OFFICIAL PLAN	ZONING & ZDM	CURRENT USE(S)	PREVIOUS USE(S)
<ul style="list-style-type: none"> • EAST RIVERSIDE Planning District (Schedule A, OP Vol.1) • POLLUTION CONTROL PLANT – close by (Schedule C, OP Vol. 1) • FLOOD PLAIN AREA (Schedule C, OP Vol. 1) • RESIDENTIAL Land Use 	<ul style="list-style-type: none"> - HRD2.1, GD1.4 & GD1.5 - ZDM14 	Vacant	Agricultural

(Schedule D, OP Vol. 1)			
FRONTAGE	DEPTH	AREA	SHAPE
158.3m	irregular	3.296 ha	Irregular
Note: All measurements are approximate			

4. REZONING MAPS:



PART OF ZONING DISTRICT MAP 14

REZONING

Applicant: Ganatchio Gardens Inc



SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT

N.T.S.



DATE : JULY, 2023
FILE NO. : Z-026/22, ZNG/6730

5. NEIGHBOURHOOD CHARACTERISTICS:

NEIGHBOURHOOD MAP



NEIGHBOURHOOD MAP - Z-026/22, ZNG-6730
& OPA 162, OPA-6731



SUBJECT LANDS

SURROUNDING LAND USE

- *North of the subject land:* Wyandotte Street right-of-way abuts the north limit of the subject land. Further north, there are low density residential uses, mostly single unit dwellings

along Paulina Court and Florence Avenue, a church (Calvary Baptist church) and a residential development (Border City Co-Operative homes).

- *South of the subject land:* Mainly Open Space use, including storm water management pond. There are two small parcels of residential lands on the north and south sides of Jerome Street westerly extension. Further south, about 3.6km from the subject land, at Clover by McHugh Street, there is St Joseph's Catholic High School.
- *West and southwest of the subject land:* Open space use, including a multi-use trail (Ganatchio trail) and municipal park (Riverside Kiwanis Park). Little River drain is within the Open Space Land Use area west of the subject land. Further west, there is the Windsor Little River Pollution Control Plant (approximately 420m distance from the subject land, measured from the most easterly existing sludge plant building), Riverside Secondary School (approximately 1.8km from the subject land) and MS Hetherington Public School (about 1.6km from the subject land).
- *East of the subject land:* To the immediate east of the subject land, there is an open north/south alley abutting the east limit of the proposed Florence Avenue extension. There are undeveloped lands immediately east of the open north/south alley. Further east, there are low density residential dwellings fronting on both sides of Elinor Street. A closed north/south alley exists between the undeveloped lands and the residential dwellings along Elinor Street.

Attached to this report as **Appendix C** are site photos taken on August 11, 2023.

MUNICIPAL INFRASTRUCTURE

- The City's records show that there are municipal storm and sanitary sewers within the abutting/nearby roadways, available to service the subject property.
 - Wyandotte Street East R.O.W. contains 1950mm Reinforced Concrete Pipe Storm Sewer;
 - Elinor Street contains 350mm Asbestos Cement Pipe Sanitary Sewer;
 - Florence Avenue (south of the subject development) contains 1500mm Reinforced Concrete Pipe Sanitary Sewer.
- There are municipal watermains, Telecommunications Fibre Optics, LED streetlights and fire hydrants along Wyandotte Street and Florence Avenue (north of proposed development). There is a fire hydrant at the southwest corner of Wyandotte Street east and Florence Avenue intersection.
- There are curbs and gutters, concrete sidewalks and bicycle lanes along both sides of Wyandotte Street pavement.
- Florence Avenue (north of proposed development) has curbs & gutters both sides of the pavement and concrete sidewalk on the west side of the pavement.
- Transit Windsor Buses, Lauzon 10, travel (north bound) through Wyandotte Street East. There is a bus stop across the street on the north side of Wyandotte Street East, west of Florence Avenue, at the northwest corner of Wyandotte & Florence intersection.
- Wyandotte Street is a Class II Arterial Road, and Florence Street is Class II Collector Road.

Discussion:

1. PROVINCIAL POLICY STATEMENT (PPS) 2020

Provincial Policy Statement 2020 was issued under section 3 of the Planning Act and came into effect May 1, 2020, and replaces the Provincial Policy Statement issued April 30, 2014.

PPS 2020 provides policy direction on matters of provincial interest related to land use planning and development and sets the policy foundation for regulating the development and use of land in Ontario. The Provincial Policy Statement 2020 applies to all decisions in respect of the exercise of any authority that affects a planning matter made on or after May 1, 2020.

This planning report recommends a Zoning By-law Amendment, which I will refer to as the *Recommended ZBLA* or *Recommended Amendment*. The Recommended Amendment in this planning report will promote residential intensification and infill in an area surrounded by residential, institutional and open space uses along with a sewage treatment plant. Therefore, in evaluating the subject Amendments for consistency with PPS 2020, a number of policies of the PPS 2020 are relevant for the discussion as evident in this report and in the Planning Justification Report (PJR) dated March 2023, prepared by the applicant's planning consultant (Dillon Consulting Limited). The PJR contains the planning consultant's key policy considerations of the PPS as it relates to the proposed development on the subject land. I have reviewed the PJR and I am providing independent and complementary planning analysis to what the planning consultant has already stated in their March 2023 PJR.

PPS Policy 1.1.1 states that *Healthy, liveable and safe communities are sustained by:*

- a) *promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*
- b) *accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;*
- c) *avoiding development and land use patterns which may cause environmental or public health and safety concerns;*
- d) *avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;*
- e) *promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;*
- f) *improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;*
- g) *ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;*
- i) *preparing for the regional and local impacts of a changing climate.*

With respect to 1.1.1(a) – The recommended Zoning By-law Amendment (ZBA) will promote and enhance the existing land use pattern. The proposed building layout demonstrates the applicant's intent to efficiently utilize the vacant/undeveloped subject land.

With respect to 1.1.1(b) –The surrounding land uses in the subject area include a mix of low-density, low profile residential dwellings (mostly single unit dwellings), vacant/undeveloped lands, and open space lands with multiuse trails and storm water facilities. The current

residential zoning districts in the immediate area permit low profile residential developments only. The recommended amendments will accommodate a mix in housing types and options ranging from low to high density residential developments comprising small scale, low profile residential developments and medium profile residential developments that are appropriate mix of residential types for the subject area. The Recommended Amendment is consistent with policy 1.1.1(b) of the PPS.

The applicant's proposed high profile residential development is **not appropriate** for the subject site as discussed later in the Official Plan and Zoning sections of this report.

With respect to 1.1.1(c) – There is no known environmental or public health and safety concern resulting from the recommended amendment or from the proposed development on the subject site. Odour from the treatment plant is an existing environmental, health, and safety concern in the immediate area. Consequently, appropriate warning clause is recommended for inclusion in any future Site Plan Agreement for a residential development on the subject land.

As noted in section 2.7.8.7 of OP Volume 2, "The plant is proposed to be expanded to the east, to accommodate projected growth in Windsor and adjacent municipalities. Due to odours which may emanate from the sewage treatment plant, *the Ministry of Environment and Energy has required, and the City of Windsor must comply with, a designated 300 metre buffer zone around the proposed plant expansion.* As such, only recreational and stormwater management facilities shall be permitted to locate within 300 metres of the existing and/or expanded Little River Sewage Treatment plant." The required separation of 300m between the sensitive land use and the treatment plant will help to minimize and mitigate public health and safety concerns (odour and potential noise) arising from proximity to the treatment plant.

The Phase 1 Environmental Site Assessment (ESA) dated July 2021 and prepared by Dillon Consulting, indicates that no actual environmental sources of contamination were identified at the site; however, *potential* sources of contamination to both soil and groundwater were identified. Consequently, the ESA recommends a soil sampling program in order to assess the potential impacts to soil from the former orchard operations at the site. To address the soil sampling requirement, this report recommends that at the time of Site Plan Control a Phase 2 Environmental Site Assessment be completed in accordance with the Canadian Standards Association (CSA) standard.

With respect to 1.1.1(d) – The proposed development is on land that is located within the inner part of the City of Windsor settlement area and surrounded by existing developments and other land holdings. Therefore, the proposed development does NOT prevent the efficient expansion of settlement areas.

With respect to 1.1.1(e) – The subject amendment will promote intensification, encourage the use of existing public transit and active transportation (multiuse trail and sidewalks) in the area and help minimize land consumption and servicing costs.

With respect to 1.1.1 (f) – Sidewalks provide safe pedestrian connection for the public to access available public services (such as parks, transit, schools, etc). Sidewalks also improve *accessibility for persons with disabilities and older persons.* As noted already in this report, there are existing concrete sidewalks on Wyandotte Street East and Florence Avenue on the north side of Wyandotte Street East. Additional sidewalks are required to be constructed along both sides of Florence Avenue extension to connect to existing sidewalks in the area and increase full participation in society, for older persons and people with disabilities.

With respect to 1.1.1(g) – The subject land is in an area of the city that is serviced by necessary infrastructure (such as sanitary and storm sewers, watermains, electricity generation facilities and transmission and distribution systems) and public service facilities (such as public parks). There are existing local park(s) with multi-use trails (Ganatchio trail), and nearby place of worship. The subject land appears to be within the area serviced by nearby schools.

With respect to 1.1.1(i) Consideration for climate change is addressed through various methods including lot-grading plans, stormwater management measures, tree planting requirements, landscaping requirements and more. Therefore, Regional and local impacts of climate change will be further assessed at the Site Plan Control stage when lot-grading, stormwater management, servicing study, landscaping are carefully reviewed prior to Site Plan approval and agreement. This report also contains zoning provisions that cap required number of parking spaces and increase required landscape buffers at the south and west limits of the property to help reduce the urban heat island effect created by extensive hard surface parking areas.

In summary, the recommended amendments will facilitate an efficient development that will positively impact the financial well-being of the City of Windsor. The amendments will help minimize land consumption and servicing cost and will increase the use of existing and planned public transit and active transportation services in the area. The recommended Official Plan and Zoning By-law amendments are consistent with policy 1.1.1 of the PPS.

11.1.3.1 Settlement areas shall be the focus of growth and development.

1.1.3.2 Land use patterns within settlement areas shall be based on densities and a mix of land uses which:

- a) efficiently use land and resources;*
- b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;*
- c) minimize negative impacts to air quality and climate change, and promote energy efficiency;*
- d) prepare for the impacts of a changing climate;*
- e) support active transportation;*
- f) are transit-supportive, where transit is planned, exists or may be developed; and*
- g) are freight-supportive.*

Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.

1.1.3.3 Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

1.1.3.4 Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.

The subject land is located within a settlement area (the City of Windsor) and the Recommended Amendment creates opportunity for growth and development in the city through residential intensification. The recommended amendments promote a land use that is based on density and makes efficient use of land and existing infrastructure, including existing and planned active transportation options such as sidewalks, bike lanes, and multiuse trails. The proposed infill development will support existing active transportation options (such as sidewalks and multi use trail) and transit services adjacent to, or near the subject land.

With respect to 1.1.3.3, the recommendations of the Multi-Residential Interim Control By-law Study (2022) implemented by OPA 159 did not include the subject land as an area for high profile residential intensification. However, Planning Staff also recognise that the OPA 159 did not prohibit residential intensification on the said land. The recommended amendments will encourage residential intensification that considers existing building stock (mostly ranch style low-profile developments), infrastructure (existing and planned) and public service facilities in the subject area. The Recommended ZBLA signifies that the subject land represents an appropriate location for some form of intensification.

The Recommended ZBLA is consistent with PPS policies 1.1.3.1, 1.1.3.2, 1.1.3.3 and 1.1.3.4.

1.2.6 Land Use Compatibility

1.2.6.1 Major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures.

1.2.6.2 Where avoidance is not possible in accordance with policy 1.2.6.1, planning authorities shall protect the long-term viability of existing or planned industrial, manufacturing or other uses that are vulnerable to encroachment by ensuring that the planning and development of proposed adjacent sensitive land uses are only permitted if the following are demonstrated in accordance with provincial guidelines, standards and procedures:

- a) there is an identified need for the proposed use;*
- b) alternative locations for the proposed use have been evaluated and there are no reasonable alternative locations;*
- c) adverse effects to the proposed sensitive land use are minimized and mitigated; and*
- d) potential impacts to industrial, manufacturing or other uses are minimized and mitigated.*

The nearest existing major facility in close proximity to the subject lands is the sewage treatment facility called Little River Pollution Control Plant (LRPCP), located approximately 420.0 m distance southwest of the subject residential land (measured from the existing property lines of both lands). Note, the existing property line of the LRPCP is considered to be the current east limit of the existing facility, prior to proposed expansion). Therefore, based on the current limit of the existing treatment plant property, the proposed development meets the 300m requirements (per s.5.4.10.3 of the OP) and provides the desired separation, which helps to mitigate adverse effects from odour, noise and other contaminants; thereby, minimizing the risk to public health and safety and achieving the required land use compatibility. However, as discussed already in this report, there is a secondary plan policy (s.2.7.8.7 of East Riverside Planning Area) that provides more details on the separation requirement and shows that the proposed development does not conform with the OP because the minimum separation (300m) required from the planned future expansion of the treatment plant is not provided.

The City has identified the need for a significant future expansion (easterly) of the LRPCP. The proposed future expansion is required to accommodate future growth. As a matter of background, the City's website confirms that in 2021, the City of Windsor initiated a master servicing plan for the Sandwich South Area geared towards providing the required municipal infrastructure in support of growth. The Sandwich South Master Service Plan, a Municipal Class EA discussed the capacity limitations of the existing LRPCP and recommended increasing the capacity to accommodate the future Sandwich South development. This will entail studying the abutting property to the east of the existing LRPCP to determine the best location to

accommodate new/additional treatment tanks and facilities. The future expansion of the LRPCP is subject to the requirements and approval of the Ministry of Environment Conservation and Parks (MECP). The Environmental Assessment (EA) for the proposed expansion has commenced, and is projected for completion by the end of the year 2024.

The City has serious concerns that the applicant's request to locate the proposed residential development at a reduced separation of 230m from the future treatment tanks would adversely impact the proposed expansion of the LRPCP and the servicing of the Sandwich South lands. This would unnecessarily limit options for the design/placement of the new facility, and would increase the cost of odour and noise mitigating equipment from both an operating and capital perspective. Therefore, to ensure that the proposed expansion of the treatment plant and the proposed residential development are appropriately designed, buffered and/or separated from each other per PPS policy 1.2.6.1, this report recommends against the reduced 230m separation from the LRPCP.

It should be noted that the applicant submitted an Odour Impact Assessment dated March 2023, prepared by Dillon Consulting Limited. The City did not accept the conclusion in the Odour report as the analysis is based on a number of assumptions, which may not be consistent with the recommendations of the Environmental Assessment that is currently being undertaken by the City for the planned expansion of the LRPCP.

There is an identified need for the proposed use. The subject land was recently approved for development of a residential subdivision with different site layout; therefore, it was not necessary to request alternative locations for the proposed new development. Adverse effects from the nearby LRPCP to the proposed sensitive land use will be minimized and mitigated as shown in the recommendation contained in this report. To minimize and mitigate potential impacts to the LRPCP, the recommendation in this report includes zoning provisions (separation) and site plan control provisions (such as odour warning clauses, separation and landscape buffer requirements) that are to be fulfilled at the time of Site Plan Control and construction permit. Potential impacts of the proposed residential development to the LRPCP are minimized and mitigated by maintaining the required 300m minimum buffer (separation) from the new easterly lot line of the proposed future expansion of the LRPCP. The required separation shall be measured from the closest wall of the residential building or structure to the new east lot line of the expanded plant property.

1.4 Housing

1.4.3 Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:

- b) *permitting and facilitating:*
 - 1. *all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities; and*
 - 2. *all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3;*
- c) *directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;*
- d) *promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed;*

- e) *requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations;*

The Recommended Amendment will permit and facilitate

- a variety of low and medium profile housing options (single unit dwellings, semi-detached dwellings, duplexes, double duplexes, townhomes and multiple dwellings), and
- all types of residential intensification (including Additional Dwelling Units) that are appropriate in the subject neighbourhood.

The Recommended Amendment will

- bring new housing in an area that has appropriate level of infrastructure;
- promote a higher density residential development on the vacant subject land, thereby, efficiently using the land and infrastructure;
- provide a form of housing that is appropriate in terms of range and mix; and
- meet the social, health and well-being of current and future residents.

Appropriate level of infrastructure, active transportation and transit services are available or will be available in the subject area. This amendment is consistent with policy 1.4 of the PPS.

1.6 Infrastructure and Public Service Facilities

1.6.6 Sewage, Water and Stormwater

1.6.6.2 Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. Within settlement areas with existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services.

The subject land is within an area that is serviced by municipal sewage services and municipal water services. The recommended amendment will help optimize the use of existing municipal services and utilities in the area. The recommended amendment is consistent with policy 1.6.6.2 of the PPS.

1.6.6.7 Planning for stormwater management shall:

- c) *minimize erosion and changes in water balance, and prepare for the impacts of a changing climate through the effective management of stormwater, including the use of green infrastructure;*
- d) *mitigate risks to human health, safety, property and the environment;*
- e) *maximize the extent and function of vegetative and pervious surfaces; and*
- f) *promote stormwater management best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development.*

With respect to 1.6.6.7 (c) & (d) – The applicant submitted a Stormwater management report dated March 2023, by Dillon Consulting Limited. The Stormwater management report assessed the storm water management requirements for the proposed development. The report concludes that “The stormwater management design for the proposed development meets the established SWM criteria for the overall site, and no negative impacts due to the site development are anticipated in the existing system.”

With respect to 1.6.6.7(e) - The landscaped open space yard proposed by the applicant, the recommended reduction in paved surfaces and increased building setbacks from the south and

west limits of the property will help to maximize the extent and function of vegetative and pervious surfaces on the subject site.

With respect to 1.6.6.7 (f) - The applicant submitted a Functional Servicing Report (FSR), dated March 2023, prepared by Dillon Consulting Limited. The applicant's consulting Engineer concludes that the adjacent services are sufficient for the proposed development.

The recommended ZBA is consistent with policies 1.6.6.7 (c), (d), (e) & (f) of the PPS.

In summary, the above planning analysis demonstrates that the recommended ZBLA is consistent with relevant Policies of PPS 2020

2.1.1 Natural features and areas shall be protected for the long term.

2.1.7 Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements.

According to a Natural Site Features Inventory and Preservation Study, dated August 2018, submitted by Goodban Ecological Consulting Inc., the subject land was being used for agricultural purpose and largely free of natural features, except for hedgerows dominated by scattered Eastern Cottonwood and thickets of Gray Dogwood and Common Buckhorn. City's records show that in a 2017 written correspondence between Goodban and the Ministry of Natural Resources and Forestry (MNRF), MNRF confirmed that "there are no known occurrences of Species at Risk (SAR) on the property, though there are known occurrences of SAR in the general project area with potential to also occur in the hedgerows and thicket on the property". MNRF further noted that "if the hedgerows and thicket are proposed to be retained, the project will likely not contravene the Endangered Species Act, 2007 (ESA 2007)."

This report recommends protection of the perimeter hedgerows and thicket on the property.

2.6.1 Significant built heritage resources and significant cultural heritage landscapes shall be conserved.

2.6.2 Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved.

CRM Lab Archaeological Services prepared Stage 1 Archaeological Background Study and Stage 2 Archaeological Property Assessment Reports (Original Report and Supplementary Information) dated October 19, 2018, for the subject land. According to CRM Lab Archaeological Services, "the results of the Stage 1-2 Archaeological Assessment indicate that despite the extensive disturbance in the northern portion of the subject property, the southern portion of the subject property still retains potential for subsurface archaeological resources of cultural heritage value or interest (CHVI) related to the Nicodemo-Dupuis Site located directly to the south of the subject property. There is a very high probability that the Nicodemo-Dupuis Site does extend into the southern portion of the subject property".

It was noted that further cultural heritage value or interest (CHVI) associated with the subject property would require further assessment prior to development of the southern portion of the subject property. Consequently, a Stage 3 Assessment was recommended along with options for avoiding the required Stage 3 assessment. The 2019 development proponent chose to protect a 20m wide land area along the southern portion of the subject property (marked as Archeological Potential Zone on the Map above) by conveying the said area to the Corporation of the City of Windsor as Parkland. The Ministry of Tourism, Culture and Sports was satisfied

with the recommended approach, provided they (MTCS) received a formal letter from the City indicating the following as per the recommendations:

- “1. The lands will be conveyed to the Municipality and that the Municipality is aware of the potential for the Nicodemo-Dupuis Site to be present in this location, and;
2. The Municipality will keep this area passive prohibiting activities that could impact the Nicodemo-Dupuis Site negatively within this Buffer area prior to additional Archaeological Assessment”.

The above is the appropriate wording for the protection of the Archaeological Potential Zone (APZ) on the subject site. Attached to this report as Appendix E, is a letter dated February 4, 2020, from the City to MTCS, which satisfied the requirement of MTCS regarding the protection of Archaeological Potential Zone on subject land.

A portion of the Archaeological Potential Zone extends into the future road allowance (Florence Avenue future extension), which would be conveyed to the Corporation of the City of Windsor; therefore, the City will also protect the cultural heritage value of the subject area and ensure that Stage 3 assessment is undertaken at the appropriate time. Based on the above discussion, the recommended amendment is deemed consistent with policies 2.6.1 & 2.6.2 of the PPS.

3.0 Development shall be directed away from areas of natural or human-made hazards where there is an unacceptable risk to public health or safety or of property damage, and not create new or aggravate existing hazards.

Essex Region Conservation Authority (ERCA) was consulted because the *parcel falls within the regulated area of the Little River and Lake St. Clair*. ERCA had no objections but required the property owner to obtain a Permit and/or Clearance from the Essex Region Conservation Authority prior to any construction or site alteration or other activities affected by Section 28 of the Conservation Authorities Act. Based on ERCA’s comment, one can state that the zoning by-law amendment is consistent with policy 3.0 of the PPS or will be consistent with policy 3.0 of the PPS upon successfully completing ERCA’s development review process.

In summary, the Recommended ZBLA is consistent with the relevant Policies of the PPS 2020.

3. OFFICIAL PLAN:

The subject land abuts a city corridor, per Schedule J – Urban Structure Plan, of the City of Windsor Official Plan (OP).

The OP, in s.3.3.2.1 states “Residential development may include high profile (26 to 58 metres in height), medium profile (14 to 26 metres in height) and residential over retail at street, as well as row housing and lofts”.

The Applicant’s planning consultant cited s.3.3.2.1 in rationalizing the request for permission to develop a high-profile residential development on the subject land. However, this rationale which is a general non-area specific provision, is not supported by the recent council approved amendments to the OP as stated in OPA 159.

In 2022, the Planning Department completed a city-wide Residential Intensification review study resulting in the recommendations for city-wide Official Plan Amendment (OPA 159) and the

accompanying zoning by-law amendment (Z-019/22). On June 13, 2022, council adopted OPA 159 and approved file zoning amendment file Z-019-22, by CR264/2022. On July 11, 2022, Council passed By-law 100-2022, which adopted OPA 159, and passed By-law 101-2022 for Z-019/22.

The purpose of OPA 159 is to implement policies that will encourage the production of affordable and attainable housing within the City of Windsor. OPA 159 directs intensification to areas within the city where present and future residents will be in proximity to goods and services, public transportation and employment areas.

In the background discussion for OPA 159, it was noted that

- Low profile residential neighbourhoods should accommodate intensification in a manner that is compatible with the existing density and built form in those neighbourhoods.
- There is concern that uncontrolled intensification can adversely impact the character of existing residential neighbourhoods within the city.

Although OPA 159 contains policies which provide direction with respect to residential intensification in the City of Windsor, there are still areas or parcels within the city that could be appropriate for residential intensification but were not considered for residential intensification in OPA 159. Such lands will be evaluated on a site-by-site basis through site-specific Official Plan amendment applications and/or zoning by-law amendment applications brought forward by land owners.

With respect to Residential Intensification, here are three relevant policies in OPA 159, which help to direct residential intensification in the City of Windsor:

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

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

6.3.2.4, LOCATIONAL CRITERIA - Residential intensification shall be directed to the Mixed-Use Nodes and areas in proximity to those Nodes. Within these areas Medium Profile buildings, up 4 storeys in height shall be permitted. These taller buildings shall be designed to provide a transition in height and massing from low-profile areas. New residential development and intensification shall be located where:

- a) there is access to a collector or arterial road;
- b) full municipal physical services can be provided;
- c) adequate community services and open spaces are available or are planned; and
- d) public transportation service can be provided.

LAND USE DESIGNATION - The site is designated "Residential" in the Land Use Schedule D of City of Windsor Official Plan.

The objectives and policies of the Residential land use designation establish the framework for development decisions in Residential areas within the City of Windsor.

The Official Plan supports a complementary range of housing forms and tenures in all neighbourhoods (s.6.3.1.1); promotes compact neighbourhoods which encourage a balanced

transportation system (s.6.3.1.2); and promotes residential redevelopment, infill and intensification initiatives in appropriate locations in the City of Windsor (s.6.3.1.3).

The above noted objectives of the OP are satisfied by the Recommended ZBLA, which will permit the townhome development (low density) and complementary range of housing forms (semi-detached and single detached dwellings) and higher density development (medium profile multiple dwelling) on the subject land. The Recommended ZBLA will result in an infill development, which by its very nature promotes a compact neighbourhood.

CHAPTER 2, OP VOL. 1, "Development Profile refers to the height of a building or structure. There are four development profiles described in the Plan:

- a) Low Profile development is a building or structure generally no greater than fourteen (14) metres in height.
- b) Medium Profile development is a building or structure generally no less than fourteen (14) metres in height and generally no greater than twenty-six (26) metres in height;
- c) High Profile development is a building or structure generally no less than twenty-six (26) metres in height and generally no greater than fifty-eight (58) metres in height;
- d) Very High Profile development is a building or structure generally greater than fifty-eight (58) metres in height.

CHAPTER 6, OP VOL. 1, s.6.2.1.2 further defines development profiles as follows:

- (a) Low Profile developments are buildings or structures generally no greater than three (3) storeys in height;
- (b) Medium Profile developments are buildings or structures generally no greater than six (6) storeys in height; and
- (c) High-Profile developments are buildings or structures generally no greater than fourteen (14) storeys in height.

OPA 159 deleted the existing s.6.3.2.1 and replaced it with the following:

PERMITTED USES (s. 6.3.2.1) – Uses permitted in the Residential land use designation identified on Schedule D: Land Use include Low Profile and Medium Profile dwelling units.

High Profile Residential Buildings shall be directed to locate in the City Centre, Mixed Use Centres and Mixed Use Corridors.

S.6.3.2.1 makes it very clear where to direct high profile residential Buildings in the City of Windsor. The applicant's property is not in the City Centre, nor in the Mixed-Use Centre or Mixed Use Corridor. Therefore, the applicant's request for site-specific OPA to permit high/very high-profile residential development on the subject land does not conform to the recently amended mandatory policy direction of s.6.3.2.1. of the OP. Section 6.3.2.1 overrides the general non-area specific provision found in s. 3.3.2.1 relied on by the applicant's planning consultant. Therefore, the recommendation in this report is to deny the request for high profile building on the subject land.

As noted already in this report under s.6.3.2.4, new residential development and intensification shall be located where:

- a) *there is access to a collector or arterial road;*

The proposed development is on a property with access to an arterial road (Wyandotte Street East) as well as access to a proposed collector Road (Florence Avenue extension).

b) full municipal physical services can be provided;

As noted already in this report, there are existing full municipal physical services available to service the subject land.

c) adequate community services and open spaces are available or are planned; and
Existing community services, open spaces and public transportation are already in, and near, the neighbourhood and can service the new development.

d) public transportation service can be provided.

As noted already in this report, public transportation service is provided in the subject neighbourhood by Lauzon 10 transit buses, which travels through Wyandotte Street East in front of the subject land.

Although, the proposed development satisfies the locational criteria (s.6.3.2.4) of OP Vol. 1, the subject land is not within an intensification priority area identified by OPA 159 approved by Windsor City Council on July 11, 2022 (e.g. Mixed Use Centres; Mixed Use Corridors; and Mixed Use Nodes.)

The recommended intensification in this report is supported by the permitted uses in s.6.3.2.1 of the Residential land use designation. The recommended intensification is also a reflection of the zoning categories that currently exist in the immediate neighbourhood. The recommended zoning category will result in intensification that is similar to, and/or same as, what is approved on lands designated Residential in the immediate area.

Section 6.3.2 5 – Evaluation Criteria for a Neighbourhood Development Pattern -

In analysing conformity with section 6.3.2.5 (a) under the evaluation criteria, with respect to development constraints, it is important to note that the proposed development is within the Shoreline and Floodprone areas of the city and is in an area of High Archaeological Potential.

CRM Lab Archaeologist Services prepared Stage 1 and Stage 2 Archaeological Assessments Reports recommending mitigation measures, which have been incorporated in this report, to address archaeological findings summarized in their reports dated October 19, 2018.

The Essex Region Conservation Authority (ERCA) has advised that the parcel falls within the regulated area of the Little River and Lake St. Clair. ERCA requires the property owner to obtain a Permit and/or Clearance from their office prior to any construction or site alteration or other activities affected by Section 28 of the Conservation Authorities Act. Their office may provide further comment regarding Storm Water Management for this development at the time of application for Site Plan Control.

This report contains information confirming that the Recommended Amendment will result in a development that is feasible, having regard to the other provisions of the OP, provincial legislation, policies and appropriate guidelines and support studies. Therefore, the evaluation criterion set out under s.6.3.2.5(a) OP Vol. 1 is satisfied.

With respect to s.6.3.2.5 (b) of OP Vol. 1, the proposed development is required to be in keeping with the goals, objectives and policies of any secondary plan or guideline plan affecting the surrounding area. There is no guideline plan affecting the subject area, but the East Riverside Secondary Plan affects most of the surrounding area. Therefore, it is important to consider the following secondary plan policy:

The environmental policy 2.7.8.7 of East Riverside Planning Area, OP Vol. 2, states

"The plant is proposed to be expanded to the east, to accommodate projected growth in Windsor and adjacent municipalities. Due to odours which may emanate from the sewage treatment plant, the Ministry of Environment and Energy has required, and the City of Windsor must comply with, a designated 300 metre buffer zone around the proposed plant expansion. As such, only recreational and stormwater management facilities shall be permitted to locate within 300 metres of the existing and/or expanded Little River Sewage Treatment plant."

Based on the above, the proposed development must be located outside of the 300 m buffer of the existing and/or expanded LRPCP. The recommendation in this report satisfies the requirement to locate the proposed residential buildings outside of the 300 m buffer, per the Official Plan environmental policies 5.4.10.3, Vol. 1 and s.2.7.8.7, Vol. 2. Therefore, the recommended amendment satisfies s.6.3.2.5 (b).

With respect to s. 6.3.2.5 (c) of OP Vol. 1, the proposed 54m tall multiple dwelling is not compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and amenity areas. Consequently, the report recommends a zoning category and site-specific provisions with which the proposed development can be designed to achieve compatibility with the surrounding area, per s.6.3.2.5(c).

There is more off-street parking than required by the zoning by-law; therefore, s.6.3.2.5(d) is satisfied. It should be noted that at the September 8, 2022, Public Information Centre the area residents expressed concerns with respect to street parking and number of parking spaces being proposed. Thereafter, the applicant increased onsite parking from 482 to 544 spaces.

The proposed development on the subject site is capable of being provided with full municipal physical services and emergency services; therefore, s.6.3.2.5 (e) is satisfied.

Section 6.3.2.5(f) – *"facilitating a gradual transition from Low Profile residential development to Medium and/or High profile development and vice versa, where appropriate. In accordance with Design Guidelines approved by Council."*

The design guidelines in the Windsor Intensification Guideline, approved in 2022, indicate the City's expectations with respect to the character, quality, and form of new development in Windsor's mixed-use centres, nodes, and corridors, and stable and mature neighbourhoods. The following design guidelines are implemented in the applicant's concept plans and elevations for facilitating a gradual transition from low profile residential development to the medium and/or high profile development:

- a. *Locate less dense and lower scale residential buildings in locations adjacent (or closer) to existing low density neighbourhoods.*

The concept plan shows townhome dwellings closer to the lands containing existing or future low profile developments.

- b. *Provide rear and side step-backs for upper storeys to provide contextually appropriate transitions from the Medium and High Profile buildings to the surrounding low profile neighbourhoods;*

The applicant's concept plan and elevation drawings contain proposed step-backs. This planning report also contains zoning provisions that address step-backs for upper storeys.

- c. *Ensure new development is compatible with adjacent and neighbouring development by siting and massing new buildings to avoid undue adverse impacts on adjacent properties particularly in regard to adequate privacy conditions for residential buildings and their outdoor amenity areas.*

The proposed multiple dwelling was sited at the rear to minimize adverse impact on adjacent neighbouring residential developments. However, the siting requires adjustments in order to mitigate potential impact on the future expansion of the LRPCP.

Section 7.2.3.2 – Pedestrian Network, OP Vol. 1: The Official Plan requires the installation of sidewalks on both sides of proposed Florence Avenue extension within the proposed development. This report contains recommendations that ensure compliance with the sidewalk requirements under s.7.2.3.2 (a) of OP Vol. 1.

Section 7.3.4.4 of OP Vol. 1 states, “Council shall protect pollution control plants from incompatible development in accordance with the Environmental chapter of this Plan”.

The Official Plan in s.5.4.10.3 (Environmental Chapter) prohibits residential, commercial, mixed use and institutional development within 300m of a Pollution Control Plant and states “The 300m distance shall be measured from the property line of the Pollution Control Plant to the property line of the proposed development.”

The environmental policy 2.7.8.7 of East Riverside Planning Area, OP Vol. 2, states “The plant is proposed to be expanded to the east, to accommodate projected growth in Windsor and adjacent municipalities. Due to odours which may emanate from the sewage treatment plant, the Ministry of Environment and Energy has required, and the City of Windsor must comply with, a designated 300 metre buffer zone around the proposed plant expansion.”

As noted already in this report, the City plans to expand the existing LRPCP easterly. An Environmental Assessment (EA) is currently underway for an expansion to the Little River Pollution Control Plant. The EA will outline the recommended expansion. For more information on the Little River Pollution Control Plant Schedule ‘C’ Class Environmental Assessment, copy this link:

<https://www.citywindsor.ca/residents/Construction/Environmental-Assessments-Master-Plans/Pages/Little-River-Pollution-Control-Plant-Expansion-Schedule-C-Municipal-Class-Environmental-Assessment.aspx>

The applicant requests a site-specific OP Amendment to permit the proposed residential development at 230 m distance from the Pollution Control Plant future expansion. For a number of reasons noted already in this report, the requested reduction in separation/distance between the proposed residential development and the treatment plan cannot be supported. Below are some of the reasons for not supporting the reduction in separation.

Approval of the proposed development at a distance closer than 300m from the future plant expansion may limit options for placement of new facilities and increase the capital cost of required noise and odour mitigation equipment, which would have cost implications to the rate payers and the Corporation. See the Financial Section of this report, and comment below from the City’s Commissioner of Infrastructure:

“Odour buffers play a critical role in preventing unpleasant odours from sewage treatment plants and pumping stations from affecting nearby residential and sensitive areas. They serve several essential purposes, including mitigating odour-related issues for communities, protecting investments in wastewater facilities, and ensuring compatibility with future planning and development.

Reducing the odour buffer distance around the Little River Pollution Control Plant (LRPCP) is not recommended. Reducing the plant’s odour buffer distance could impose limitations on the plant’s

upcoming design possibilities, potentially leading to increased costs (both capital and operating) and a higher number of odour complaints from nearby residents.

Currently, the City receives 311 complaints from Riverdale residents regarding odours emanating from the LRPCP. If the odour buffer distance were reduced, it is anticipated that these complaints would likely increase. The annual expenditure on current odour control chemicals for the existing plant is approximately \$400,000. Doubling the plant's size would inherently double this cost, exceeding \$800,000 annually. A reduction in the odour buffer zone would only further escalate these expenses, placing additional strain on the annual operating budget and creating additional capital expenditures to mitigate odours. It's important to note that the increase in costs for odour control will be for the life of the facility and be borne by the sewage rate payer.

In addition, without full knowledge of the future sewage characteristic, as well as a recommended design and treatment science of a plant expansion that will result from the recently initiated EA, it is problematic to quantify the noise and odour disrupters that will be generated from this future facility at this time.

In an informal survey with Municipal peers there was consensus that reducing buffers has created both operating and capital issues for them, and it was recommended to maintain the existing buffer outlined in the OP"

Based on the above comment, to achieve the required compatibility between the proposed residential development and the LRPCP, the proposed development must be located outside of the 300 m buffer of the easterly limit of the proposed expansion of the LRPCP. The recommendation in this report implements Council approved Official Plan policy regarding the protection of pollution control plants from incompatible development.

Approval of the recommended amendment will ensure that the proposed residential development is designed in a manner that would be compatible with the existing and/or expanded LRPCP and avoid unnecessary additional capital and operational costs for the Corporation.

The recommended ZBLA maintains conformity with the Official Plan, based on the analysis provided in this report.

4. ZONING BY-LAW

As noted already in this report, the property is zoned Green District 1.4 (GD1.4), Green District 1.5 (GD1.5) and Residential District 2.1 with a holding symbol (HRD2.1) by Zoning By-law 8600. A site-specific zoning provision [S.20(1)383] also applies to the GD1.4 area of the subject land.

The applicant is requesting to change the zoning of parts of the subject land from GD1.5 and HRD2.1 to RD3.3 to permit the proposed 54m tall residential development on the subject site. The portion of the subject site zoned GD1.4 and S.20(1)383 will be conveyed to the City as parkland and its current zoning will remain unchanged.

The RD3.3 zoning district does not permit townhome dwellings. The permitted maximum main building height in the RD3.3 zone is as follows:

<i>Corner Lot</i>	30.0 m;	and	<i>Interior lot</i>	24.0 m
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Therefore, the applicant also requests a site specific by-law amendment to permit the following:

- townhome dwelling as additional permitted use on the property,

- a maximum building height of 54.0m, instead of the 30.0m maximum height allowed in the RD3.3 district; and
- a scenery loft with no maximum gross floor area.

The RD3.3 zoning district permits the following:

Lodging House
Multiple dwelling
Religious Residence
Residential Care facility

Any of the following existing dwellings:
Double Duplex Dwelling
Duplex Dwelling
Semi-Detached Dwelling
Single Unit Dwelling

Any use accessory to the preceding uses.

The existing zoning categories in the surrounding area are: RD1.1, RD1.2, RD2.3, RD2.5, DRD1.1, HRD2.3, HRD2.5, HRD1.2, GD1.1, and RD3.4. The existing zoning categories in the immediate area predominantly permit low profile residential developments such as new single unit dwellings and semi-detached dwellings. Townhome dwellings are permitted in the RD2.3, RD2.5 and RD3.4 zoning districts. Multiple dwellings are also permitted in the RD2.5 and RD3.4 zoning districts; however, a review of the locations and provisions of the RD3.4 zoning district leads to the conclusion that the RD3.4 zoning is not meant for new development proposals. The subject residential neighbourhood reflects the intent of OPA 159, which amendment permitted uses in Residential land use designations.

The applicant's proposed development of a 54m tall (high profile) residential building does not reflect the character of the neighbourhood. A medium profile residential development is deemed more appropriate for this neighbourhood and can help achieve a mix in residential types and densities. After much analysis of the provisions within the RD3.3 and RD2.5 zoning districts, it is the Planning Staff's opinion that a site-specific RD2.5 zoning is a more appropriate direction for development on the subject site. The RD2.5 zoning permits "Double Duplex Dwelling, Duplex Dwelling, Multiple Dwelling, Semi-Detached Dwelling, Single Unit Dwelling, Townhome Dwelling, and any use accessory to the above uses".

As indicated already in this report, medium profile developments are generally no greater than 6 storeys in height and medium profile developments are generally no less than 14.0 m in height and generally no greater than 26.0 m in height. The zoning by-law main building height provision is expressed in metric units; therefore, it is appropriate to work with the definition of medium profile development as presented in Chapter 2 of the OP.

RD2.5 permits a maximum building height of 18.0m for a multiple dwelling, which means medium profile developments are allowed in the RD2.5 zone. Based on the proposed site layout and the Shadow Impact Study submitted, it appears permitting a 26.0 m maximum building height on the subject land would help achieve good planning on the subject land.

Planning Staff support a change in zoning from HRD2.1 to HR2.5 with site-specific provision allowing a maximum height of 26.0 m for the multiple dwelling. The site-specific zoning will also address the proposed scenery loft on the property. The recommendation will permit the proposed uses (townhome and multiple dwelling), which are currently not permitted on the subject land. The proposed main building height of 54.0 m is a zoning provision that is excessive and inappropriate for the subject area.

RD2.5 zone permits the following density: Lot area per dwelling unit is 166.0 m² minimum for multiple dwelling with 5 or more units, and 190.0 m² minimum for a townhome dwelling. That

means the subject land (3.296 ha in size) can accommodate 28 townhome dwelling units and 166 multiple dwelling units. Therefore, the RD2.5 zone further addresses the concern of the area residents regarding proposed density on the subject land.

To ensure further protection of the hedgerows and the APZ (GD1.4 zone) per the comments of the Ministry of Natural Resources and Forestry (MNRF) and Ministry of Tourism, Culture and Sports (MTCS) regarding the existing hedgerows and APZ, site-specific zoning provisions are recommended that will impact the implementation of the minimum rear yard depth and side yard width provisions.

The applicant's proposal implements gradual transition policy (s.6.3.2.5(f)) of the OP by proposing low profile townhome dwellings closer to the existing low profile developments in the immediate area. The concept plan shows adequate separation of the multiple dwelling from the nearby existing low profile developments north and east of the subject land.

Building step back requirement was contemplated to maintain human scale for the users of the trail; however, as a result of the recommended height of 26.0 m, the required buffer created by the GD1.4 zone, it is not necessary to impose any further step back provision along the south and west walls of the proposed multiple dwelling.

Parking requirement for multiple dwelling with a minimum of 5 dwelling units is calculated at the rate of 1.25 parking spaces per dwelling unit; meaning 1.25×275 units. Therefore, the proposed 275 dwelling units will require a minimum of 343.75 spaces (i.e. 343 spaces, when you round down). With 166 dwelling units, minimum parking requirement is $166 \times 1.25 = 207.5$ spaces (i.e. 207 spaces, when you round down).

Townhome dwelling having an attached garage or carport requires a minimum of 1 parking space for each dwelling unit, whereas townhome dwelling without an attached garage or carport requires a minimum of 1.25 parking spaces for each dwelling unit. The proposed 28 townhome dwelling units have attached garage(s); therefore, required minimum parking is 28 spaces. Furthermore, s.11.5.5.7.50 states *"for a townhome dwelling unit that fronts a street, the required number of parking spaces shall be one parking space for each dwelling unit"*.

Total required minimum parking for is $343 + 28 = 371$ spaces but based on the recommended new zoning category (RD2.5), total minimum required parking would be reduced to $207 + 28 = 235$ spaces. The applicant proposes 544 parking spaces, which is excessive and depletes vegetative and pervious surface on the property.

PPS 2020 requires that vegetative covers be maximized to help in stormwater management. By reducing excess parking on the site, the development can be better designed to maximize vegetative covers, utilize land more efficiently, have greater separation from the sewage treatment plant, and still achieve higher density, medium profile residential development.

This report recommends a reduced building height and density, which will result in less dwelling units on the site and, consequently, less than 544 parking spaces on the subject site. Based on the neighbourhood demand for more parking on the subject site, the applicant's planning consultant proposed a parking ratio of 1.57 spaces per dwelling unit for the multiple dwelling, along with 4 parking spaces per townhome dwelling. The townhome parking spaces are proposed in the 2-car garages and on the private driveways. This report aims to limit the proposed parking to the 1.57 spaces maximum for each multiple dwelling unit, per the

applicant's Planning Justification Report, and restrict the townhome parking within the garage and on the private driveways, as proposed by the applicant.

A hold provision is recommended to ensure that development cannot occur on the site until the required land conveyance for Florence Avenue extension is fulfilled.

A draft by-law is attached as **Appendix F** to this report.

5. SITE PLAN

The recommended amendment will facilitate a development proposal that is subject to Site Plan Control pursuant to the Planning Act and City of Windsor By-law 1-2004. Therefore, Site Plan Approval and Execution of a Site Plan Agreement are required.

The applicant/developer may submit a request for Site Plan Control Pre-Consultation at <https://ca.cloudpermit.com/login>, following completion of the statutory public meeting of the Development and Heritage Standing Committee.

The following issues and recommendations contained in the Studies submitted by the applicant, along with the comments received from some of the municipal departments and external agencies are detailed in Appendix A hereto attached, and are best addressed at the time of Site Plan Approval. The requirements listed below, along with other conditions/requirements will be more appropriately included in the Site Plan Agreement:

- A. Servicing Study
- B. Corner Cut-off (6.1m x 6.1m) at the southwest corner of the Wyandotte Street East and Florence Avenue intersection;
- C. Florence Avenue Construction
- D. Concrete sidewalks on both sides of Florence Avenue.
- E. Construct all sidewalks in conformity with the requirements of the *Accessibility for Ontarians with Disabilities Act* (AODA).
- F. Access driveways: maintain a minimum clearance of 55.0 m from the nearest cross road with existing or planned signals.
- G. Oversizing and cost sharing
- H. \$129,000.00, Servicing fee for Sanitary Sewer Stub south of the subject lands.
- I. Servicing of vacant lots fronting on east side of Florence Avenue Extension.
- J. 0.3m Reserve and cost-sharing.
- K. Parkland Conveyance - convey the GD1.4 portion of the subject land.
- L. Species at Risk/ Habitat Protection.
- M. Protection and preservation of the Archaeological Potential Zone (APZ) portion of the subject land
- N. Installation of a non-permeable 1.8m (6ft) fence with no gates between the boundaries of the proposed dwellings and the proposed parkland.
- O. Warning clause for proximity to a Sewage Treatment Plant.
- P. Phase 2 Environmental Site Assessment completed in accordance with the Canadian Standards Association (CSA) standard. (See Appendix A for information on the soil sampling program).

Risk Analysis: See Climate Change risk analysis below
Climate Change Risks

Climate Change Mitigation:

Residential intensification minimizes the impact on the community greenhouse gas emissions. Development within existing communities and neighbourhoods use available infrastructure such

as sewers, sidewalks, and public transit and, as such, help to mitigate development impact. The proposed residential intensification on the subject land will encourage the use of existing and planned transit and active transportation in the neighbourhood, which will help to minimize the City's carbon footprint.

Climate Change Adaptation:

The proposed construction of town home dwelling units and multiple dwelling units provides an opportunity to increase resiliency for the development and surrounding area. The implementation of approved landscape plan, stormwater management measures and lot-grading plan for this proposed development will enhance the city's preparedness for climate change impact in the subject area.

Financial Matters:

"The Little River Pollution Control Plant will currently be spending approximately \$400,000.00 annually for odour control. The cost for odour control will increase substantially with the doubling of the plant. Any development will further increase the number of annual odour complaints to the City. Complaints could also result in orders filed by the Ministry of Environment, Conservation and Parks (MECP) against the City for costly retrofits or result in charges laid under s. 14 of the Environmental Protection Act.

Consultations:

1. OPEN HOUSE SESSION/Public Information Centre:

Held on September 8, 2022, and organized by the applicant to provide information to area residents on the proposed development, the required planning processes, and discuss/collect comments and questions relating to the proposed development. It was noted that top concerns from residents related to traffic, density, shadow and flooding. The applicant's planning consultant responded to the neighbourhood concerns in the document titled "Engagement Summary – September 2022" on the city's website using this link: [https://www.citywindsor.ca/residents/planning/Land-Development/Development-Applications/current-development-applications/Documents/0%20Wyandotte%20St%20E%20\(Ganatchio%20Gardens%20Inc\)%20-%20Public%20Information%20Centre%20Engagement%20Summary.pdf](https://www.citywindsor.ca/residents/planning/Land-Development/Development-Applications/current-development-applications/Documents/0%20Wyandotte%20St%20E%20(Ganatchio%20Gardens%20Inc)%20-%20Public%20Information%20Centre%20Engagement%20Summary.pdf)

2. DEPARTMENT AND AGENCIES

Comments received from municipal departments, service units and external agencies are included in **Appendix D**. The applicant/owner shall satisfy all items as set out in the Results of Circulation (Appendix D) attached. The City's Biodiversity Coordinator expressed concerns regarding the Environmental Evaluation Report submitted by the applicant. See Appendix D for details. It should be noted that Council, in 2020, approved a zoning by-law amendment and a draft plan of subdivision for the subject site. This report contains recommendations carried forward from the 2020 approval (CR54/2020) with respect to impact on Natural Areas.

Other municipal departments and external agencies have no objections; some are recommending approval of the amendments with conditions as noted in Appendix D attached to this report. The requirements of Engineering & Geomatics, Transportation Planning, Canada Post, and other agencies and municipal departments, as found in Appendix D, have mostly been addressed under Recommendation V of this report and will show up in a site plan agreement as special, or/and general, provisions.

Parkland Conveyance: The GD1.4 portion of the subject land will be conveyed to the Corporation for Parkland purposes as permitted in Section 51.1 of the Planning Act. It is understood that the conveyance of the GD1.4 portion will exceed the 5% required by the Planning Act, because the proposed parkland also serves the following additional purposes:

- (i) buffer zone from Little River Future Treatment Plant Expansion,
- (ii) protection of existing 4.4 m wide south and west hedgerows, and
- (iii) protection of the required 20.0 m wide Archaeological Potential Zone.

Species at Risk/ Habitat Protection: In a letter dated November 28, 2019, the Ministry of Municipal Affairs & Housing (MMAH) confirmed that the Ministry of Natural Resources & Forestry (MNRF) provided comment on the subject development in July 2017 directly to the 2018 residential subdivision proponent and that MNRF did not have any concerns with the proposed development at that time.

In the November 2019 Letter, MMAH also advised that the Ministry of Environment, Conservation & Parks (MECP) recommends that the City of Windsor consider imposing the following conditions of the Draft Approval:

'That the fully executed subdivision agreement between the Owner and the City of Windsor shall contain a provision requiring the Owner to design the subdivision such that the existing perimeter hedgerows are retained, and furthermore, that the shrub thicket to the south will not be disturbed in anyway. These measures to be incorporated for the purpose of "Species at Risk/ Habitat Protection."

Fast forward to this new development proposed on the subject land. A Subdivision agreement is not required for this new proposal, but a Site Plan Control agreement is required at the Site Plan Approval stage. Therefore, the MECP recommendation noted above is also included in the recommendation section of this report to be implemented as a zoning provision and incorporated in the Site Plan Control Agreement at the appropriate time in the planning process.

3. PUBLIC NOTICE

The City will advertise the official notice in the Windsor Star Newspaper, as mandated by the Planning Act. In addition, the City will mail courtesy notice to all property owners and tenants within 120m (400 feet) of the subject parcel, prior to the Development & Heritage Standing Committee (DHSC) meeting.

Planner's Conclusion and Opinion:

The discussion in this report contains reasons for not supporting the applicant's request for site-specific Official Plan Amendment (OPA). In my professional opinion, the requested OPA is not consistent with some policies of the PPS 2020, such as 1.2.6 and 1.1.3.3, and should be denied. The recommended denial of the applicant's request will protect the LRPCP from incompatible development.

This report does not support a high profile residential development on the subject land and recommends that the applicant's request for a 54m tall multiple dwelling be denied along with the proposed RD3.3 zoning. This report presents facts to support a medium profile development on the subject land and goes further to recommend a site-specific RD2.5 zoning category to permit the medium profile development at a maximum height of 26m.

The recommended zoning by-law amendment (ZBLA) will provide housing options/opportunities that will help improve housing supply in the City of Windsor. The recommended ZBLA will support the use of existing and planned active transportation and public transit in the area.

The recommended Zoning By-law Amendment (ZBLA) is consistent with the policies of the Provincial Policy Statement 2020. The recommended ZBLA will maintains conformity with the City of Windsor Official Plan. The recommended amendment constitutes good planning.

Administration is recommending that the Zoning By-law amendment be approved subject to site-specific zoning provisions and holding prefix as specified in the Recommendation section of this report.

Planning Act Matters:

I concur with the above comments and opinion of the Registered Professional Planner.

Greg Atkinson, MCIP, RPP
 Manager of Development / Deputy City Planner

Neil Robertson, MCIP, RPP
 Acting City Planner

I am not a registered Planner and have reviewed as a Corporate Team Leader

JP

JM

Approvals:

Name	Title
Greg Atkinson, MCIP, RPP	Manager of Development / Deputy City Planner
Neil Robertson, MCIP, RPP	Acting City Planner
Chris Nepszy	Commissioner, Infrastructure Services
Wira Vendrasco	Deputy City Solicitor
Jelena Payne	Commissioner of Economic Development & Innovation
Joe Mancina	Chief Administrative Officer

Notifications:

Name	Address	Email
Abutting property owners and tenants within 120 meter (400 feet) radius of the subject land		
Applicant/Owner: Ganatchio Gardens Inc. c/o Wing On Li	4510 Rhodes Dr., Suite 520, Windsor, Ontario N8W 5K5	Wingon.li@horizonv.ca
Agent: Dillon Consulting Limited c/o Melanie Muir	3200 Deziel Dr., Suite 608, Windsor, Ontario, N8W 5K8	mmuir@dillon.ca

Name	Address	Email
Councillor Angelo Marignani	350 City Hall Square W., Suite 530, Windsor, Ontario, N9A 6S1	amarignani@citywindsor.ca
Shannon Porcellini	10279 Paulina Court, Windsor, Ontario, N8P 1H6	fivepeasinapodd@gmail.com
Jim Roe	541 Breezewood Street, Windsor, Ontario, N8P 1H4	jimroe1@mnsi.net

Appendices:

- 1 Appendix A, Details of Requirements 'A' to 'P', Files Z-026-22 & OPA 162
- 2 Appendix B, Development Concept Plan
- 3 Appendix C, Site Photos
- 4 Appendix D, Consultations - Comments from Municipal Departments & External Agencies
- 5 Appendix E, City of Windsor Archaeological Protection Letter to MTCS, Feb 4, 2020
- 6 Appendix F, Draft By-law, Z-026/22

APPENDIX A, DETAILS OF REQUIREMENTS 'A' to 'P', FILES Z-026/22 & OPA 162

- A. Servicing Study: The Owner(s) shall
- i) retain a consulting engineer to review the existing and proposed sewer system for this development to determine its effect on the municipal sewer system. The Study shall be done to the satisfaction of the City Engineer and the Chief Building Official; and
 - ii) demonstrate, to the satisfaction of the City Engineer, that no negative impacts to existing properties will be realized by the surrounding community, before the proposed development will be allowed to proceed.
- B. Corner Cut-off: The Owner(s) shall, prior to issuance of a construction permit, gratuitously convey a 6.1m x 6.1m corner cut off at the southwest corner of the Wyandotte Street East and Florence Avenue intersection, in accordance with City of Windsor Standard Drawing AS-230, to the satisfaction of the City Engineer and City Solicitor;
- C. Florence Avenue Construction: The Owner(s) agrees to construct pavements, including curbs and gutters, driveway approaches and the necessary drainage facilities according to City of Windsor standard specifications, with sidewalks on both sides on the road. The owner further agrees that one (1) full winter shall elapse following the laying of base asphalt, prior to the laying of surface asphalt. All work to be to the satisfaction of the City Engineer.
- D. Sidewalks: The Owner(s) shall construct, at its expense, according to City of Windsor Standard Specifications and in a manner satisfactory to the City Engineer, concrete sidewalks on both sides of Florence Avenue.
- E. The Owner(s) shall construct all sidewalks in conformity with the requirements of the Accessibility for Ontarians with Disabilities Act (AODA) and to construct all accesses in conformity to the TAC Geometric Design for Canadian Roads and the City of Windsor Standard Engineering Drawings, to the satisfaction of the City Engineer.
- F. Access driveways: All access driveways shall conform to the TAC Geometric Design Guide for Canadian Roads and the City of Windsor Standard Engineering Drawings. The northerly driveway closest to Wyandotte Street East, shall maintain a minimum clearance of 55.0 m from the nearest cross road with existing or planned signals.
- G. Oversizing and cost sharing:
- i. The Owner(s) shall pay to the Corporation, prior to the issuance of a construction permit, its share of the costs as determined by the City Engineer for previously oversized services that were constructed to ensure that the subject lands could be serviced.
 - ii. In the event that the Owner is required to oversize any services in order to service other vacant lands, it is agreed that any oversizing costs to be paid by the Corporation to the Owner shall be based on a cost-sharing strategy satisfactory to the City Engineer. Any cost-sharing strategy agreed to at the time of Site Plan Control will be subject to the approval of the Corporation's City Council.

APPENDIX A, DETAILS OF REQUIREMENTS 'A' to 'P', FILES Z-026/22 & OPA 162

- H. Servicing fee for Sanitary Sewer Stub south of the subject lands: The Owner(s) shall pay the amount of \$129,000.00, being the required servicing fees for the construction of the sanitary sewer stub south of the subject lands in the Florence Avenue right-of-way.
- I. Servicing of vacant lots fronting on east side of Florence Avenue Extension: The Owner(s) shall, at its entire expense, install required municipal services to the lots along the east limit of the abutting north/south alley, being Lots 34 to 44 (incl.) on Registered Plan 1142. All work is to be completed to the satisfaction of the City Engineer.
- J. 0.3m Reserve and cost-sharing: Upon completion of the servicing work associated with abutting lots, the Owner(s) shall, prior to a construction permit, register a 0.3m wide strip of land across the frontage of the lands along the entire east limit of the north/south alley, being the west limit of lots 34 to 44 on Registered Plan 1142, to the satisfaction of the City Engineer and City Planner. The 0.3m reserve will not be removed until individual owners of the serviced lots have paid, their proportionate share of costs for construction of infrastructure associated with the extension of Florence Avenue. When a proportionate share of said infrastructure costs are paid, the City's Legal Department will be notified in writing by the Owner(s) and the City will DECLARE the appropriate portion of the 0.3m reserve a public highway.
- K. Parkland Conveyance: The Owner(s) shall, prior to the issuance of a construction permit, convey the GD1.4 portion of the subject land shown as a 4.4m wide strip along the west property boundary containing much of the natural vegetation abutting the Little River Corridor, and a 20m wide buffer along the south property boundary identified as Archaeological Potential Zone (having high potential for archeological artifacts) as Passive Parkland - only subject to minor maintenance or traditional agricultural practice, to the Corporation primarily for park purposes in accordance with Section 51.1 of the Planning Act, and for other purposes noted below, to the satisfaction of the Executive Director of Parks, City Engineer and City Planner:
- i. buffer zone from Little River Future Treatment Plant Expansion
 - ii. protection of existing hedgerows, per Ministry of Natural Resources & Forestry's guidelines
 - iii. protection of 20m-wide southerly Archaeological Potential Zone per Ministry of Heritage, Sport, Tourism and Culture Industries' guidelines.
- L. Species at Risk/ Habitat Protection: The Owner(s) shall design the development such that the existing perimeter hedgerows are retained, and furthermore, that the shrub thicket to the south will not be disturbed in anyway, to the satisfaction of the City Planner.
- M. Archaeological Potential Zone (APZ) - Protection and preservation of the APZ portion of the subject land per the recommendations made in the July 17, 2020 and July 10, 2020 letters filed with the Ministry of Heritage, Sport, Tourism and Culture Industries (MHSTCI);
- N. Fencing Requirement: The Owner(s) shall install a non-permeable 1.8m (6ft) fence with no gates between the boundaries of the proposed dwellings and the proposed parkland being conveyed to the City, to the satisfaction of the City's Landscape Architect.
- O. Warning clause for proximity to a Sewage Treatment Plant: The Owner(s) shall place the following warning clause(s) in all Offers to Purchase and Agreement of Purchase or Sale or lease

APPENDIX A, DETAILS OF REQUIREMENTS 'A' to 'P', FILES Z-026/22 & OPA 162

between the Owner(s) and all prospective home buyers, and in the title of each dwelling or dwelling unit within the subject development:

“Purchasers/tenants are advised that an existing sewage treatment plant is located west of the subject land and an easterly expansion of the treatment facility is anticipated in the future. As a result of the proximity of the existing and future treatment facilities to the proposed new developments, it is possible that the new treatment facilities could occasionally emit odours that could interfere with some activities of the dwelling occupants.”

P. Phase 2 Environmental Site Assessment completed in accordance with the Canadian Standards Association (CSA) standard, in lieu of the Soil Sampling Program recommended in the Phase 1 Environmental Site Assessment (ESA) dated July 2021, prepared by Dillon Consulting Limited to assess the potential impacts to soil from the former orchard operations at the site.

APPENDIX B



GANATCHIO GARDENS INC. WYANDOTTE STREET EAST AT FLORENCE AVENUE		CONCEPTUAL DEVELOPMENT PLAN FEBRUARY 16, 2023	
SUBJECT AREA (= 3.30ha / 8.15ac)		PROPOSED TOWNHOME UNITS (25 UNITS)	
LAND CONVEYANCE (= 0.32ha / 0.79ac)		PROPOSED PARKLAND	
PROPOSED MULTI-UNIT RESIDENTIAL BUILDING (275 UNITS)		PROPOSED LANDSCAPING	
PROPOSED ELEVATED TERRACE		PROPOSED SIDEWALK	
PROPOSED TOWNHOME UNITS (12 UNITS)		PROPOSED SIDEWALK	

LIMITS TOTAL: 300 UNITS TOWNHOME: 37 UNITS MULTI-UNIT: 263 UNITS	PROPOSED TOWNHOME UNITS (12 UNITS) TOWNHOME: 12 UNITS TOWNHOME PARKING: 2 UNITS TOWNHOME TERRACE: 2 UNITS TOTAL: 16 UNITS	PROPOSED ELEVATED TERRACE TERRACE: 1 UNITS TERRACE PARKING: 1 UNITS TERRACE TERRACE: 1 UNITS TOTAL: 3 UNITS	PROPOSED SIDEWALK SIDEWALK: 1 UNITS SIDEWALK PARKING: 1 UNITS SIDEWALK TERRACE: 1 UNITS TOTAL: 3 UNITS
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MAP DRAWING INFORMATION: THIS DRAWING IS FOR INFORMATION ONLY. ALL DECISIONS ARE TO BE MADE BY THE LOCAL GOVERNMENT. THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION. CHECKED BY: WJL, DESIGNED BY: WJL. SOURCE: THE COUNTY OF ESSEX INTERACTIVE MAPPING (2019).

SCALE: 1:1500 (1"=157')

PROJECT: 21-1687
 STATUS: DRAFT
 DATE: 2023/02/10

DILLON CONSULTING



Partial view of the subject land looking southeast from Wyandotte St.



Partial view of the subject land looking southwest from Wyandotte St.



Partial view of the subject land looking northwest from N/E CNR of the subject land



Partial View of the subject land looking southwest from N/E CNR of the subject land



View of Wyandotte Street east of Florence Avenue & subject land



View of north side of Wyandotte St. west of Florence Avenue, across from subject land



View of Florence Avenue north side of Wyandotte Street R.O.W.



View of Elinor Street north of Wyandotte Street



View of Elinor Street south of Wyandotte Street

APPENDIX D - CONSULTATIONS

[Comments from Municipal Departments & External Agencies; File Z-026/22; OPA 162]

ASSESSMENT MANAGEMENT OFFICER - JOSE MEJALLI

No objection to the zoning amendment to permit the following:
16-storey multiple dwelling containing 275 dwelling units, a 2-storeyclubhouse (for residents) on an elevated platform, along with 28 ground level townhomes

ENVIROMENTAL SERVICES - ANNE MARIE ALBIDONE

Environmental Services is not opposed to the rezoning however care should be give to the location designated for waste collection. The current location in the draft drawing does not appear to be adequate.

TRANSIT WINDSOR - JASON SCOTT

Transit Windsor has no objections to this development. The closest existing transit route to this property is with the Lauzon 10. The closest existing bus stop to this property is located directly across the street on Wyandotte at Florence Northwest Corner providing direct transit access. Transit Windsor's 2023 City Council approved Service Plan and Operating budget has a new local route replacing the Lauzon 10. This will be an improvement over the existing service as it will be a 2 way conventional transit route rather than the existing 1 way loop. This is proposed to change early 2024 and aligns with our City Council approved Transit Master Plan. The existing bus stop on Wyandotte at Florence Northwest Corner will move to the Northeast Corner as the bus route will be travelling along Florence between Riverside and Wyandotte. Another new bus stop is proposed on Wyandotte at Florence Southeast corner for travelling in the other direction.

CANADA POST - BRUNO DESANDO

Please see Canada Post's feedback regarding the proposal, below.

Service type and location

1. Canada Post will provide mail delivery service to the subdivision through centralized Community Mail Boxes (CMBs).
2. If the development includes plans for (a) multi-unit building(s) with a common indoor entrance, the developer must supply, install and maintain the mail delivery equipment within these buildings to Canada Post's specifications.

Municipal requirements

1. Please update our office if the project description changes so that we may determine the impact (if any).
2. Should this subdivision application be approved, please provide notification of the new civic addresses as soon as possible.

Developer timeline and installation

1. Please provide Canada Post with the excavation date for the first foundation/first phase as well as the date development work is scheduled to begin. Finally, please provide the expected installation date(s) for the CMB(s).

Please see Appendix A for any additional requirements for this developer.

APPENDIX D - CONSULTATIONS

[Comments from Municipal Departments & External Agencies; File Z-026/22; OPA 162]

Appendix A

Additional Developer Requirements:

- *The developer will consult with Canada Post to determine suitable permanent locations for the Community Mail Boxes. The developer will then indicate these locations on the appropriate servicing plans.*
- *The developer agrees, prior to offering any units for sale, to display a map on the wall of the sales office in a place readily accessible to potential homeowners that indicates the location of all Community Mail Boxes within the development, as approved by Canada Post.*
- *The developer agrees to include in all offers of purchase and sale a statement which advises the purchaser that mail will be delivered via Community Mail Box. The developer also agrees to note the locations of all Community Mail Boxes within the development, and to notify affected homeowners of any established easements granted to Canada Post to permit access to the Community Mail Box.*
- *The developer will provide a suitable and safe temporary site for a Community Mail Box until curbs, sidewalks and final grading are completed at the permanent Community Mail Box locations. Canada Post will provide mail delivery to new residents as soon as the homes are occupied.*
- *The developer agrees to provide the following for each Community Mail Box site and to include these requirements on the appropriate servicing plans:*
 - *Any required walkway across the boulevard, per municipal standards*
 - *Any required curb depressions for wheelchair access, with an opening of at least two metres (consult Canada Post for detailed specifications)*
 - *A Community Mailbox concrete base pad per Canada Post specifications.*

SITE PLAN CONTROL

The development proposal is subject to Site Plan Control pursuant to the Planning Act and City of Windsor By-law 1-2004. Where preceding development applications are required, inclusive of Official Plan and Zoning By-law Amendments, request for Site Plan Control Pre-Consultation may be made following completion of the requisite Development and Heritage Standing Committee meeting at <https://ca.cloudpermit.com/login>.

ENWIN

HYDRO ENGINEERING:

No Objections, however please note there are City of Windsor streetlight poles with 120/240 volt underground distribution along Wyandotte St E, North of the property.

Prior to working in these areas, we would suggest notifying your contractor and referring to the Occupational Health and Safety Act and Regulations for Construction Projects to confirm clearance requirements during construction.

Also, we suggest referring to the Ontario Building Code for permanent required clearances for New Building Construction.

WATER ENGINEERING:

Water Engineering has no objections.

APPENDIX D - CONSULTATIONS

[Comments from Municipal Departments & External Agencies; File Z-026/22; OPA 162]

REAL ESTATE SERVICES - DENISE WRIGHT

There are no other comments from real estate services other than someone from Parks or the City Naturalist should monitor this area once development begins to ensure that there is no encroachment into the neighbouring City owned naturalized area.

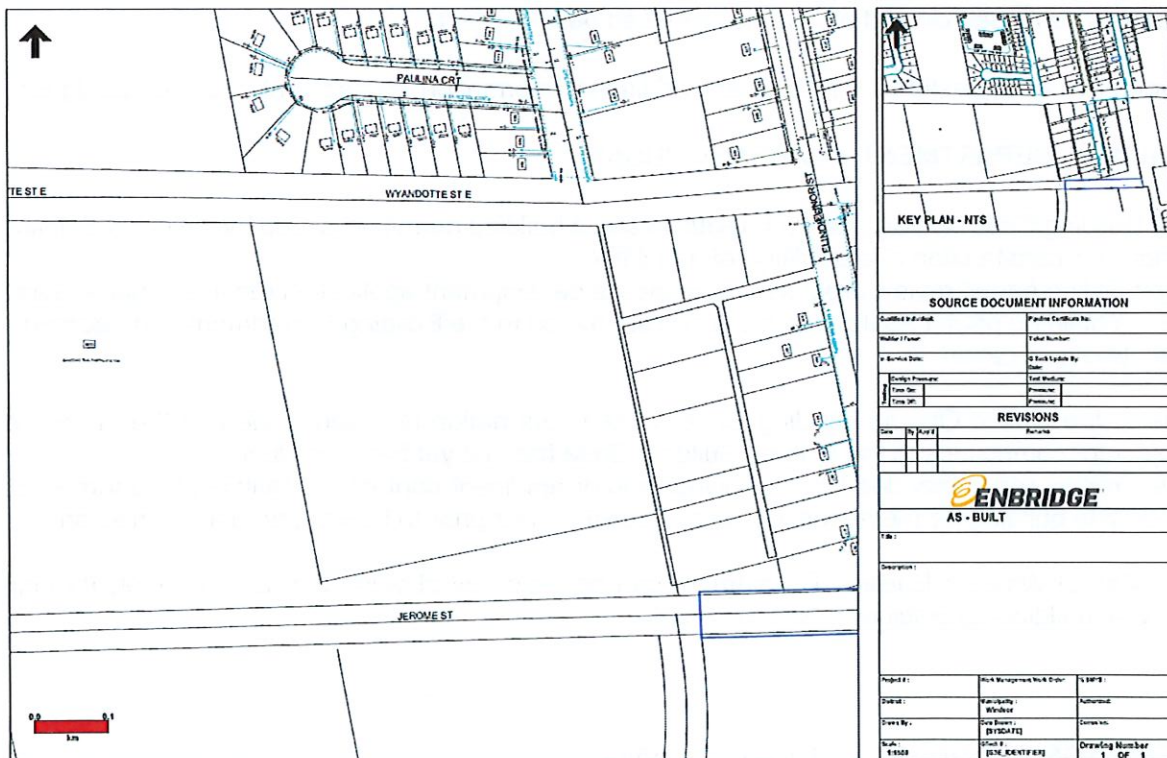
ENBRIDGE

After reviewing the provided drawing at 211691 Ganatchio Gardens and consulting our mapping system, please note that Enbridge Gas has no active infrastructure in the proposed area. A PDF drawing has been attached for reference.

Also, please note the following should you find any abandoned infrastructure in the area:

- Any pipe that is excavated, please assume that it is live
- If during the course of any job, any pipe is found that is not on the locate sheet and is in conflict with your work, please call our emergency number (1-877-969-0999), and one of our Union Gas representatives will respond to determine if that plant is in fact live or dead
- Please note that our Enbridge Gas representative will respond to the live or dead call within 1-4 hours, so please plan your work accordingly

Please contact me if you have any further questions or concerns.



APPENDIX D - CONSULTATIONS

[Comments from Municipal Departments & External Agencies; File Z-026/22; OPA 162]

ERCA – ALICIA GOOD

The City of Windsor has received an application for Official Plan Amendment 162 and Zoning By-Law Amendment Z-026-22 to support the future construction of a 16 storey building, a 2 storey clubhouse, 28 townhomes, and associated parking on the subject lands. The following comments are provided as a result of our review of this application.

NATURAL HAZARDS AND REGULATORY RESPONSIBILITIES UNDER THE CONSERVATION AUTHORITIES ACT, O. REG 686/21, PPS

The following comments reflect ERCA's role in protecting people and property from the threats of natural hazards and regulating development hazards lands under Section 28 of the *Conservation Authorities Act*.

The above noted lands are subject to our Development, Interference with Wetlands and Alteration to Shorelines and Watercourses Regulation under the *Conservation Authorities Act* (Ontario Regulation No. 158/06). The parcel falls within the regulated area of the Little River and Lake St. Clair. The property owner will be required to obtain a Permit and/or Clearance from the Essex Region Conservation Authority prior to any construction or site alteration or other activities affected by Section 28 of the *Conservation Authorities Act*.

FINAL RECOMMENDATION

Our office has no objections to the proposed Official Plan Amendment 162 and Zoning By-law Amendment Z-026-22. Our office may provide further comment regarding Storm Water Management for this development at the time of application for Site Plan Control. Our office requests continued circulation for this proposed development.

If you have any questions or require any additional information, please contact the undersigned.

BUILDING DEPARTMENT – BARBARA RUSAN

The Building Code Act, Section 8.(1) requires that a building permit be issued by the Chief Building Official for construction or demolition of a building.

The building permit review process occurs after a development application receives approval and once a building permit application has been submitted to the Building Department and deemed a complete application.

Due to the limited Ontario Building Code related information received, review of the proposed project for compliance to the Ontario Building Code has not yet been conducted.

It is strongly recommended that the owner and/or applicant contact the Building Department to determine building permit needs for the proposed project prior to building permit submission.

The City of Windsor Building Department can be reach by phoning 519-255-6267 or, through email at buildingdept@citywindsor.ca

HERITAGE PLANNING – KRISTINA TANG

APPENDIX D - CONSULTATIONS

[Comments from Municipal Departments & External Agencies; File Z-026/22; OPA 162]

The property has archaeological potential, though the current proposal shows the same study area as the P244-0124-2018 Report.

The Ministry's letter for review and entry into the Ontario Public Register of Archaeological Reports: Archaeological Assessment Report Entitled, "STAGE 1 ARCHAEOLOGICAL BACKGROUND STUDY & STAGE 2 ARCHAEOLOGICAL PROPERTY ASSESSMENT Wyandotte & Florence Development Part of Lot 138, Concession 1 – Geographic Township of Sandwich East City of Windsor, County of Essex REVISED REPORT", Dated Jul 7, 2020, Filed with MHSTCI Toronto Office on Jul 10, 2020, MHSTCI Project Information Form Number P244-0124-2018, MHSTCI File Number 0009005

"The report documents the Stage 1-2 archaeological assessment of the study area as depicted in Figures sA3, A8 and A9 of the above titled report and recommends the following:

1. *Should the Archaeological Potential Zone (APZ) portion of the subject property conveyed to the City of Windsor ever proposed to be impacted in any way, it is recommended that limited Stage 3 testing take place within the APZ given that there remains a high likelihood that the Nicodemo-Dupuis Site continues to the east and to the north of the known site limits. The Stage 3 testing should involve a series of 1x1m test units in the area of this buffer overlap to confirm that the Site does not extend into the subject property.*

a. *If no archaeological resources are found during the Stage 3 testing, the area should be considered sufficiently assessed and no further assessment for the Nicodemo-Dupuis Site within the Subject Property will be required.*

If archaeological resources are found, the limits of the Nicodemo-Dupuis Site will require adjustment to include this area and additional fieldwork, including Stage 4 Site Mitigation, may be required. Stage 4 mitigation may include an avoidance and longterm protection strategy which would reduce or eliminate additional (Stage 4) fieldwork; this is MHSTCI's preference (see Section 4.1 of the 2011 Standards & Guidelines).

2. Recommended Test Unit Placement:

a. *The Stage 3 test units should begin between 2.5 and 5m north of the southern property line (where the hedges will allow) and consist of two rows at a five metre interval (offset at a 2.5 metre interval).*

b. *Should significant archaeological resources be recovered within these two rows of test units, additional excavation lines will continue to the north until no significant archaeological resources are found within the APZ.*

3. *In addition to the above, Walpole Island First Nation should be engaged regarding the Stage 3 work plan and any short or long-term avoidance and protection strategy at Stage 3 or Stage 4 given that they have expressed interest in the Site, were engaged in the fieldwork of the portion of the Site to the south, and a component of this Site dates to the Woodland period (see MHSTCI Bulletin Engaging Aboriginal Communities in Archaeology Standard 2).*

APPENDIX D - CONSULTATIONS

[Comments from Municipal Departments & External Agencies; File Z-026/22; OPA 162]

4. *The remainder of the subject property outside the APZ is clear of archaeological concern and may proceed to development as no archaeological resources representing further cultural heritage value or interest (CHVI) were recovered in this area during the current fieldwork. “*

The request for further archaeological assessment may only be waived for the Parkland if the applicant is agreeable and able to demonstrate through the submitted application that the site plan and development conditions and agreements for the Archaeological Potential Zone would remain exactly the same as per reviewed in P244-0124-2018 (ie. The same recommended Archaeological Potential Zone is to be conveyed to the City as passive Parkland and only subject to minor maintenance or traditional agricultural practices. The applicant is also required to erect a non-permeable (no gates) 1.8m (6 ft) fence between the proposed residences and the proposed parkland as a Condition of the Subdivision agreement. Consent from City of Windsor Parks Department would be required for these proposed measures).

In addition, the portion of the area not identified as Parkland but identified as Land to be Conveyed for the development of Florence Avenue overlaps with the APZ (measuring 20.0 m from south property line). Since it would be impacted by road development, the proponent will be responsible for conducting the Stage 3 and any further required assessment on that portion, unless the City is prepared to accept the lands for Florence Avenue and conduct the required Archaeological assessment on it.

TRANSPORTATION PLANNING – CLARE AMICARELLI

- The Official Plan classifies Wyandotte St E as a Class 2 Arterial with a required right-of-way width of 30.9 metres. The current right-of-way width is not sufficient; however, a land conveyance is not required at this time.
- A review is currently underway to determine if an Environmental Assessment (EA) is required for the Florence Avenue extension.
- Per the Official Plan, a sidewalk is required on two sides of a Collector Road. A sidewalk construction is required on both sides of Florence Ave as per Engineering Right-of-Way's comments.
- A corner cut-off of 6.1 metres x 6.1 metres is required on the corner of Wyandotte St E and Florence Ave since the TIS submitted states that a traffic signal may be introduced in the future at this intersection.
- All parking must comply with ZBL 8600, otherwise a parking study may be required.
 - Bicycle parking must comply with ZBL for the dimensions and number of spaces.
 - Total GFA is required in order to determine if loading spaces proposed are sufficient according to the ZBL.
- Transportation Planning has reviewed the Transportation Impact Study titled, “Ganatchio Gardens Inc. Official Plan and Zoning By-Law Amendments Transportation Impact Study Southwest Corner of Florence Avenue and Wyandotte Street East Windsor, Ontario” conducted by Dillon Consulting Ltd. in March 2023. Transportation Planning has the following comments:

APPENDIX D - CONSULTATIONS

[Comments from Municipal Departments & External Agencies; File Z-026/22; OPA 162]

- Report is satisfactory in its current form
- All exterior paths of travel must meet the requirements of the Accessibility for Ontarians with Disabilities Act (AODA).
- All accesses shall conform to the TAC Geometric Design Guide for Canadian Roads and the City of Windsor Standard Engineering Drawings.
 - Minimum clearance required between the northerly driveway and the nearest cross road is 20 metres for stop controls at the cross road. Distance shown on site plan provided shows about 25 metres, which complies with this requirement. However, the TIS submitted states that it may be necessary to reassess the northerly driveway location based on the findings of the Florence EA, and that it is anticipated that a traffic signal may be introduced in the future at this intersection. The minimum clearance required between the northerly driveway and the nearest cross road is 55 metres for signals at the cross road. Therefore, for safety purposes, the northerly driveway must be 55 metres away from the intersection based on that requirement.
 - The throat length shown on the conceptual plan for the southerly driveway access does not meet the suggested 25 metres as per TAC Guidelines; a comment is required from the Engineer.

ENVIRONMENTAL SUSTAINABILITY & CLIMATE CHANGE - KARINA RICHTERS

Pursuant to the application for a zoning amendment (**Z 026/26**) and Official Plan Amendment **OPA 162** for the proposed development on the southwest corner of Wyandotte Street East and Florence Avenue, please note the following comments:

Energy Conservation, Air Quality and Climate Change:

Energy Efficiency

In order to maximize energy efficiency and conservation as energy strategy is required. The City's energy strategy terms of reference are available for review.

The installation of EV chargers is highly encouraged, as electric vehicles continue to penetrate the personal car and truck market, and supported by federal targets for EV production.

Urban Heat and Access to Green Space

To mitigate the effects of the urban heat caused by the increase in hard surfaces, it is recommended that landscaping efforts be maximized and include the planting of trees. To promote tree growth near parking lots, engineered systems (e.g. Silva Cells or equivalent) are recommended.

Little River Pollution Control Plant

An Environmental Assessment (EA) will be underway shortly for an expansion to the Little River Pollution Control Plant. As the EA will outline the recommended expansion, it is recommended that consultation be conducted to minimize the impact on residents from the waste water treatment plant.

APPENDIX D - CONSULTATIONS

[Comments from Municipal Departments & External Agencies; File Z-026/22; OPA 162]

BIODIVERSITY COORDINATOR - CHRIS HART

JULY 28, 2023: After reviewing the EER, I have some comments regarding the timing and extent of the surveys and site visits conducted, and their ability to adequately identify the natural features, including SAR, of the site, particularly in its current state. While I understand that some time has passed between the original proposal and now, as I read the report, I am obligated to highlight certain aspects that could result in the development potentially negatively impacting natural features within the City.

The development plans were influenced by the MNRF's 2018 recommendation that by retaining the outer hedgerows, there would be no contravention of the ESA. This was based off of a 2017 March survey, at which time the site was still being farmed. The EER states the site was last farmed in 2020, and that the land to the immediate west and south of the site is classified as parkland/meadow habitat, as well as candidate Significant Wildlife Habitat (under multiple criteria). The most recent vegetation survey, conducted on March 10, 2022, had accounts of several native/meadow species which suggest potential regeneration is occurring on site. Although only a one-season vegetation survey was required in the Terms of Reference, results beyond winter could be more representative of the current state of this site.

Similarly, the Terms of Reference indicates that no formal snake surveys were required. The EER states that "No SAR were observed during the field reconnaissance and SAR surveys", however it should be noted that the two site visits were conducted on March 23, 2017 and March 10, 2022, with temperatures of 1 and 0°C, respectively. These conditions are unsuitable to look for snakes, and are also unlikely to present recent and representative vegetation cover of the site, i.e., potential habitat, during the SAR snake active period. As mentioned above, the surrounding habitats, including candidate for terrestrial crayfish (associated with SAR snakes), the possible regeneration of the site, and the MNRF's recommendation to keep the hedgerows, all suggest that a different survey protocol would have been more appropriate to assess the impact on SAR.

Without ERCA's support with the review of these inappropriate EER's, it falls on the City to require further work or consultation before permitting development. To confirm absence of Natural Heritage features, particularly the species at risk with potential habitat in this area, surveys really need to be done at the appropriate time of year. At this time, Natural Areas cannot recommend proceeding with this development until an appropriate EIA is complete.

SEPTEMBER 1, 2023: Although development plans were approved by the Ministry in 2018, site conditions were not maintained in a similar state as that reviewed. Farming of the site stopped in 2020, and roadside observations from July 2023 suggested that it was allowed to naturalize. Habitat can regenerate in only a few years, especially when adjacent to existing natural heritage features. In this case, these adjacent features include SAR habitat, which suggests protected wildlife could enter the site to make use of any new habitat. As stated in my previous email from July 28, 2023, and ERCA's email from August 2022, the site was not surveyed properly to sufficiently assess for SAR and SAR habitat. As such, the development was not recommended to prevent possible contravention of the Endangered Species Act and 2.1.7 of the Provincial Policy Statement ("Development and site alteration shall not be permitted in habitat of endangered species...").

Roadside observations from August 24, 2023 showed that the site had been recently mowed, and on August 26, 2023, it appeared the site had been tilled. This negates our initial request for further surveys of the site, however the concerns of PPS validity remain.

APPENDIX D - CONSULTATIONS

[Comments from Municipal Departments & External Agencies; File Z-026/22; OPA 162]

SEPTEMBER 5, 2023: It is the proponent's obligation to ensure that their activities do not contravene any policies and/or legislation, i.e., the Provincial Policy Statement, Endangered Species Act, Migratory Birds Convention Act and Fish and Wildlife Conservation Act. Despite the concerns stated in my previous email, there are currently no municipal policies, in the Official Plan or otherwise, that provide grounds for us to stop this development.

In contrast, the County of Essex Official Plan General Policy 3.4.6. a) viii) states "Removal of a natural heritage feature for the purpose of lowering the natural environment classification... will not be sufficient grounds for amending the planning documents to a lower classification and will invalidate the Environmental Impact Assessment." The Environmental Evaluation Report for this development sparked two separate recommendations for appropriate habitat/SAR surveys to be done on site, but the subsequent mowing and tilling has since removed any potential habitat, and thus reduced the practicality of those surveys. If the City had a policy similar to that mentioned above, which is implemented in the rest of the county, then we could likely consider further action.

ENGINEERING - ROB PERISINOTTI

We have reviewed the servicing requirements of the subject lands pertinent to this application, and offer the following comments:

ROADS AND RIGHTS-OF-WAY:

The section of Wyandotte Street East fronting the subject lands was constructed by the City in 2007 and currently has a right of way width of 24m; no conveyance is required. Florence Avenue, south of Wyandotte Street East is classified as a class 2 collector road and requires a right of way width of 22m. We note based on the information circulated that the existing open alley running parallel to Florence Avenue through the site is needed in order to achieve the required right of way. Through discussions with Planning and Transportation Planning we understand this alley will be closed and conveyed to the applicant for these purposes. A 6.1m x 6.1m corner cut off is required at the southwest corner of the Florence Avenue and Wyandotte Street East intersection. In accordance with the Official Plan sidewalks will be required on both sides of the Florence Avenue extension.

SEWERS:

This site is to be serviced by a future 250mm diameter sanitary sewer stub in the Florence Avenue right-of-way, south of the subject lands. This sub will be constructed as part of a proposed subdivision development. There are municipal storm sewers within the abutting road ways, available to service the subject property as follows:

Wyandotte St E

Storm Sewer: 1950mm RCP

Florence Ave

Future Sanitary Sewer: 250mm PVC, south of the subject lands

A sewer servicing study is required to demonstrate there is adequate capacity in the municipal storm and sanitary sewer networks and the impact based on the proposed development. The City has completed a re-assessment study for the North Neighbourhood Pond, the findings of which the applicant will be required to comply with.

APPENDIX D - CONSULTATIONS

[Comments from Municipal Departments & External Agencies; File Z-026/22; OPA 162]

The applicant will be required to submit, prior to the issuance of permits, a stormwater management plan in accordance with Windsor Essex Region Stormwater Management Standards Manual, restricting Storm water runoff to pre development levels. This will include at a minimum:

- Submission of stormwater management review fee,
- Stormwater management report stamped by a professional engineer
- Stamped Site servicing drawings
- Stormwater management check list (see link below)

For more information of SWM requirements, visit: link

<https://essexregionconservation.ca/wp-content/uploads/2018/12/WE-Region-SWM-Standards-Manual.pdf>.

<https://www.citywindsor.ca/business/buildersanddevelopers/Documents/Checklist-Rational-Method.pdf>

Cost Sharing/Oversizing:

The applicant is required to provide municipal services to the vacant lots fronting the east side of the Florence Avenue Extension. A 1ft reserve will be registered across the frontage of these lots preventing access to the services until such time as the owners have paid their proportionate share of the cost of the infrastructure constructed.

The applicant will be required to pay servicing fees for the future construction of the sanitary sewer stub in the Florence Avenue right-of-way, south of the subject lands, in the amount of \$129,000.00 (actual amount to be based on final construction cost), plus HST and applicable interest charges.

In summary, we have no objections to this application, subject to the following conditions:

Servicing Study – The applicant shall agree to retain a consulting engineer to review the existing and proposed sewer system for this development to determine its affect on the municipal sewer system. The study shall be done to the satisfaction of the City Engineer and the Chief Building Official. The applicant is required to demonstrate that no negative impacts will be realized by the existing surrounding community, before the proposed development will be allowed to proceed.

Alley Closing – Prior to the issuance of a Building Permit, the applicant shall apply to the Street and Alley Closing Committee to close the existing alley adjacent to the subject property.

Corner Cut Off – The applicant(s) agree, prior to the issuance of a construction permit, to gratuitously convey a 6.1m x 6.1m corner cut off at the southwest corner of the Wyandotte Street East and Florence Avenue intersection, in accordance with City of Windsor Standard Drawing AS-230.

Florence Avenue Construction – The owner agrees to construct pavements, including curbs and gutters, driveway approaches and the necessary drainage facilities according to City of Windsor standard specifications, with sidewalks on both sides on the road. The owner further agrees that one (1) full winter shall elapse following the laying of base asphalt, prior to the laying of surface asphalt. All work to be to the satisfaction of the City Engineer.

APPENDIX D - CONSULTATIONS

[Comments from Municipal Departments & External Agencies; File Z-026/22; OPA 162]

Servicing Agreement – The owner shall enter into a servicing agreement with the Corporation, to supply, construct of Florence Avenue through the subject lands at its own expense, in accordance with the manner, location and design to be approved by the City Engineer. Prior to the issuance of a construction permit, the owner shall ensure that:

- a) The servicing agreement between the owner and the Corporation for servicing of the surrounding lands, has been signed by all parties, and registered on the lands, and
- b) All necessary bonding and insurance has been approved by the Manager of Risk Management

Oversizing:

- (1) The Owner further agrees to pay to the Corporation, prior to the issuance of a construction permit, its share of the costs as determined by the City Engineer for previously oversized services that were constructed to ensure that the subject lands could be serviced.
- (2) In the event that the Owner is required to oversize any services in order to service other vacant lands, it is agreed that any oversizing costs to be paid by the Corporation to the Owner shall be based on a cost-sharing strategy satisfactory to the City Engineer. Any cost-sharing strategy agreed to will be subject to the approval of the Corporation's City Council.

Little River Pollution Control Plan Expansion Set Back – The applicant(s) agree to comply with Ministry of the Environment and Climate Change requirements relating to required set backs from the holding tanks to be constructed in the future when the Little River Pollution Control Plan is expanded.

If you have any questions or concerns, please contact Robert Perissinotti at 519-255-6257, ext. 6615.

SENIOR URBAN DESIGNER (A) & LANDSCAPE ARCHITECT - STEFAN FEDIUK

Pursuant to the application for a zoning amendment (Z 026-22) to permit Residential and Green Space on the subject, please also note the following comments:

Zoning Provisions for Parking Setback:

There are no additional zoning requirements from a landscape or urban design perspective.

Parkland Dedication:

Pursuant to the comments by the Heritage Planner and MNR, the applicant has proposed that the a 4.4m wide strip along the west property boundary containing much of the natural vegetation abutting the Little River Corridor, along with a 20.2m wide buffer along the south property boundary identified as high potential for archeological artifacts, is being dedicate to the City of Windsor as Parkland, and will remain undisturbed to ensure that natural habitat corridors are preserved.

Tree & Natural Habitat Preservation:

The applicant has provided an Environmental Evaluation Report (May 2022), Natural Site Features Inventory & Preservation Study (Aug 2018), Soil characterization Report (July 2021) and a Phase 1 Environmental Site Assessment (July 2021) for the subject site and proposed

APPENDIX D - CONSULTATIONS

[Comments from Municipal Departments & External Agencies; File Z-026/22; OPA 162]

development. These studies have been coordinated and vetted through MNRF/MECP, ERCA, and City of Windsor Parks, Natural Areas and Forestry Departments.

Several potential SAR in the area, and confirmed SAR observations in the area.

A portion of an existing natural feature: Forest. Touches the south side of the property. The applicant is proposing to mitigate potential impacts through Parkland dedication along the south and west property boundaries. In addition, the SARs biophysical studies indicated that the presence of SARA, wetlands, and significant species exist primarily on the adjacent parkland of Little River Corridor. The former agricultural land where this development is proposed may have been foraging areas for these species. Mitigating measures as well as parkland dedication are outlined in Section 9 of the EER as a means to enhance the wildlife and natural character of the development and the area. The applicant is to provide evidence that these mitigation measures are being employed throughout the development process.

As identified by the City Forester, the development site is well treed. The Natural Site Features Inventory & Preservation Study (Aug 2018), cites a Tree Inventory and Preservation Plan (TIPP) where 114 trees were recorded with 41 trees scheduled for removal in addition to 2 hazardous trees. The proposed parkland dedication will preserve many of the trees found in hedgerows along the boundaries of the subject property. The applicant is to consult further with the City Forester for any further compensation required for the removal of any trees found on the property.

Urban Design & Climate Change:

The proposed 16-storey multi-residential development at the southwest corner of the subject lands adjacent to parkland will provide a more manageable development by reducing the potential for encroachment into parkland that would be experienced with lower density development.

To further reduce this potential, and to increase the sustainability of the development from a climate change perspective, it is also recommended that the applicant provide a vegetative buffer of taller growing trees between the proposed 16-storey residential building and the property boundaries.

The site development will be subject to a Site Plan Approval process where detailed landscape comments will be made to ensure that the development maintains a healthy, safe and environmentally sustainable approach while providing accessible design and resilience from climate change.

February 4, 2020

Ministry of Tourism, Culture and Sport

Attention: Shari Prowse - Archaeology Review Officer

As discussed relating to the Ministry of Tourism, Culture and Sport (MTCS) concern to ensure that the area depicted as the "Archaeological Potential Zone (APZ)" in Figure 9 attached is protected from any impacts until the Stage 3 archaeological assessment and if required, the Stage 4 mitigation is completed. As per this request by the Ministry's email related to the Wyandotte & Florence Development:

- 1) The developer will convey to the City of Windsor Block 35 that contains the "Archaeological Potential Zone (APZ)";
- 2) The City of Windsor understands that the block has the potential to contain archaeological resources associated with the Nicodemo-Dupuis Site (AbHr-19);
- 3) The City of Windsor will ensure that area marked as the "Archaeological Potential Zone (APZ)" will remain passive, only subject to minor maintenance (e.g. mowing and seeding) or traditional agricultural practices; and
- 4) The City of Windsor will insure that a Stage 3 archaeological assessment and if required, Stage 4 mitigative excavations will be conducted for this area and the site prior to any impacts being allowed within this area.

The City of Windsor's Parks, Recreation & Culture and Facilities Department (PRCF), recognizes that the lands proposed by the developer as Parkland Conveyance may constitute part of an archeologically significant parcel of land. PRCF is aware that the site may contain archeological artifacts as described in the Stage 1 Background Archeological Study Supplement conducted by CRM Lab in August 2018.

PRCF is also aware that the Ontario Ministry of Natural Resources and Forestry (MNRF) has recommended protection of a portion of land within the subject development and within the 20m buffer of Block 35, as well as a hedge row and natural drain along the west property boundary of the development parcel. PRCF is prepared to accept the Parkland Conveyance with no intention of developing it for purposes other than maintaining it as part of the Natural Area of the Little River Corridor as per REDISCOVER OUR PARKS (the City of Windsor's Parks and Outdoor Recreation Master Plan). In addition, PRCF has no intention to install any park amenity that would compromise the integrity of the archeological and natural significance.

Parks, Recreation, Culture and Facilities • City of Windsor • 2450 McDougall Windsor, ON

To accommodate MNRF's requests for protection of the hedgerow, the owner has also agreed to modify the polygon of Block 35 to include the drain and hedgerow to be conveyed to the City of Windsor. The City of Windsor through Bylaw 135-2004 is prepared to preserve the hedgerows within the Conveyed Parkland. To further protect the natural environment of the existing parkland of Little River Corridor and the Conveyed Parkland, the City of Windsor also requires the developer to erect a non-permeable (no gates) 1.8m (6ft) fence between the proposed residences and the proposed parkland as a Condition of the Subdivision Development.

As a final note, Block 35 is also to be redrawn with Block 36 as a Stormwater Retention area, which is to be managed by the City of Windsor through the Public Works Department. Block 36 will not be part of the Parkland Conveyance nor will PRCF have any development no operational responsibility on that parcel of land.

Sincerely,



Jan Wilson
Corporate Leader
Parks, Recreation & Culture and Facilities
Corporation of the City of Windsor

APPENDIX F

BY - LAW NUMBER -2023

A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600
CITED AS THE "CITY OF WINDSOR ZONING BY-LAW"

Passed the day of , 2023.

WHEREAS it is deemed expedient to further amend By-law Number 8600 of the Council of The Corporation of the City of Windsor, cited as the "City of Windsor Zoning By-law" passed the 31st day of March, 1986, as heretofore amended:

THEREFORE the Council of The Corporation of the City of Windsor enacts as follows:

1. By-law Number 8600 is further amended by changing the Zoning District Maps or parts thereof referred to in Section 1, of the by-law and made part thereof, so that the zoning district symbol of the lands described in Column 3 shall be changed from that shown in Column 5 to that shown in Column 6:

1. Item Number	2. Zoning District Map Part	3. Lands Affected	4. Official Plan Amendment Number	5. Zoning Symbol	6. New Zoning Symbol
1	14	Part of Lot 138, Concession 1, located at the southwest corner of Wyandotte Street East and Florence Avenue.	-	GD1.4, GD1.5, & HRD2.1	GD1.4 & HRD2.5

2. That subsection 1 of Section 20, of said by-law, is amended by adding the following paragraph:

“490 SOUTHWEST CORNER OF WYANDOTTE STREET EAST AND FLORENCE AVENUE

“For the lands comprising Part of Lot 138, Concession 1, the following additional provisions shall apply

- 1) *Multiple Dwelling* with 5 or more *dwelling units*,

Main building height - maximum	26.0 m
Required Parking Space – maximum	1.25 per dwelling unit
- 2) Building setback - minimum
 - a) from the nearest building wall to the new east lot line created by the conveyance of the 4.4 m wide existing perimeter hedgerows 10.0m
 - b) from the nearest building wall to the new south lot line created by the conveyance the 20.0 wide Archaeological Potential Zone 10.0 m
- 3) A scenery loft shall be an additional permitted facility on a multiple dwelling with five or more dwelling units, subject to the following:
 - (a) The “Exceptions To Maximum Building Height Provisions” shall not apply to a scenery loft on the subject land;
 - (b) The Scenery Loft Provisions in section 5.35.5 of by-law 8600 shall not apply, save and except the requirement for a maximum height of 4.0 metres; and
 - (c) The scenery loft enclosure(s) shall be designed to preclude views of the east side of the property.
- 4) No outdoor sitting/viewing area shall be permitted above 10m height of the multiple dwelling.
- 5) Location of a *building* or *structure* within 300 metres of the east limit of the planned expansion of the Little River Sewage Treatment plant, measured from the nearest wall of the building or structure, is prohibited.
- 6) An access area or direct vehicular access to Wyandotte Street East is prohibited.
[ZDM 14; ZNG/6730]”

3. The said by-law is further amended by changing the Zoning District Maps or parts thereof referred to in Section 1, of said by-law and made part thereof, so that the lands described in Column 3 are delineated by a broken line and further identified by the zoning symbol shown in Column 5:

1. Item Number	2. Zoning District Map Part	3. Lands Affected	4. Official Plan Amendment Number	5. Zoning Symbol
1	14	Part of Lot 138, Concession 1, located at the southwest corner of Wyandotte Street East and Florence Avenue.	-	S.20(1)H490

4. That the holding (H) symbol **BE REMOVED** when the applicant/owner submits an application to remove the holding (H) symbol and the following conditions are satisfied:
- (a) The Owner(s) gratuitously convey to the Corporation of the City of Windsor lands sufficient in width for the creation of a 22.0 m wide road allowance for the extension of Florence Avenue south of Wyandotte Street East.

DREW DILKENS, MAYOR

CLERK

First Reading - , 2023
 Second Reading - , 2023
 Third Reading - , 2023

From: chris Jolicoeur <>
Sent: Monday, January 27, 2025 12:35 PM
To: Clerks <>
Subject: Re: Report No. S 122/2023; - For

Please submit this as my written submission.

I approve of the withdrawal of the original plan and submission of a new one.

Chris Jolicoeur



Committee Matters: SCM 45/2025

Subject: OPA & Rezoning – Rock Developments East Windsor Inc. – Catherine Street - OPA 192 OPA/7265 Z-042/24 ZNG/7264 - Ward 8

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

Decision Number: **DHSC 698**

1. THAT Schedule “A” of Volume I: The Primary Plan of the City of Windsor Official Plan **BE AMENDED** by designating Part of Lots 119, 120, 121 & 122, Concession 1, designated as Parts 7, 8, 13, 14 and Part of Part 15, all on Plan 12R-26172 (known municipally as 6412 & 6560 Tecumseh Road East, 0 Catherine Street; Roll No. 070-680-00700, 070-680-00900, 070-680-01110, 070-680-01510), situated on the north side of Catherine Street between Jefferson Boulevard and Lauzon Parkway, as a Special Policy Area.

2. THAT Chapter 1 in Volume II: Secondary Plans and Special Policy Areas of the City of Windsor Official Plan **BE AMENDED** by adding a new Special Policy Area as follows:

1.X CATHERINE STREET

LOCATION 1.X.1 The property described as Part of Lots 119, 120, 121 & 122, Concession 1, designated as Parts 7, 8, 13, 14 and Part of Part 15, all on Plan 12R-26172, situated on the north side of future Catherine Street between Jefferson Boulevard and Lauzon Parkway, is designated on Schedule A: Planning Districts and Policy Areas in Volume I - The Primary Plan.

ADDITIONAL PERMITTED MAIN USES 1.X.2 Notwithstanding the designation of these lands as “Business Park” on Schedule FGN-2: Land Use Plan in the Forest Glade North Planning Area in Volume II – Secondary Plans and Special Policy Area, commercial uses shall be additional permitted main uses save and except for a childcare centre and tourist home.

3. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of Part of Lots 119, 120, 121 & 122, Concession 1, designated as Parts 7, 8, 13, 14 and Part of Part 15, all on Plan 12R-26172 (known municipally as 6412 & 6560 Tecumseh Road East, 0 Catherine Street; Roll No. 070-680-00700, 070-680-00900, 070-680-01110, 070-680-01510), situated on the north side of Catherine Street between Jefferson Boulevard and Lauzon Parkway from HMD1.4 to CD2.1 and by adding a site specific exception to Section 20(1) as follows:

523. **NORTH SIDE OF CATHERINE STREET BETWEEN JEFFERSON BOULEVARD AND LAUZON PARKWAY**

For the lands consisting of Part of Lots 119, 120, 121 & 122, Concession 1, designated as Parts 7, 8, 13, 14 and Part of Part 15, all on Plan 12R-26172, the following additional provisions shall apply:

a) Additional Permitted *Main Uses*:

Ambulance Service

Food Catering Service

Food Packaging Facility

Manufacturing Facility

Medical Appliance Facility

Research and Development Facility

Stormwater Management Facility

Warehouse

b) Prohibited Uses:

Child Care Centre

Tourist Home

(ZDM 10,11; ZNG/7264)

4. THAT, when Site Plan Control is applicable:

A. Prior to the submission of an application for site plan approval, at the discretion of the City Planner, Deputy City Planner, or Site Plan Approval Officer:

1) Those documents submitted in support of the applications for amendments to the Official Plan and Zoning By-law 8600 **BE UPDATED** to reflect the site plan for which approval is being sought, and any comments from municipal departments and external agencies.

2) For any building located with 75 metres of a rail corridor, **SUBMISSION** of a Vibration Study to the satisfaction of the City Planner.

B. The Site Plan Approval Officer **BE DIRECTED** to incorporate the following, subject to any updates or revisions, into an approved site plan and an executed and registered site plan agreement:

1) Any vibration control measures identified in a Vibration Study, subject to the approval of the Site Plan Approval Officer.

2) Requirements of the City of Windsor – Development Engineering and City of Windsor – Transportation Planning contained in Appendix D of Report S 1/2025, and in the approved Forest Glade North Municipal Class Environmental Assessment, subject to the approval of the City Engineer.

- 3) Submission of a clearance letter or permit from the Ministry of Environment, Conservation, and Parks confirming compliance with the *Endangered Species Act* to the satisfaction of the City Planner.
 - 4) Subject to revisions required by the City of Windsor, the Ministry of Environment, Conservation and Parks, or other external agency, mitigation measures identified in Sections 5.0 through 8.0 of the Environmental Evaluation Report (EER) prepared by Insight Environmental Solutions Inc. and dated January 10, 2025, and in Sections 6.0 & 7.0 of the Species at Risk Impact Assessment prepared by Insight Environmental Solutions Inc. and dated January 10, 2025, subject to the approval of the City Planner.
 - 5) Further to Section 6.0 in the Stage 2 Archaeological Assessment prepared by AS&G Archaeological Consulting Inc. and dated August 22, 2024, written confirmation from the Ministry of Citizenship and Multiculturalism confirming acceptance of the report in the Ontario Public Register of Archaeological Reports to the satisfaction of the City Planner and submission of GIS Shapefiles of the Study Area to the City of Windsor Heritage Planner.
- C. The Site Plan Approval Officer **CONSIDER** all other comments contained in Appendix D of Report S 1/2025, and all recommendations in the documents submitted in support of the applications for amendments to the Official Plan and Zoning By-law 8600.

Carried.

Report Number: S 1/2025
Clerk's File: Z/14911 & Z/14912

Clerk's Note:

1. The recommendation of the Development & Heritage Standing Committee and Administration are the same.
2. Please refer to Item 7.1 from the Development & Heritage Standing Committee held on February 3, 2025.
3. To view the stream of this Standing Committee meeting, please refer to:
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20250203/-1/10538>

Subject: OPA & Rezoning – Rock Developments East Windsor Inc. – Catherine Street - OPA 192 OPA/7265 Z-042/24 ZNG/7264 - Ward 8

Reference:

Date to Council: February 3, 2025
 Author: Adam Szymczak, MCIP, RPP
 Senior Planner - Development
 519-255-6543 x 6250
 aszymczak@citywindsor.ca

Planning & Building Services
 Report Date: January 2, 2025
 Clerk’s File #: Z/14911 & Z/14912

To: Mayor and Members of City Council

Recommendation:

1. THAT Schedule “A” of Volume I: The Primary Plan of the City of Windsor Official Plan **BE AMENDED** by designating Part of Lots 119, 120, 121 & 122, Concession 1, designated as Parts 7, 8, 13, 14 and Part of Part 15, all on Plan 12R-26172 (known municipally as 6412 & 6560 Tecumseh Road East, 0 Catherine Street; Roll No. 070-680-00700, 070-680-00900, 070-680-01110, 070-680-01510), situated on the north side of Catherine Street between Jefferson Boulevard and Lauzon Parkway, as a Special Policy Area.

2. THAT Chapter 1 in Volume II: Secondary Plans and Special Policy Areas of the City of Windsor Official Plan **BE AMENDED** by adding a new Special Policy Area as follows:

1.X CATHERINE STREET

<i>LOCATION</i>	1.X.1	The property described as Part of Lots 119, 120, 121 & 122, Concession 1, designated as Parts 7, 8, 13, 14 and Part of Part 15, all on Plan 12R-26172, situated on the north side of future Catherine Street between Jefferson Boulevard and Lauzon Parkway, is designated on Schedule A: Planning Districts and Policy Areas in Volume I - The Primary Plan.
<i>ADDITIONAL PERMITTED MAIN USES</i>	1.X.2	Notwithstanding the designation of these lands as “Business Park” on Schedule FGN-2: Land Use Plan in the Forest Glade North Planning Area in Volume II – Secondary Plans and Special Policy Area, commercial uses shall be additional permitted main uses save and except for a child care centre and tourist home.

3. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of Part of Lots 119, 120, 121 & 122, Concession 1, designated as Parts 7, 8, 13, 14 and Part of Part 15, all on Plan 12R-26172 (known municipally as 6412 & 6560 Tecumseh Road East, 0 Catherine Street; Roll No. 070-680-00700, 070-680-00900, 070-680-01110, 070-680-01510), situated on the north side of Catherine Street between Jefferson Boulevard and Lauzon Parkway from HMD1.4 to CD2.1 and by adding a site specific exception to Section 20(1) as follows:

523. **NORTH SIDE OF CATHERINE STREET BETWEEN JEFFERSON BOULEVARD AND LAUZON PARKWAY**

For the lands consisting of Part of Lots 119, 120, 121 & 122, Concession 1, designated as Parts 7, 8, 13, 14 and Part of Part 15, all on Plan 12R-26172, the following additional provisions shall apply:

a) Additional Permitted *Main Uses*:

Ambulance Service

Food Catering Service

Food Packaging Facility

Manufacturing Facility

Medical Appliance Facility

Research and Development Facility

Stormwater Management Facility

Warehouse

b) Prohibited Uses:

Child Care Centre

Tourist Home

(ZDM 10,11; ZNG/7264)

4. THAT, when Site Plan Control is applicable:

A. Prior to the submission of an application for site plan approval, at the discretion of the City Planner, Deputy City Planner, or Site Plan Approval Officer:

1) Those documents submitted in support of the applications for amendments to the Official Plan and Zoning By-law 8600 **BE UPDATED** to reflect the site plan for which approval is being sought, and any comments from municipal departments and external agencies.

2) For any building located with 75 metres of a rail corridor, **SUBMISSION** of a Vibration Study to the satisfaction of the City Planner.

B. The Site Plan Approval Officer **BE DIRECTED** to incorporate the following, subject to any updates or revisions, into an approved site plan and an executed and registered site plan agreement:

1) Any vibration control measures identified in a Vibration Study, subject to the approval of the Site Plan Approval Officer.

- 2) Requirements of the City of Windsor – Development Engineering and City of Windsor – Transportation Planning contained in Appendix D of Report S 1/2025, and in the approved Forest Glade North Municipal Class Environmental Assessment, subject to the approval of the City Engineer.
- 3) Submission of a clearance letter or permit from the Ministry of Environment, Conservation, and Parks confirming compliance with the Endangered Species Act to the satisfaction of the City Planner.
- 4) Subject to revisions required by the City of Windsor, the Ministry of Environment, Conservation and Parks, or other external agency, mitigation measures identified in Sections 5.0 through 8.0 of the Environmental Evaluation Report (EER) prepared by Insight Environmental Solutions Inc. and dated January 10, 2025, and in Sections 6.0 & 7.0 of the Species at Risk Impact Assessment prepared by Insight Environmental Solutions Inc. and dated January 10, 2025, subject to the approval of the City Planner.
- 5) Further to Section 6.0 in the Stage 2 Archaeological Assessment prepared by AS&G Archaeological Consulting Inc. and dated August 22, 2024, written confirmation from the Ministry of Citizenship and Multiculturalism confirming acceptance of the report in the Ontario Public Register of Archaeological Reports to the satisfaction of the City Planner and submission of GIS Shapefiles of the Study Area to the City of Windsor Heritage Planner.

C. The Site Plan Approval Officer **CONSIDER** all other comments contained in Appendix D of Report S 1/2025, and all recommendations in the documents submitted in support of the applications for amendments to the Official Plan and Zoning By-law 8600.

Executive Summary:

N/A

Background:

Location: 6412 & 6560 Tecumseh Road East, 0 Catherine Street; Concession 1, Part of Lots 119, 120, 121 & 122, further designated as Parts 7, 8, 13, 14 and Part of Part 15, all on Plan 12R-26172. (North side of Catherine Street between Jefferson Boulevard and Lauzon Parkway)

Roll No: 070-680-00700, 070-680-00900, 070-680-01110, 070-680-01510

Ward: 8 **Planning District:** Forest Glade **Zoning District Map:** 10, 11

Applicant: Rock Developments East Windsor Inc.

Owners: GEM Properties (6412 & 6560 Tecumseh Rd E), 803119 Ontario Inc./The Hearn Group (0 Catherine Street); Grachanica Serbian Eastern Orthodox Church (0 Catherine Street)

Agent: Pillon Abbs Inc. (Tracey Pillon-Abbs, MCIP, RPP)

Proposal: Develop the subject lands for commercial purposes consisting of approximately 24,428 m² GFA over multiple commercial pads, including a gas bar in multiple phases. Phase 1 consists of a 15,071 m² building with a gas bar. Phase 2 proposal is 9,537 m² in a separate building. All buildings will be one-storey height. A total of 1,385 parking spaces (Phase 1: 967 spaces; Phase 2: 418 spaces) and two

driveways to an extended Catharine Street are proposed. A Stormwater Facility is to be constructed at the north end of the lands. The applicant proposes to sever the lands into three parcels.

Submitted Materials:

Attached to Report S 1 /2025 as an Appendix:

- Appendix A – Planning Rationale Report (PRR)
- Appendix B – Concept Site Plan
- Appendix C – Concept Elevations

Not attached to this report: Application Official Plan Amendment, Application Zoning By-law Amendment, Archaeological Assessment Stage 1 Report, Archaeological Assessment Stage 2 Report, Environmental Evaluation Report, Environmental Site Assessment Phase I, Environmental Site Assessment Phase II, Functional Servicing Report, Geotechnical Investigation, Open House Display Items, Open House Notice, Ownership ON Lands Map, Plan of Survey 12R-26172, Plan of Survey Right of Ways 12R-29962, Species at Risk Impact Assessment, Topographic Survey, Transportation Impact Study

All documents are available [online](#) or by [email](#).

Site Information:

OFFICIAL PLAN	ZONING B/L 8600	CURRENT USE	PREVIOUS USE
Business Park (Schedule FGN-2)	Manufacturing District 1.4 (HMD1.4) Commercial District 2.1 (CD2.1)	Vacant Land	Vacant Land
LOT WIDTH AVERAGE	LOT DEPTH AVERAGE	LOT AREA	LOT SHAPE
260 m	225 m	14.6 ha	Irregular
<i>All measurements are provided by the applicant and are approximate.</i>			

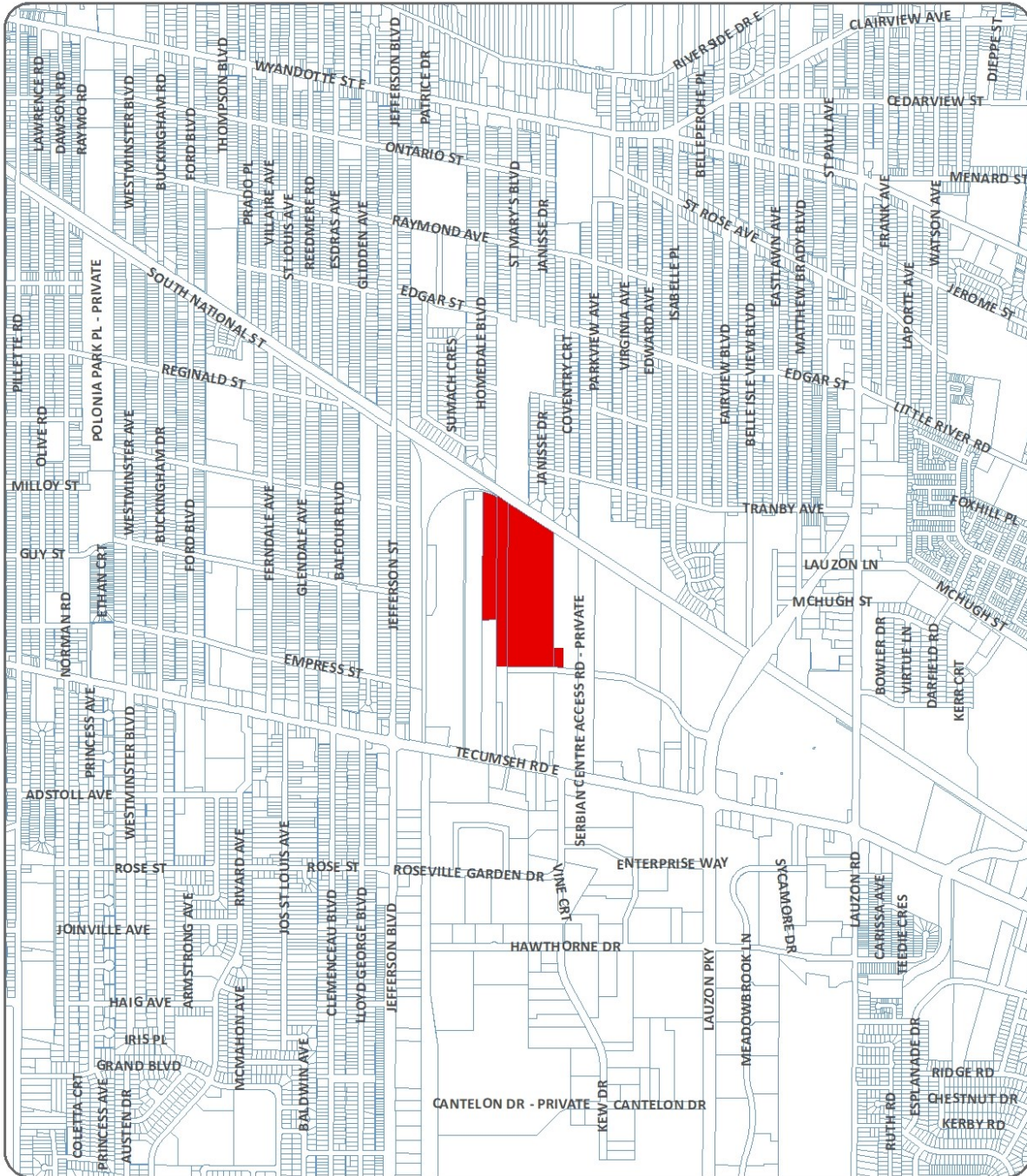
Neighbourhood:

Sections 2.2 and 2.3 in the PRR provide details about the physical features of the site and surrounding land use including site photos.

Public transit is available via the Transway 1C, Ottawa 4, and Route 418X along Tecumseh Road East with several stops within 400 m of the subject parcel. The Transit Master Plan will maintain similar or better transit service.

The site does not have services; however, infrastructure such as roads, sidewalks, sanitary and storm sewers, and stormwater management will be considered in the Forest Glade North Municipal Class Environmental Assessment, stormwater management plans submitted during Site Plan Control (SPC), and any other agreements entered between the City of Windsor and the Applicant.

Figure 1: Key Map



KEY MAP - Z-042-24 ZNG-7264 & OPA-192, OPA 7265



● SUBJECT LANDS

Figure 2: Subject Parcel – Official Plan Amendment

SCHEDULE FGN-2

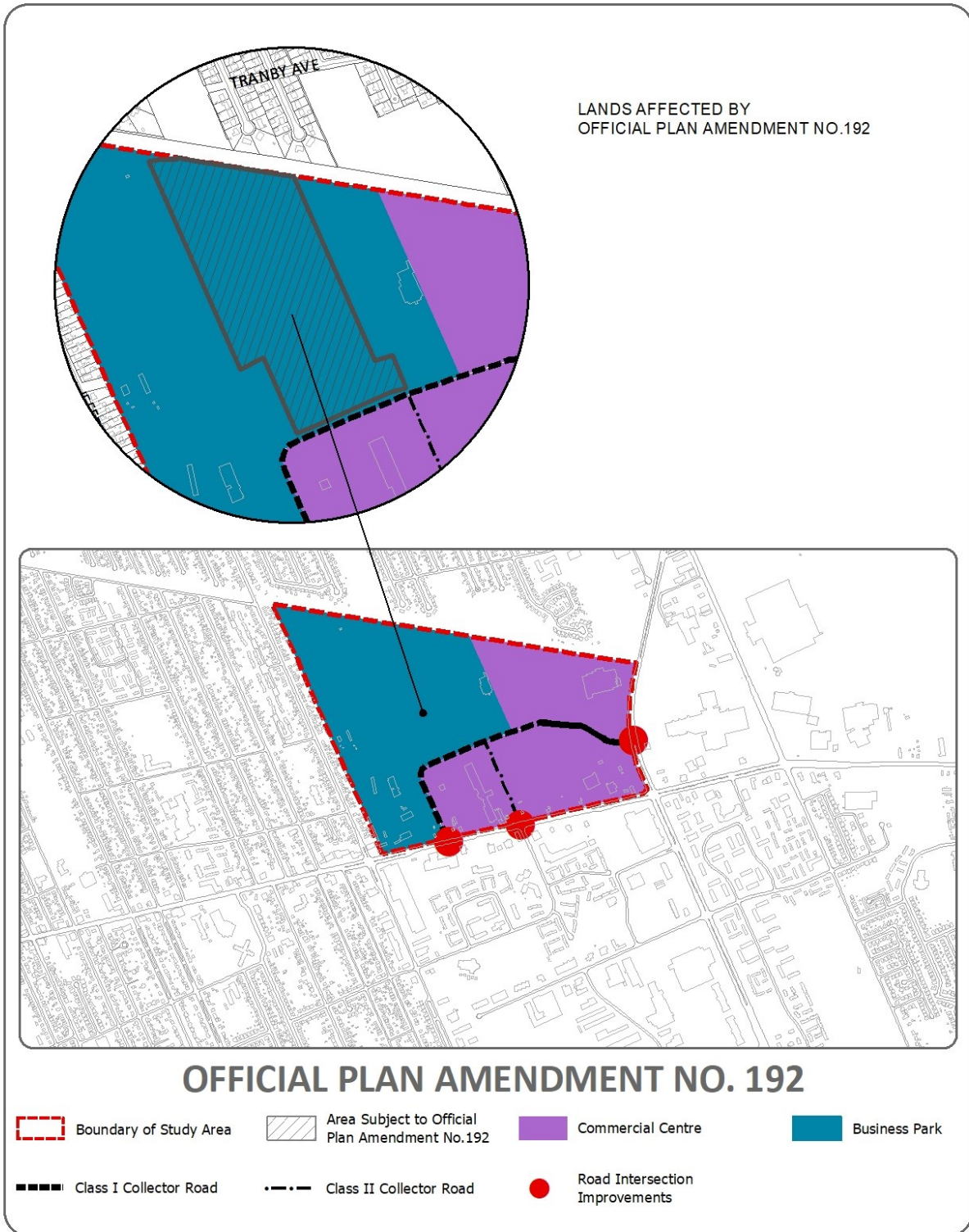
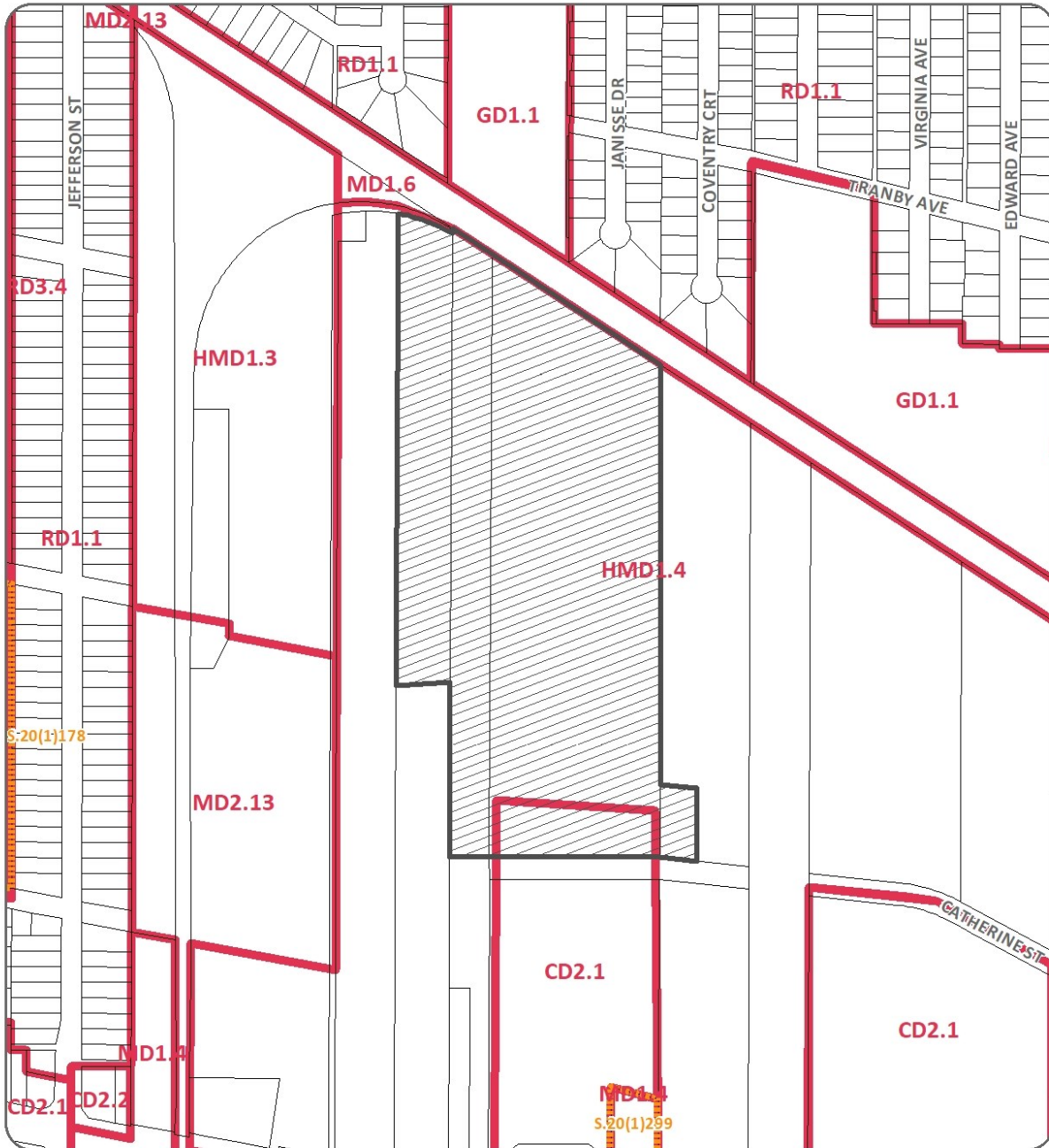


Figure 3: Subject Parcel - Rezoning



PART OF ZONING DISTRICT MAPS 10 & 11

N.T.S.

REZONING

Applicant: Rock Developments East Windsor Inc.



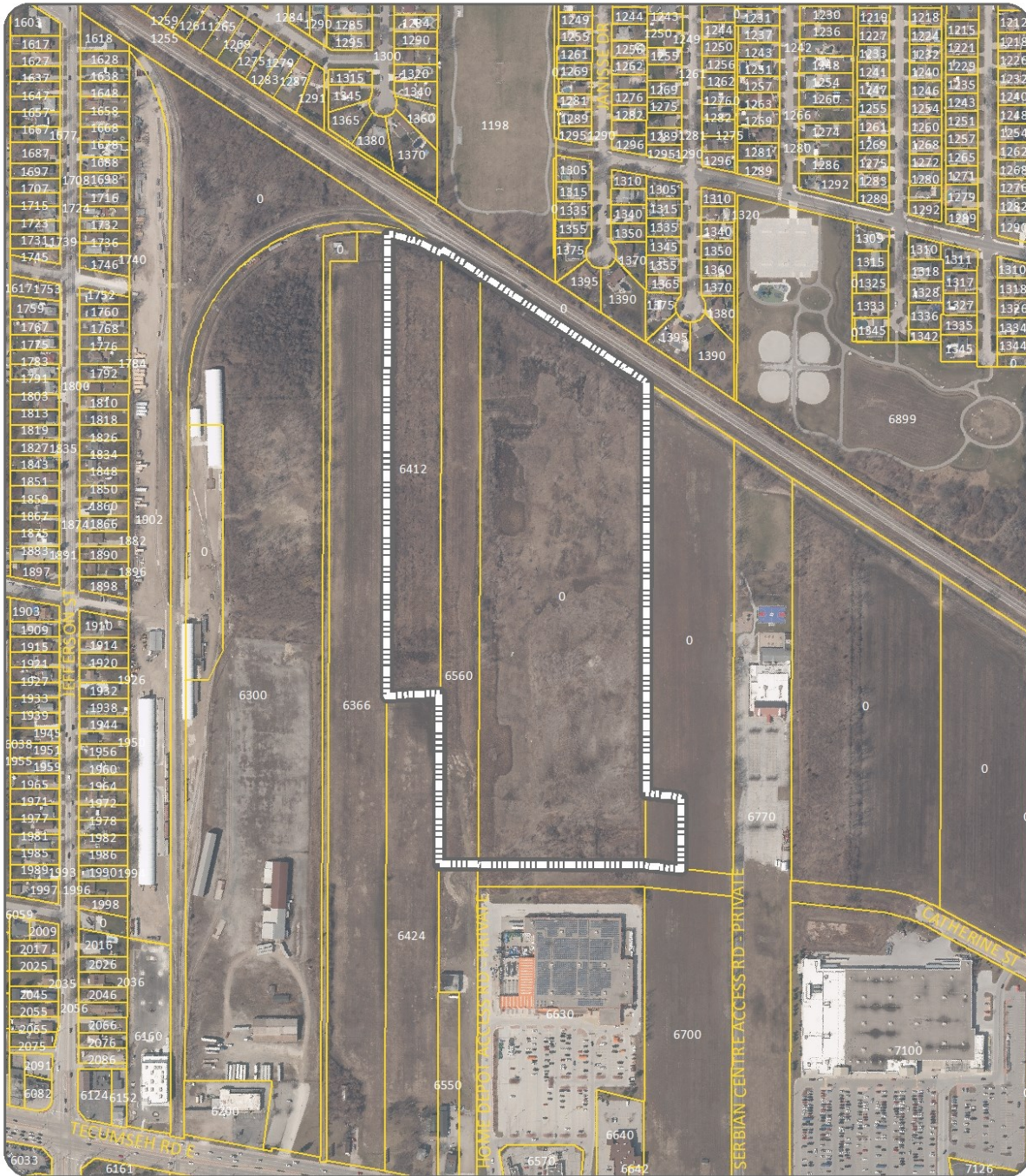
SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT



DATE : DECEMBER, 2024
FILE NO. : Z-042/24, ZNG/7264

Figure 4: Neighborhood Map



NEIGHBOURHOOD MAP - Z-042-24 ZNG-7264 & OPA-192, OPA 7265



SUBJECT LANDS

Discussion:

Archaeological Assessment Stage 1 Report (Parslow Heritage Consultancy Inc., 2024 April 24) - The report recommends that those portions of the study area as retaining archaeological potential be subject to a Stage 2 archaeological assessment. Those portions of the study area that are described as having low archaeological potential are recommended to be considered free from further archaeological investigations.

Archaeological Assessment Stage 2 Report (AS&G Archaeological Consulting Inc., 2024 August 22) - The report concludes that *“test pits advanced in all areas produced no archaeological materials and no archaeological sites were identified. No artifacts or other archaeological resources were recovered during the pedestrian survey portion of the Stage 2 assessment.”* It recommends that *“no further Archaeological Assessment is required within the Study Area”*. The City of Windsor Heritage Planner requires a letter from the Ministry of Citizenship and Multiculturalism stating that there are no further concerns regarding alterations to archaeological sites by the proposed development and all GIS Shapefiles of the Study Area.

Environmental Evaluation Report DRAFT (EER) (Insight Environmental Solutions Inc., 2025 January 10) - The report states that *“before proceeding with the proposed development, it is necessary to consult with Regulatory Authorities to determine if any additional permits are needed. Engaging with these authorities will help ensure that the development complies with all relevant provincial and federal laws and policies”*. The EER lists mitigation measures to avoid impacts to natural heritage features (Section 5.0) and Species at Risk (Section 6.0) and lists next steps/required consultation (Section 7.0) and concluding statement (Section 8.0) that will be included as a condition of SPC approval.

Environmental Site Assessment Phase I (EXP Services Inc., 2024 January 18)
Environmental Site Assessment Limited Phase II (EXP Services Inc. 2024 April 11)
Geotechnical Investigation (EXP Services Inc., 2024 March 15)

The Phase I Environmental Site Assessment (ESA) identified *“fill material of unknown quality”* and *“historic metal products company south adjacent of Site with known historic impacts from solvents etc.”* and recommended the completion of a Phase II ESA.

The Phase II ESA states that *“elevated EC measurements detected in upper fill material or surficial soil are commonly from the application of road salt to the area, nearby walkways, parking lots, roadways etc”*. The Phase II ESA concludes that the *“exceeding EC measurement at the Site does not pose a significant environmental concern to the property considering the proposed commercial usage of the Site”*. EXP Services Inc. is of the opinion that *“this material can be left in place, encapsulated beneath the proposed parking lot or proposed structures”*.

The Geotechnical Investigation provides recommendations to the Applicant regarding *“site preparation, excess soil management, excavations, dewatering, foundations, slab-on-grade construction, bedding and backfill, earthquake design considerations, pavement recommendations, and curbs and sidewalks”*.

Functional Servicing Report (FSR) (Aleo Associates Inc., 2024 August 9) – City of Windsor Engineering Development deems the FSR acceptable. Servicing matters will be further reviewed during SPC and Building Permit stages. The Essex Region

Conservation Authority (ERCA) notes that the property owner will be required to obtain a permit from ERCA prior to any construction or site alteration, that a Risk Management Plan may be required, and that they will provide further comments during SPC. A regional retention pond to be owned by the City of Windsor will be located at the north end of the parcel. The FSR notes that the *“retention pond will provide both quantity and quality control”* for stormwater management.

Planning Rationale Report (PRR) (Pillon Abbs Inc., 2024 December 19) – The PRR notes that the subject parcel is *“ideally suited for a commercial development”* for the reasons listed in Section 6.1.1 of the PRR. The proposed development is *“compatible with the surrounding area ... in terms of scale, massing, height and siting”*. The PRR concludes that the proposal represents *“good planning as it addresses the need for the development of a vacant parcel of land, which contributes to providing employment opportunities in the area”*, represents an *“efficient development pattern that optimizes the use of land”*, and that the proposed development is *“consistent with the PPS, conforms with the intent and purpose of the City of Windsor OP and represents good planning”*. Planning & Development Services generally concurs with the information, analysis and conclusions in the PRR.

Species at Risk Impact Assessment DRAFT (Insight Environmental Solutions Inc., 2025 January 10) – Section 6 lists the specific mitigation measures to reduce impacts to species at risk and their habitat that will be considered during SPC. Further, the report notes that *“consultation is required with MECP to determine if a permit under the Endangered Species Act is required. Next steps include the completion and submission of an Information Gathering Form (IGF) and an Avoidance Alternative Form (AAF) to the Ministry of Environment, Conservation and Parks (MECP) to discuss potential impacts to SAR snakes including Butler’s Gartersnake (END) and Eastern Foxsnake (END).”* Therefore, clearance from the Ministry of Environment, Conservation and Parks (MECP) will be a condition of SPC.

Transportation Impact Study (TIS) (Paradigm Transportation Solutions Limited, 2024 October Version 2.0.0) – The TIS states that that *“two access intersections are projected to operate with reasonable levels of service for all inbound/outbound turning movements during weekday and Saturday peak hours. Delays and poor levels of service are noted for the outbound left-turn movement during the weekday PM and Saturday peak hours”*. The TIS notes that eastbound left-turn lanes on Catherine Street are warranted at both access points, however, turn-lane storage requirements can be accommodated by the two-way centre-turn lane proposed on Catherine Street. Transportation Planning has a few concerns (Appendix D) with the TIS which are best handled through SPC.

Provincial Planning Statement 2024 (PPS):

The PPS 2024 provides policy direction on matters of provincial interest related to land use planning in Ontario. Section 5.1.1 in the PRR provides an analysis of the relevant PPS policies. The PRR concludes that the *“proposed development is consistent with the PPS and the Province’s vision for long-term prosperity and social well-being”*. Planning and Development Services concurs with this analysis and is of the opinion that the proposed commercial development and amendments to the Official Plan & Zoning By-law 8600 are consistent with the overall policy direction of the PPS.

City of Windsor Official Plan:

The subject parcel is designated “Business Park” on Schedule FGN-2 in the Forest Glade North Planning Area. The applicant is requesting an amendment by allowing a range of commercial uses as additional permitted uses. Section 5.1.2 in the PRR submitted by the Applicant has a complete review and analysis of appropriate Official Plan policies. The PRR concludes that the “*proposed development will conform with the purpose and intent of the City of Windsor OP*”. Planning and Development Services concurs with the analysis in the PRR. When Official Plan Amendment 192 is approved, the requested zoning amendment will conform to the direction of the Official Plan.

Zoning By-Law 8600:

The Applicant is requesting an amendment changing the zoning from HMD1.4 & CD2.1 to CD2.1 with a site specific exception to include the uses permitted in the MD1.4 zoning district and GD1.5 for the stormwater management facility. Planning & Development Services concurs with the change to CD2.1 with a site specific exception; however, we prefer adding a stormwater management facility as an additional permitted use in the site specific exception. This provides for flexibility in the design of the stormwater management facility during SPC and future severance.

Clause a) in the site specific exception adds as additional permitted main uses those uses that are listed in MD1.4 but not listed in CD2.1, and a stormwater management facility. All main uses will be subject to the provisions of the CD2.1 zone. Clause b) prohibits two sensitive land uses – child care centre and tourist home - that typically would trigger the submission of a noise study given proximity to the VIA rail corridor and a Record of Site Conditions (RSC) based on the sensitive nature of these uses. Given that the subject lands are large and vacant, it is expected that the proposed development will comply with all applicable zoning provisions. The proposed site specific exception is appropriate in terms of permitted use and provisions.

Site Plan Control:

SPC will be the primary planning tool to implement the direction of the PPS and the Official Plan, the provisions of Zoning By-law 8600, and the requirements and recommendations of municipal departments and external agencies. Recommendation 4 provides direction and guidance to the Site Plan Approval Officer.

Risk Analysis:

N/A

Climate Change Risks

Climate Change Mitigation:

In general, infill development and a broader mix of uses will minimize the impacts on community greenhouse gas emissions as these developments create complete communities and neighbourhoods while using currently available or planned infrastructure and facilities such as sewers, sidewalks, and public transit.

Climate Change Adaptation:

The proposed development will provide opportunities to increase resiliency for the development and surrounding area, including stormwater management.

Financial Matters:

N/A

Consultations:

An in-person Open House was held on July 23, 2024, from 6 pm to 7 pm at the Serbian Centre. 17 people attended the Open House. Emails and phone calls were also received. A summary of comments and responses from the Applicant are provided in Section 3.2 of the PRR. Statutory notice was advertised in the Windsor Star, a local newspaper. A courtesy notice was mailed to property owners within a 200 m of the subject lands. Comments from departments and agencies are attached as Appendix D.

Conclusion:

Based on the information presented in this report, and the documents submitted by the Applicant, it is my opinion that the requested amendment to the City of Windsor Official Plan adding a new Special Policy Area to provide specific policy direction regarding the land use designation is consistent with the PPS 2020 and is in general conformity with the Official Plan. The requested amendment to Zoning By-law is consistent with the PPS 2024 and will be in conformity with the Official Plan when OPA 192 is approved.

Site Plan Control is an appropriate tool to incorporate the requirements and comments of departments and agencies. The recommendations to amend the Official Plan and Zoning By-law 8600 constitute good planning.

Planning Act Matters:

I concur with the above comments and opinion of the Registered Professional Planner.

*Greg Atkinson, MCIP, RPP
Deputy City Planner - Development*

*Neil Robertson, MCIP, RPP
City Planner*

I am not a registered Planner and have reviewed as a Corporate Team Leader

JP

JM

Approvals:

Name	Title
Greg Atkinson	Deputy City Planner - Development
Jason Campigotto	Deputy City Planner - Growth
Neil Robertson	City Planner
Aaron Farough	Senior Legal Counsel

Name	Title
Joe Baker on behalf of Jelena Payne	Commissioner, Economic Development
Joe Mancina	Chief Administrative Officer

Notifications:

Name	Address	Email
Rocco Tullio Rock Developments East Windsor Inc.		
GEM Properties		
The Hearn Group		
Grachanica Serbian Eastern Orthodox Church		
Pillon Abbs Inc. Attn: Tracey Pillon-Abbs		
Councillor Kaschak (Ward 8)		
Councillor Gignac (Ward 6)		
Property owners within 200 m of the subject lands		

Appendices:

- 1 Appendix A - Planning Rationale Report
- 2 Appendix B - Site Plan
- 3 Appendix C - Elevations
- 4 Appendix D - Consultations

PLANNING RATIONALE REPORT

OFFICIAL PLAN AND ZONING BY-LAW AMENDMENT PROPOSED COMMERCIAL DEVELOPMENT

Vacant Land

**North of Tecumseh Road East and West of Catherine Street
City of Windsor, Ontario**

December 19, 2024

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1.0 INTRODUCTION

I have been retained by Rock Developments East Windsor Inc. (herein the "Applicant") to provide a land use Planning Rationale Report (PRR) in support of a proposed commercial development located on Vacant Lands (VL) on the north side of Tecumseh Road East and the west side of Catherine Street (herein the "Site") in the City of Windsor, Province of Ontario.

The Site, in Ward 8 and within the Forest Glade North Planning Area, is currently vacant.

The Site (subject to this application) is made up of three (3) parcels of land.

The Site will be developed for commercial uses.

It is proposed to construct approximately 24,428 m² of gross floor area over two commercial locations.

All proposed buildings will be one-storey in height.

On-site parking is provided.

Accesses are proposed from Tecumseh Road East and Catherine Street.

Pre-consultation (stage 1) was completed by the Applicant (City File # PC-063/23). Comments dated January 11, 2024, were received and have been incorporated into this PRR.

Pre-submission (stage 2) was completed by the Applicant (City File # PC-090/24). Comments dated September 20, 2024, were received and have been incorporated into this PRR.

A site-specific Official Plan Amendment (OPA) and site-specific Zoning By-law Amendment (ZBA) are required in support of the proposed development, in addition to requested support studies.

Once the OPA and ZBA applications have been approved, the Applicant will proceed with a consent application to sever and reconfigure the Site into a total of three (3) parcels of land along with any required easements.

The purpose of this report is to review the relevant land use documents, including the Provincial Planning Statement 2024 (PPS), the City of Windsor Official Plan (OP) and the City of Windsor Zoning By-law (ZBL).

This PRR will show that the proposed commercial development is suitable, is consistent with the PPS, conforms to the intent and purpose of the OP and ZBL and represents good planning.

2.0 SITE AND SURROUNDING LAND USES

2.1 Legal Description and Ownership

The Site is in Ward 8 and within the Forest Glade North Planning Area.

The Site (subject to this application) is made up of three (3) parcels of land located on the north side of Tecumseh Road East, between Jefferson Street and Lauzon Parkway and on the west side of Catherine Street (see the area in red on Figure 1 – Site Location).

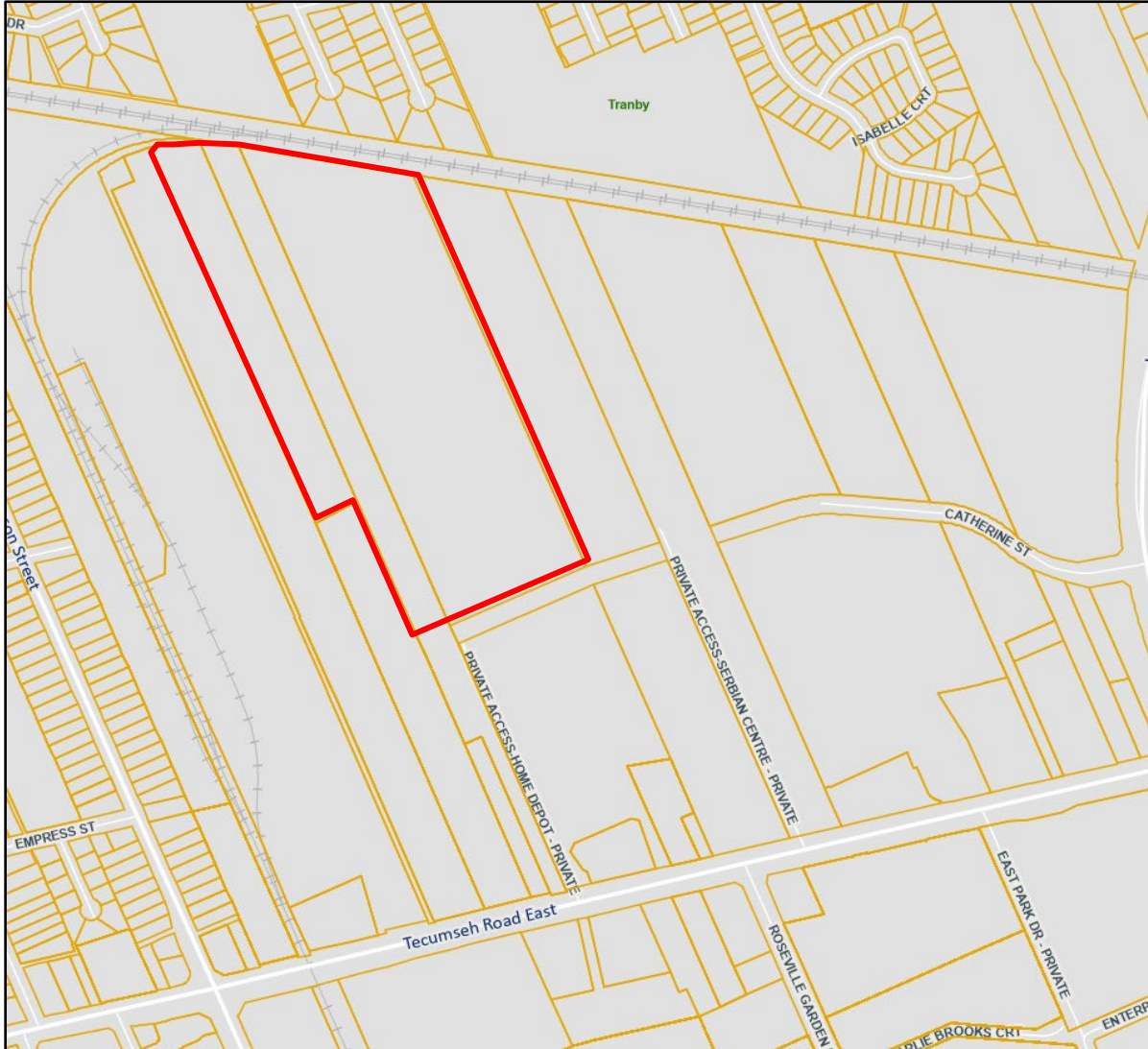


Figure 1 – Site Location (Source: City of Windsor GIS)

The Site is currently vacant and will be consolidated and reconfigured into three (3) parcels of land.

Rock Developments East Windsor Inc. will purchase the lands from the current owners.

The current ownership, address and legal description is as follows:

Municipal Address	ARN	Legal Description	PIN	Ownership	Purchase Status
6412 Tecumseh Rd E	070-680-00700	PT LT 119 CON 1 SANDWICH EAST AS IN R323787 EXCEPT THE EASEMENT THEREIN; WINDSOR	01585-0095	GEM PROPERTIES INC.	APS
6560 Tecumseh Rd E	070-680-00900	PT LT 120 CON 1 SANDWICH EAST PT 1, 12R2505; S/T EASE OVER PT 1 ON PLAN OF EXPROPRIATION CE411207; CITY OF WINDSOR	01585-0105	GEM PROPERTIES INC.	APS
0 Catherine St	070-680-01110	PT LTS 120,121 CON 1 SANDWICH EAST AS PTS 1,2,3,4 12R21709; S/T EASE OVER PTS 2,3,4 12R21709 AS IN CE122412; WINDSOR	01585-0330	803119 ONTARIO INC. Previously known as THE HEARN GROUP INC.	APS

2.2 Physical Features of the Site

2.2.1 Size and Site Dimension

The Site, subject to development, has a total area of approximately 14.6 ha with various frontages along Tecumseh Road East (25 m) and Catherine Street (22 m).

2.2.2 Existing Structures and Previous Use

The Site subject to the proposed development is currently vacant.

Past use includes agriculture and vacant land.

2.2.3 Vegetation and Soil

The property currently has farmland, mown lawn and scattered trees.

The soil is made up of Brookston Clay (Bc).

2.2.4 Topography and Drainage

The Site is relatively flat.

A portion of the north boundary is within the regulated area of the Essex Region Conservation Authority (ERCA).

The Site is within the Little River subwatershed area.

The Hawkins Drain flows east to the Little River Municipal drain with an eventual outfall at the Detroit River.

A portion of the Site is within a Source Water Protection Area, Event Based Area (EBA).

2.2.5 Other Physical Features

There is a Via Rail Canada Inc. rail corridor to the north of the Site.

There are no other physical features on the Site.

2.2.6 Municipal Services

The property has access to municipal water, storm, and sanitary services.

Fire hydrants are provided close to the Site.

Tecumseh Road East is classified as a Class 1 arterial road.

Catherine Street abuts the lands to the east and is a collector road.

Streetlights and sidewalks are located along Tecumseh Road East.

The Site has access to transit with the closest bus stop located along Tecumseh Road East at Walmart (Stop ID 1172, Buses 1C, 4 and 418X).

The Site is located close to major transportation corridors, including Lauzon Parkway and the EC Row Expressway.

2.2.7 Nearby Amenities

There are several schools, libraries, parks and recreation opportunities in close proximity to the Site.

The Site is close to existing residential uses.

There is nearby shopping in the form of plazas and malls, as well as employment, places of worship and local/regional amenities.

2.3 Surrounding Land Uses

Overall, the Site is located in an existing built up area of the City of Windsor.

The character of the area is primarily commercial, including Walmart, Home Depot, Staples, Serbian Centre, etc.

The Site is located immediately north of the existing Home Depot.

A site visit and photos were taken on March 26, 2024, by Pillon Abbs Inc.

North – The lands north of the Site, are used for rail, farmland, and residential (see Photo 1 – North).



Photo 1 – North

South – The lands south of the Site are used for commercial (see Photo 2 - South).



Photo 2 – South

East—The lands east of the Site are used for farmland and commercial purposes, including the Serbian Centre and Walmart Supercentre (see Photo 3—East).



Photo 3 – East

West – The lands west of the Site are used for commercial (see Photo 4 - West).



Photo 4 – West

3.0 PROPOSAL AND CONSULTATION

3.1 Development Proposal

The Site, in Ward 8 and within the Forest Glade North Planning Area, is currently vacant.

The Site is currently vacant and made up of three (3) parcels of land.

The Site will be consolidated and reconfigured into three (3) parcels of land.

The Site will be developed for commercial uses.

Commercial uses will include retail, fuel stations, restaurants, etc.

Sensitive land uses, including child care centres and tourist homes, will not be included in the list of permitted uses.

A concept plan was prepared (see Figure 2a – Concept Plan).

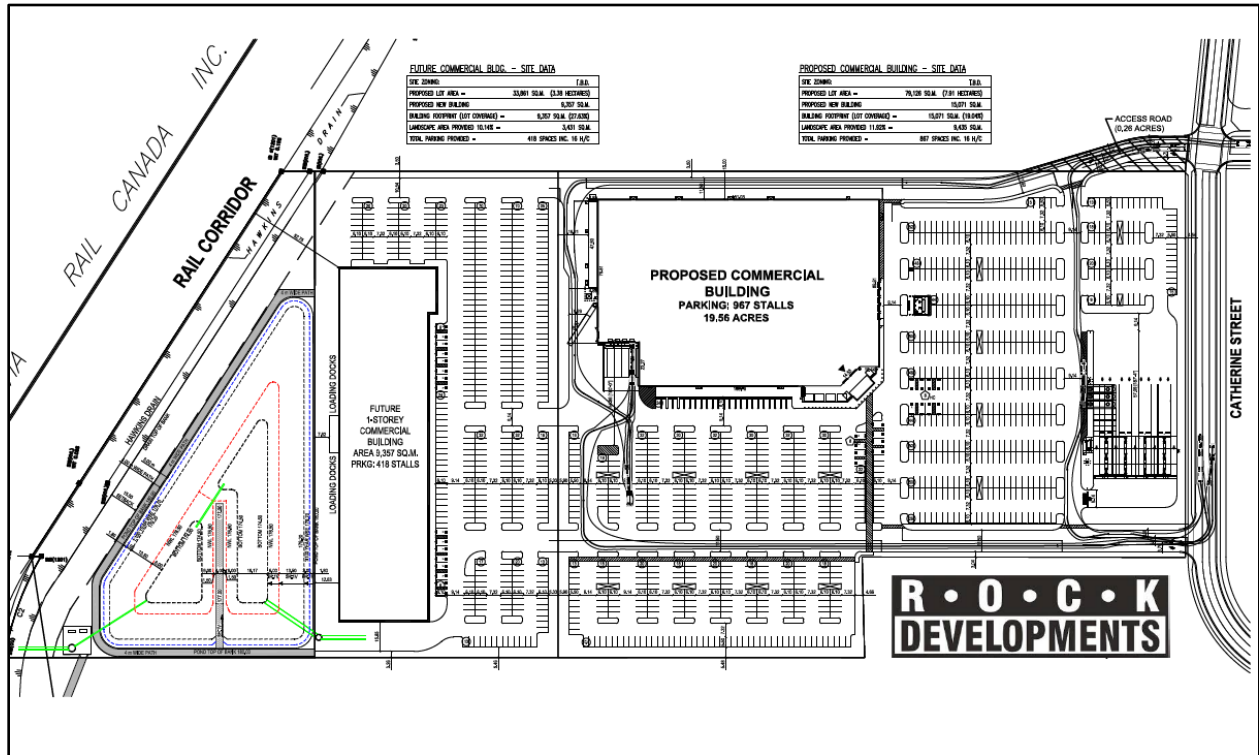


Figure 2a – Concept Plan

The Concept Plan is only preliminary in order to illustrate how the Site may be developed.

It is proposed to construct approximately 24,428 m² of gross floor area over two commercial locations.

A total of two commercial buildings are proposed, in addition to a gas bar.

The buildings will be constructed in phases. A 15,071 m² building with a gas bar will be constructed as the first phase (current) and a 9,537 m² will be constructed as the second phase (future).

Buildings will be constructed slab-on-grade.

All proposed buildings will be one-storey in height.

A conceptual elevation has been prepared for the current commercial building (see Figure 2b – Elevations)

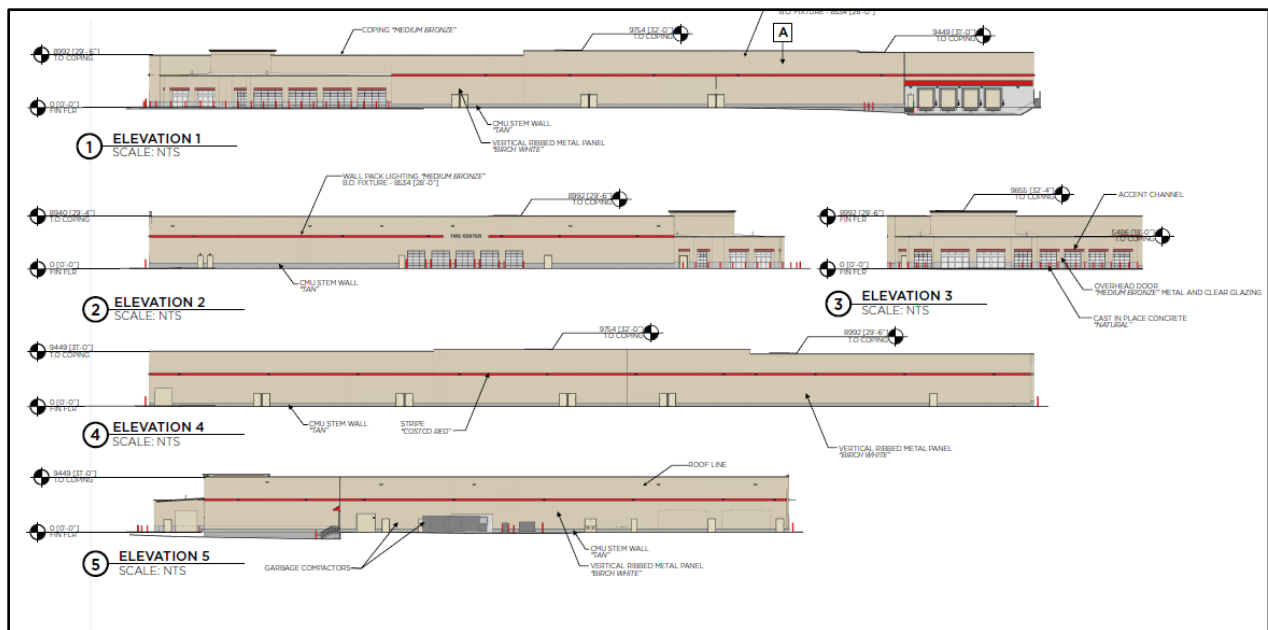


Figure 2b – Elevations

The elevations are only conceptual in order to illustrate what a commercial building may look like from the ground.

On-site parking is provided for a total of 1,385 spaces, including barrier free parking spaces. A total of 967 spaces are proposed for the current building, and 418 are proposed for the future building.

Accesses are proposed from Tecumseh Road East and Catherine Street.

New roadway connections will be created and conveyed to the City. The new roadways include two (2) proposed extensions and one (1) future road extension. One of Rose-Ville Garden Drive

to the south, one of Catherine Street to the east and the future extension from the Site to Tecumseh Road East.

The refuse from the commercial uses will be located on-site.

A fire route will be provided.

Loading spaces (loading docks) and cart return areas will be provided.

Bicycle parking will be provided.

The Site will be professionally landscaped with pedestrian connections from the building to the parking area and municipal right-of-way.

Fencing may be provided.

Full municipal services are proposed.

A new stormwater management facility will be constructed and conveyed to the City.

A Forest Glade North Servicing Master Plan (Environmental Assessment Act (EAA)) is currently underway in order to obtain approval for the extension of roads and infrastructure.

Development is anticipated to be completed in 2025 for the current phase.

3.2 Public Consultation Strategy

In addition to the statutory public meeting, the *Planning Act* requires that the Applicant submit a proposed strategy for public consultation with respect to an application as part of the complete application requirements.

As part of a public consultation strategy, in addition to the statutory public meeting, an informal in-person public open house was held for area residents (200 m radius) and property owners on Tuesday, July 23, 2024, from 6:00 pm to 7:00 pm at the Serbian Centre.

A total of 106 notices were mailed out by the Applicant.

The purpose of the open house was to provide members of the public with opportunities to review, obtain information and comment on the proposed development.

In addition to the City of Windsor Staff, Councillors and the Applicant's team, a total of 17 residents signed in.

Emails and phone calls were also received.

The following is a summary of the comments and responses from the public open houses:

Topic Item	Comments and Questions	Response
Traffic	Lack of alternative transportation in the conceptual plan. Traffic in the area is a concern.	Subject to recommendations set out in the TIS.
Access	Rose-ville Garden Drive should follow the lot line	Subject to recommendations set out in the TIS.
Parking	Wasteland of concrete for parking spots. Consider reducing the number of proposed parking spaces.	The minimum parking requirements will comply.
Pedestrians and Cyclist	What facilities are in place for safely walking and biking to the businesses?	Subject to City of Windsor requirements.
New Roads	Do the proposed roads have dedicated bike lanes separated by a concrete barrier from traffic?	Subject to City of Windsor requirements.
Landscaping	I'd like to see the design incorporate areas for greenery, trees, etc.	Landscaping will be provided.
Buffering	Would like to see trees and fencing along the property lines.	Subject to SPC review.
Rail Crossing	Please consider a pedestrian bridge over the rail connecting Realtor Park or Tranby Park to the business parks on Tecumseh.	It would require permits from rail.
Natural Heritage	Protect the vegetation and wildlife.	A biologist has been retained to undertake an assessment of the Site subject to the development.
Lighting	Low level height would be nice.	Lighting is subject to SPC and will follow City guidelines.
Height	Prefer not 3 stories high.	All proposed buildings will be one-storey in height.
Sound/Noise	Potential sound wall or berm at the location of the loading docks near the tracks.	Subject to SPC review.
Loading Docks	Will all buildings have loading docks?	The final design of the buildings has yet to be confirmed.

Topic Item	Comments and Questions	Response
Construction	When will construction commence?	Development is anticipated to be completed in 2025 and may proceed in phases.
Drain	Do not cut grass or trees along the existing drain	Subject to SPC review.
Cost Sharing	Will the cost of the infrastructure be shared with other landowners?	TBD
Expropriation	What is the process?	Subject to the City of Windsor expropriation process.

4.0 APPLICATIONS AND STUDIES

Pre-consultation (stage 1) was completed by the Applicant (City File# PC-063/23). Comments dated January 11, 2024, were received and have been incorporated into this PRR.

Pre-submission (stage 2) was completed by the Applicant (City File # PC-090/24). Comments dated September 20, 2024, were received and have been incorporated into this PRR.

The proposed development requires an application for an Official Plan Amendment (OPA) and an application for a Zoning By-law Amendment (ZBA), in addition to requested support studies.

The following explains the purpose of the applications and a summary of the support studies required as part of the submission.

4.1 Official Plan Amendment

A site-specific Official Plan Amendment (OPA) is required in support of the proposed development.

The Site is currently designated "Business Park" and "Mixed Use Centre" according to Schedule D: Land Use attached to the OP for the City of Windsor.

The Site is part of the Forest Glade North Secondary Plan and designated "Business Park" and "Mixed Use Centre" according to Volume II, Chapter 6, Schedule FGN-2: Land Use Plan attached to the OP for the City of Windsor.

The OPA for the Site proposes to further amend the land use designation of the "Business Park" to permit commercial use as an additional permitted use.

Commercial uses will include retail, fuel stations, restaurants, etc.

The OPA justification is set out in Section 5.1.2 of this PRR.

4.2 Zoning By-Law Amendment

A site-specific Zoning By-law Amendment (ZBA) is required in support of the proposed development.

According to Maps 10 and 11 attached to the ZBL the Site is currently zoned Commercial District (CD 2.1) and Holding Manufacturing District 1.4 (HMD1.1) category.

The zoning for the Site proposes to be changed to Commercial District 2.1 (CD 2.1 - S.20(1)XXX) category in order to permit the proposed commercial uses in addition to the MD1.4 uses.

The SWM facility will be zoned to Green District 1.5 (GD1.5).

Commercial uses will include retail, fuel stations, restaurants, etc.

Sensitive land uses, including child care centres and tourist homes, will not be included in the list of permitted uses.

Relief from specific regulations is not being requested.

The ZBA is detailed, and the justification is set out in Section 5.1.3 of this PRR.

4.3 Other Applications

Once the OPA and ZBA applications have been approved, the Applicant will proceed with a consent application to sever and reconfigure the Site into a total of three (3) parcels of land along with any required easements.

Site Plan Control (SPC) application will be required prior to any site alterations and the issuance of a building permit. SPC will include any required fees or securities, lighting, buffering, landscaping, signage, etc.

4.4 Supporting Studies

The following supporting studies have been prepared as part of the OPA and ZBA applications.

4.4.1 Soils and Waste Disposal Site Report

A Phase I Environmental Site Assessment (ESA) was prepared by EXP Services Inc., dated January 18, 2024, and a Phase II Environmental Site Assessment (ESA) was prepared by EXP Services Inc., dated April 11, 2024.

The purpose of the Phase I report was to identify potential sources of environmental concern to the Site. Fill Material of unknown quality was identified. Historic metal products company south adjacent to the Site with known historic impacts from solvents, etc, may have impacted the soil. The report recommended the Phase II assessment.

The purpose of the Phase 2 report was to assess soil quality in the areas of potential environmental concern, which included borehole/monitoring well drilling, soil sampling, and chemical analysis.

It was concluded that the Site does not pose significant environmental concern to the property considering the proposed commercial usage of the Site. It was recommended that material can be left in place, encapsulated beneath the proposed parking lot or proposed structures.

In the event that the fill material is to be removed from the area for Site leveling or the construction of footings, concrete slabs etc., an option would be to berm the material on the north part of the property, near the railway tracks, buried at a depth below 1.5 metres.

A Record of Site Condition (RSC) is not required.

4.4.2 Noise and Vibration Study

It has been determined that a noise and vibration study is not required at this time.

Sensitive land uses including child care centre and tourist home will not be included in the list of permitted uses.

A vibration study will be required as part of SPC approval if any buildings are located within 75 m of the rail corridor.

4.4.3 Servicing

A Functional Servicing Report (FSR) was prepared by Aleo Associated Inc. Consulting Engineers, dated August 9, 2024.

The report was prepared to demonstrate how the proposed commercial development will be serviced for water distribution, wastewater, and storm drainage.

The report is provided to the City of Windsor to assess the impact of this development on the existing infrastructure in reviewing the planning applications for which this report is prepared.

The report concluded that servicing for the development can be provided.

4.4.4 Traffic

A Traffic Impact Study (TIS) was prepared by Paradigm Transportation Solutions Limited, dated October 2024.

The report was prepared to provide an analysis of existing and future traffic conditions.

The report concluded the following:

- existing traffic conditions are operating at acceptable levels of service,
- study area intersections are forecasted to operate at similar levels of service,
- site access points are proposed,
- a future north-south road connection is anticipated to be provided, and
- the study area road system can accommodate traffic over a 20 year period.

The report recommended that the development be considered for approval as proposed.

4.4.5 Biology

A draft Species at Risk Impact Assessment (SARS) and a draft Environmental Evaluation Report (EER) were prepared by Insight Environmental Solutions Inc. dated November 8, 2024.

The purpose of both reports was to assess any natural heritage features and functions on or adjacent to the Site. This involved surveying the existing flora and fauna and associated habitats within the Site.

The reports concluded that the proposed development is not likely to impact any endangered or threatened species or their habitat if mitigation measures are implemented.

Mitigation measures include the following:

- training,
- fencing,
- reporting, and
- machinery maintenance.

The reports will be filed with the Ministry.

4.4.6 Geotechnical

A Geotechnical Investigation was prepared by EXP Services Inc., dated March 15, 2024.

The report was prepared to support the proposed Site development.

Geotechnical comments were provided and recommendations regarding site preparation, excess soil management, excavations, dewatering, foundations, slab-on-grade construction, bedding and backfill, earthquake design considerations, pavement recommendations, and curbs and sidewalks were provided.

4.4.7 Archaeology

A Stage 1 Archaeological Assessment was prepared by Parslow Heritage Consultancy Inc., dated April 24, 2024.

The report was prepared to gather information, review past studies (Golder 2015) and assess the Site subject to the proposed development.

It was concluded that there was potential for archaeological resources, and a Stage 2 assessment was recommended.

A Stage 2 Archaeological Assessment was prepared by MCM Archaeological Consulting, dated August 22, 2024.

The report was prepared to support the recommendation set out in the Stage 1 assessment. The field assessment was complete.

Engagement with Indigenous communities was conducted, including the Caldwell First Nations and Chippewas of the Thames First Nation.

It was concluded that there were no archaeological materials, and no archaeological sites identified. No further archaeological assessment is required.

Both reports have been submitted to the Ministry.

5.0 PLANNING ANALYSIS

5.1 Policy and Regulatory Overview

5.1.1 Provincial Planning Statement

The Provincial Planning Statement, 2024 (PPS) provides policy direction on matters of provincial interest related to land use planning and development, providing for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environments.

The PPS was issued under Section 3 of the Planning Act and came into effect on October 20, 2024.

The following provides a summary of the key policy considerations of the PPS as it relates to the proposed development.

PPS Policy #	Policy	Response
Chapter 1 - Vision	A prosperous and successful Ontario will also support a strong and competitive economy that is investment-ready and recognized for its influence, innovation and diversity. Ontario's economy will continue to mature into a centre of industry and commerce of global significance. Central to this success will be the people who live and work in this province.	Windsor has directed growth where the Site is located, which will contribute positively to promoting efficient land use and development patterns. Commercial use on the Site represents an efficient development pattern that optimizes the use of land.
Chapter 2.1.1: Building Homes, Sustaining Strong and Competitive Communities	As informed by provincial guidance, planning authorities shall base population and employment growth forecasts on Ontario Population Projections published by the Ministry of Finance and may modify, as appropriate.	The proposed development will support the City's need for employment growth.
2.1.6	Planning authorities should support the achievement of complete communities by:	The proposed development will support the City's requirement to accommodate for

PPS Policy #	Policy	Response
	a) accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, employment , public service facilities and other institutional uses (including schools and associated child care facilities, long-term care facilities, places of worship and cemeteries), recreation, parks and open space, and other uses to meet long-term needs;	employment to meet long-term needs.
2.3.1.1 – Settlement Areas	Settlement areas shall be the focus of growth and development. Within settlement areas, growth should be focused in, where applicable, strategic growth areas, including major transit station areas.	The Site is located in an existing settlement area of the City of Windsor, which is where growth should occur.
2.3.1.2	Land use patterns within settlement areas should be based on densities and a mix of land uses which: a) efficiently use land and resources; b) optimize existing and planned infrastructure and public service facilities;	The proposed development promotes an efficient development and land use pattern as it uses an existing vacant parcel of land within a settlement area. The Site has access to full municipal infrastructure and close to nearby public service facilities which will support live, work and play.
2.8.1.1 - Employment	Planning authorities shall promote economic development and competitiveness by: a) providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs; b) providing opportunities for a diversified economic base, including maintaining a range	The proposed development offers a new employment opportunity. There is a need for commercial uses in this area of the City. The proposed development will be suitable for the Site.

PPS Policy #	Policy	Response
	<p>and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;</p> <p>c) identifying strategic sites for investment, monitoring the availability and suitability of employment sites, including market-ready sites, and seeking to address potential barriers to investment;</p> <p>d) encouraging intensification of employment uses and compatible, compact, mixed-use development to support the achievement of complete communities; and</p> <p>e) addressing land use compatibility adjacent to employment areas by providing an appropriate transition to sensitive land uses.</p>	<p>The proposed development uses the land in an appropriate way and is compact.</p> <p>Infrastructure will be provided.</p> <p>The proposed development has been designed to be compatible with the existing built-up area.</p>
2.8.1.2	<p>Industrial, manufacturing and small-scale warehousing uses that could be located adjacent to sensitive land uses without adverse effects are encouraged in strategic growth areas and other mixed-use areas where frequent transit service is available, outside of employment areas.</p>	<p>There are no sensitive land uses that immediately abut the Site.</p>
2.8.1.3	<p>In addition to policy 3.5, on lands within 300 metres of employment areas, development shall avoid, or where avoidance is not possible, minimize and mitigate potential impacts on the long term economic viability of employment uses within existing or planned employment areas,</p>	<p>The proposed development is appropriate for Site and does not cause any noise, dust, or vibration.</p>

PPS Policy #	Policy	Response
	in accordance with provincial guidelines.	
2.8.2.1 – Employment Areas	Planning authorities shall plan for, protect and preserve employment areas for current and future uses, and ensure that the necessary infrastructure is provided to support current and projected needs.	The Site will continue to be used for employment, which is what it was intended to be used for.
2.8.2.3	Planning authorities shall designate, protect and plan for all employment areas in settlement areas by: a) planning for employment area uses over the long-term that require those locations including manufacturing, research and development in connection with manufacturing, warehousing and goods movement, and associated retail and office uses and ancillary facilities;	The proposed development has been designated by the City in their OP and Secondary Plan for Business Park use. The addition of commercial uses to the designation will provide for more employment opportunities.
Chapter 3.1.1 – Infrastructure and Facilities	Infrastructure and public service facilities shall be provided in an efficient manner while accommodating projected needs.	The Site has access to infrastructure and nearby public service facilities.
3.5.1 – Land Use Compatibility	Major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures.	The proposed development is appropriate for Site and will not cause any noise, dust, or vibration.

PPS Policy #	Policy	Response
3.6.2 – Sewage, Water and Stormwater	Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. For clarity, municipal sewage services and municipal water services include both centralized servicing systems and decentralized servicing systems.	The proposed development can proceed with municipal services if required.
3.6.8	Planning for stormwater management shall: a) be integrated with planning for sewage and water services and ensure that systems are optimized, retrofitted as appropriate, feasible and financially viable over their full life cycle; b) minimize, or, where possible, prevent or reduce increases in stormwater volumes and contaminant loads;	A storm water management facility is proposed.
4.1.1 – Natural Heritage	Natural features and areas shall be protected for the long term.	Various environmental studies have been conducted. The Ministry has been contacted regarding species at risk, and that mitigation measures will be a condition of SPC.
4.2.1 - Water	Planning authorities shall protect, improve or restore the quality and quantity of water by: a) using the watershed as the ecologically meaningful scale for integrated and long-term planning, which can be a foundation for considering	A portion of the Site is outside the regulated area of ERCA. Permits will be obtained, if required.

PPS Policy #	Policy	Response
	cumulative impacts of development; minimizing potential	
4.6.1 - Cultural Heritage and Archaeology	Protected heritage property, which may contain built heritage resources or cultural heritage landscapes, shall be conserved.	There are no cultural heritage features that apply to this Site. The required support studies have been completed.
Chapter 5.1.1 - Protecting Public Health and Safety	Development shall be directed away from areas of natural or human-made hazards where there is an unacceptable risk to public health or safety or of property damage, and not create new or aggravate existing hazards.	There are no natural or human-made hazards. A portion of the Site is outside the regulated area of ERCA. Permits will be obtained, if required.

Therefore, the proposed development is consistent with the PPS and the Province's vision for long-term prosperity and social well-being.

5.1.2 Official Plan

The City of Windsor Official Plan (OP) was adopted by Council on October 25, 1999, approved in part by the Ministry of Municipal Affairs and Housing (MMAH) on March 28, 2000, and the remainder approved by the Ontario Municipal Board (OMB) on November 1, 2002. Office consolidation version is dated September 7, 2012.

The OP implements the PPS and establishes a policy framework to guide land use planning decisions related to development and the provision of infrastructure and community services throughout the City.

The Site is currently designated "Business Park" and "Mixed Use Centre" according to Schedule D: Land Use attached to the OP for the City of Windsor (see Figure 3a – City of Windsor OP, Schedule D).

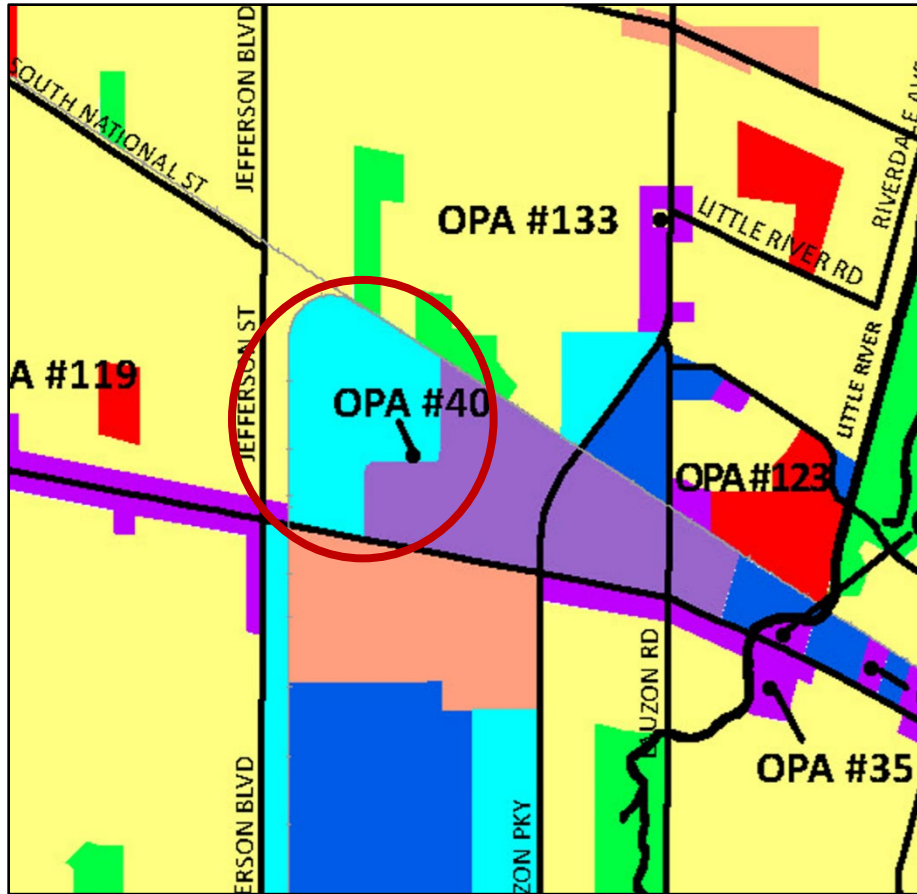


Figure 3a – City of Windsor OP, Schedule D

The Site is part of the Forest Glade North Secondary Plan and designated “Business Park” and “Mixed Use Centre” according to Volume II, Chapter 6, Schedule FGN-2: Land Use Plan attached to the OP for the City of Windsor (see Figure 3b – City of Windsor OP, Schedule FGN-2).

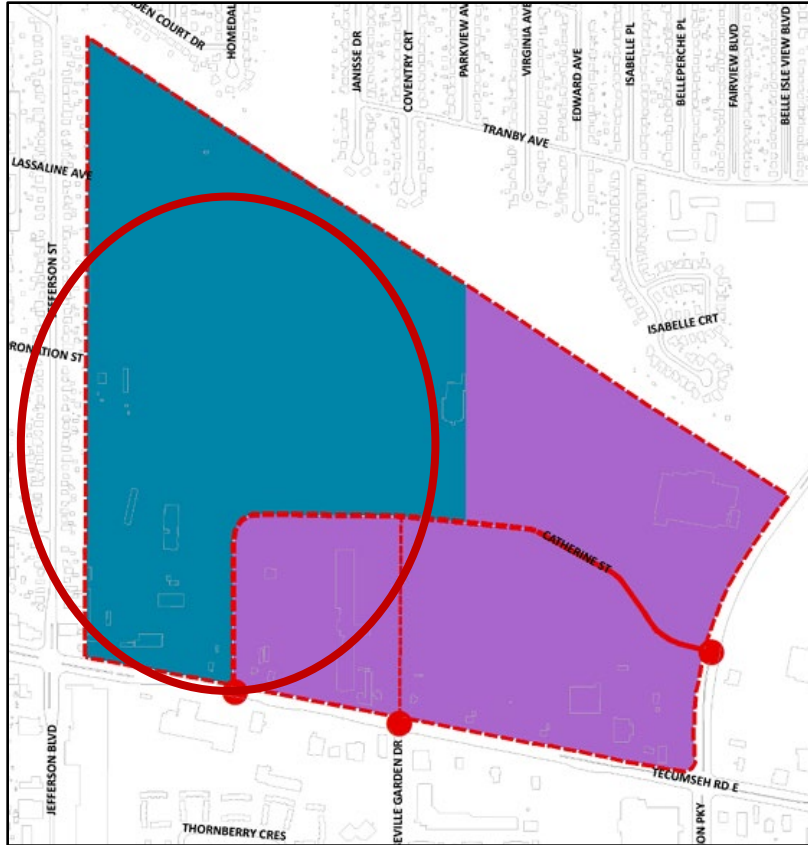


Figure 3b – City of Windsor OP, Schedule FGN-2

The Site is also impacted by the following:

- Schedule C: Development Constraint Areas - Known or Suspected Waste Disposal Sites; Environmental Policy Area B
- Schedule C-1: Archaeological Potential – “Archaeological Potential Zone (APZ)” - as revised by OPA 181 (2024 Windsor Archaeological Management Plan)
- Schedule F: Roads & Bikeways – Tecumseh Road East is a Class II Arterial
- Schedule F-1: Railways – Rail Corridor located to the north; Railyard located to the west
- Schedule G: Civic Image – Tecumseh Road East designated as a “Civic Way”
- Schedule FGN-3: Development Constraints – Environmental Policy Area B, Rail Yard; 75.0 m and 300.0 m Zone of Influence located on Subject Lands

The OPA for the Site proposes to further amend the land use designation of the "Business Park" to permit commercial use as an additional permitted use.

Commercial uses will include retail, fuel stations, restaurants, etc.

The following provides a summary of the key policy considerations of the OP as it relates to the proposed development.

OP Policy #	Policy	Response
3.1	<p>The planning of Windsor's future is guided by the following vision taken from Dream Dare Do – The City of Windsor Community Strategic Plan:</p> <p>"Windsor is a quality city full of history and potential, with a diverse culture, a durable economy, and a healthy environment where citizens share a strong sense of belonging and a collective pride of place."</p>	<p>The proposed development will support the City's economy by providing a new commercial development in an existing built-up area.</p> <p>The surrounding area is primarily commercial.</p>
4.0 – Healthy Community	<p>The implementing healthy community policies are interwoven throughout the remainder of the Plan, particularly within the Environment, Land Use, Infrastructure and Urban Design chapters, to ensure their consideration and application as a part of the planning process.</p>	<p>The proposed development will support the City's goal of promoting a healthy community in order to live, work and play.</p> <p>The proposed development is close to nearby transit, employment, shopping, local/regional amenities and parks/trails.</p>
6.0 - Preamble	<p>A healthy and livable city is one in which people can enjoy a vibrant economy and a sustainable healthy environment in safe, caring and diverse neighbourhoods. In order to ensure that Windsor is such a city, Council will manage development through an approach which balances environmental, social and economic considerations.</p>	<p>The proposed development supports the policy set out in the OP as it is suited for the commercial needs of the City.</p>

OP Policy #	Policy	Response
6.1 - Goals	<p>In keeping with the Strategic Directions, Council's land use goals are to achieve:</p> <p>6.1.4 The retention and expansion of Windsor's employment base.</p> <p>6.1.5 Convenient and viable areas for the purchase and sale of goods and services.</p> <p>6.1.10 Pedestrian oriented clusters of residential, commercial, employment and institutional uses.</p>	<p>The proposed development supports the goals set out in the OP as it provides for the development of a vacant parcel of land.</p> <p>The proposed commercial use will provide employment opportunities in an existing built-up area.</p> <p>The proposed commercial use is compatible with other land uses.</p> <p>The commercial units will offer a convenient retail opportunity that will cater to the residents of the area.</p> <p>The Site will be pedestrian-friendly, with access to nearby transit.</p>
6.4 – Employment Objectives	<p>The following objectives and policies establish the framework for development decisions in Employment areas.</p> <p>6.4.1.1 To ensure Windsor continues to be an attractive place to establish businesses and locate employees.</p> <p>6.4.1.2 To expand Windsor's assessment base by attracting employers and economic development</p> <p>6.4.1.3 To ensure that employment uses are developed in a manner which are compatible with other land uses.</p>	<p>The proposed development will expand the existing commercial area.</p> <p>The Site is underutilized and will bring more people to the area to support other commercial uses.</p> <p>Development will be in a manner that is compatible with its surroundings. The Site is located in an existing commercial area. Any sensitive lands uses will be respected.</p> <p>The proposed development will provide for new employment activities.</p>

OP Policy #	Policy	Response
	<p>6.4.1.4 To accommodate a full range of employment activities in Windsor.</p> <p>6.4.1.5 To enhance the quality of employment areas by providing for complementary services and amenities.</p> <p>6.4.1.6 To locate employment activities in areas which have sufficient and convenient access to all modes of transportation.</p> <p>6.4.1.8 To ensure that adequate infrastructure services are provided to employment areas.</p>	<p>The proposed commercial uses will be complementary to the existing uses in the area.</p> <p>The Site is located near major transportation corridors and transit.</p>
6.4.2.2 – General Policies	Council shall encourage businesses and industries to locate and expand in Windsor.	The proposed use is commercial and is a welcomed addition to the area.
6.4.2.4 – Site Plan Control	Council shall require all development within areas designated as Industrial and Business Park to be subject to site plan control, with the exception of Public Open Space uses.	<p>All development will be subject to SPC.</p> <p>SPC will include any required fees or securities, lighting, buffering, landscaping, signage, etc.</p>
6.4.2.7 – Areas in Transition	Council may support the redevelopment of older and/or abandoned Industrial or Business Park areas to other land uses provided: (a) the proponent can demonstrate that: (i) the redevelopment of the area would not be detrimental to other Industrial or Business Park uses still operating in the area; and (ii) the redevelopment of the area is in keeping with the long term transition of the entire area to similar uses; (b) the	<p>It is unlikely that the Site will be developed for manufacturing.</p> <p>It is appropriate for the land use to change to commercial uses to support the existing built-up area along Tecumseh Road East.</p> <p>Development will support the long-term transition of the area.</p> <p>There are no environmental concerns.</p>

OP Policy #	Policy	Response
	environmental conditions of the site do not preclude development; and (c) subject to an amendment to this Plan that is consistent with the appropriate policies for the desired land use.	The OPA will address adding commercial uses to the Business Park designation, as additional uses.
6.4.2.8 – High Quality Design	Council shall require a high standard of architectural and landscape design for Industrial and Business Park designations adjacent to the Highway 401 corridor given its visibility along an international gateway, in accordance with the Urban Design chapter of this Plan.	The proposed development will be constructed with high standards.
6.4.4.1 – Business Park Policies (permitted uses)	Uses permitted in the Business Park land use designation include: (a) establishments devoted to research, development and information processing, offices, services, industrial research and/or training facilities, communication, production uses, printing and publishing; and (b) selected industrial uses which: (i) do not create nuisances such as noise, dust, vibration or odour; (ii) confine industrial operations within a building and/or structure; and (iii) do not require outside storage.	Business Park uses will remain. The OPA for the Site proposes to further amend the land use designation to permit commercial use as an additional permitted use. Commercial uses will include retail, fuel stations, and restaurants.
6.4.4.2 – Ancillary Uses	In addition to the uses permitted above, Council may permit the following ancillary uses in areas designated Business Park on Schedule D: Land Use without requiring an amendment to this Plan:	Business Park ancillary uses will remain.

OP Policy #	Policy	Response
	<p>(b) convenience stores, gas bars, service stations, personal services, restaurants, warehouse, wholesale store and financial institutions which, by their size are designed to serve the employees in the Business Park and which have access to an Arterial or Collector road;</p> <p>(c) hotels or motels, provided that they meet all of the following criteria: (i) they are located adjacent to a Controlled Access Highway, Class I or Class II Arterial Road or Class I Collector Road; (ii) they are located at, or near, the periphery of a Business Park; (iii) the proponent demonstrates to the satisfaction of the Municipality that any market impacts on other commercial areas is acceptable (see Procedures chapter); and (iv) the evaluation criteria established in policy 6.5.3.7.</p> <p>(d) retail sale of goods produced on-site by a permitted use provided that such retail space does not exceed 20% of the gross floor area of the main use. This limitation may be reduced or eliminated by Council having given consideration to the following: (i) the evaluation criteria established in policy 6.5.3.7; and (ii) the proponent demonstrates to the satisfaction of the Municipality that any market</p>	

OP Policy #	Policy	Response
	<p>impacts on other commercial areas is acceptable.</p> <p>(f) Clubs, health studios.</p>	
6.4.4.3 – Locational Criteria	<p>Business Park development shall be located where: (a) the business park use can be sufficiently separated and/or buffered from sensitive land uses; (b) the site will be accessible and highly visible from Controlled Access Highway or a Class I or Class II Arterial Road; (c) full municipal physical services can be provided; (d) business park related traffic can be directed away from residential areas; (e) public transportation service can be provided; and (f) there is access to designated truck routes.</p>	<p>Buffering from nearby residential uses can be provided. This can include landscaping, fencing and setbacks.</p> <p>The Site has access to a Class 1 Road (Tecumseh Road East).</p> <p>Full municipal services are available.</p> <p>Traffic (current and future) has been assessed as part of the TIS. New roads are proposed. The Site has access to transit.</p> <p>Trucks can access the site for deliveries.</p>
6.4.4.4 – Evaluation Criteria	<p>At the time of submission, the proponent shall demonstrate to the satisfaction of the Municipality that a proposed business park development is: (a) feasible having regard to the other provisions of this Plan, provincial legislation, policies and appropriate guidelines and support studies for uses: (i) within or adjacent to any area identified on Schedule C: Development Constraint Areas and described in the Environment chapter of this Plan; (ii) adjacent to sources of nuisance, such as noise, odour, vibration and dust; (iii) within a site of potential or known contamination; (iv) where traffic generation and</p>	<p>This PRR has addressed the PPS in Section 5.1.1.</p> <p>There are no development constraints that impact this Site.</p> <p>There will not be any nuisances created by the proposed development.</p> <p>A soil study has been prepared to address any potential contamination.</p> <p>Traffic has been addressed current and future operations.</p> <p>There are no cultural heritage concerns that impact this Site.</p>

OP Policy #	Policy	Response
	<p>distribution is a provincial or municipal concern; and (v) adjacent to sensitive land uses and/or heritage resources. (b) in keeping with the goals, objectives and policies of any secondary plan or guideline plan affecting the surrounding area; (c) capable of being provided with full municipal physical services and emergency services; (d) provided with adequate off-street parking; and (e) compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and landscaped areas.</p>	<p>The Site is part of the Forest Glade North Secondary Plan</p> <p>Full municipal services are available.</p> <p>Off street parking is provided (on site).</p> <p>The proposed development is compatible with the surrounding area.</p> <p>The Site is subject to SPC, which will address lighting, signage and landscaping.</p> <p>The Site is generally level, which is conducive to easy vehicular movements.</p>
6.4.4.5 – Design Guidelines	<p>The following guidelines shall be considered when evaluating the proposed design of a Business Park development: (a) the ability to achieve the associated policies as outlined in the Urban Design chapter of this Plan; (b) the massing and scale of buildings, and the extent to which their orientation, form and siting help to enhance the well landscaped setting of the business park; (c) the provision of functional and attractive signage; (d) the provision of appropriate landscaping or other buffers to enhance: (i) all parking lots, and outdoor loading and service areas; and (ii) the separation between the use and adjacent sensitive uses, where appropriate; (e)</p>	<p>The proposed buildings are proposed to be 1 storey.</p> <p>Landscaping will be provided.</p> <p>All zoning setbacks can be complied with.</p> <p>Signage will be attractive.</p> <p>Loading areas are provided, away from residential areas.</p> <p>The SWM facility will be located to the north of the Site.</p> <p>New roads are proposed for access to the Site.</p> <p>Pedestrian and cycling access will be provided.</p> <p>Fire routes are provided.</p>

OP Policy #	Policy	Response
	<p>motorized vehicle access is oriented in such a manner that business park related traffic will be discouraged from using Local Roads where other options are available; (f) loading bays and service areas are located to avoid conflict between pedestrian circulation, service vehicles and movement along the public right-of-way; (g) pedestrian and cycling access is accommodated in a manner which is distinguishable from the access provided to motorized vehicles and is safe and convenient; and (h) the design of the development encourages and/or accommodates public transportation services. (i) The design of the development encourages the retention and integration of existing woodlots, vegetation and drainage corridors where feasible to provide amenity areas for employees and to enhance the visual appearance of business parks in Windsor.</p>	<p>There are no anticipated traffic or parking concerns.</p>
7.0 - Infrastructure	<p>The provision of proper infrastructure provides a safe, healthy and efficient living environment. In order to accommodate transportation and physical service needs in Windsor, Council is committed to ensuring that infrastructure is provided in a sustainable, orderly and coordinated fashion.</p>	<p>The proposed development is close to nearby transit, off a major roadway, and has access to full municipal services.</p> <p>The Forest Glade North Servicing Master Plan is in progress.</p>

OP Policy #	Policy	Response
6.4.1 - Forest Glade North Secondary Plan (as amended by OPA 159)	It is the intent of the Plan to create a major Mixed Use Node and prestige employment generating business park within the City of Windsor. The development concept for the Planning Area is illustrated on Schedule FGN-2: Land Use Plan. The Planning Area is proposed to consist of residential, commercial and business park type uses, consolidated into larger, comprehensively developed commercial and business park blocks.	Commercial is permitted in the secondary plan area.
	Business Park uses are proposed within the northwestern portion of the Planning Area and are envisioned to consist of office development, light industrial uses and ancillary commercial uses, including restaurants, retail and personal services that serve the needs of the Business Park employees.	Business Park uses will remain. The OPA for the Site proposes to further amend the land use designation to permit commercial use as an additional permitted use. Commercial uses will include retail, fuel stations, restaurants, etc.
	Catherine Street is proposed to extend westerly through the Planning Area and accommodate two north south connections to Tecumseh Road East. The internal road network will be established through the development approvals process.	It is proposed that Catherine Street be extended, westerly. A future connection to Tecumseh Road East is proposed. A new internal road network is proposed.
6.5.1 - Revitalization	Create conditions to encourage development and revitalization of this underutilized area within the City of Windsor.	The Site is underutilized.
6.5.2 – Expand Mixed Use Centre	Expand the existing commercial centre to support	Development in an existing built-up area of the City contributes toward the goal of

OP Policy #	Policy	Response
	a complete community comprised of places to live, work and play as well as offering a full range of goods and services;	'live, work and play' where citizens share a strong sense of belonging and a collective pride of place.
6.5.3 – Employment Opportunities	Create employment opportunities and generate municipal assessments from commercial and employment uses.	The proposed development will create new employment opportunities.
6.5.4 – Efficient Land Use	Promote land use patterns that make efficient use of existing services, resources and infrastructure.	The proposed development promotes efficient development and land use patterns, which sustains the financial well-being of the Municipality.
6.5.5 - Compatibility	Promote land use patterns and building forms that are compatible with adjacent existing and proposed uses.	The proposed development is compatible with the surrounding area.
6.5.7 – Road Network	Develop an appropriate road network to ensure the safety of motorists, cyclists and pedestrians and facilitate effective public transit.	A TIS has been prepared. A new road network is proposed.
6.5.8 - SWM	Encourage a comprehensive approach to stormwater management within the Planning Area.	The proposed development will be serviced by municipal sewer, water and storm, which is the preferred form of servicing for settlement areas. A FSR has been completed and confirmed that services can be provided. The Forest Glade North Servicing Master Plan is in progress.
6.5.9 - Rail	Ensure that land uses adjacent to the rail infrastructure are compatible with railway activity.	It is anticipated that the proposed development will not interfere with the rail infrastructure.
6.6.2 – Business Park Objective	Provide for industrial type uses adjacent to the rail	Business Park uses will remain.

OP Policy #	Policy	Response
	corridors. Provide for office/prestige industrial and ancillary commercial type uses adjacent to the Collector Road and Tecumseh Road East frontage to offer a highly visible “address” and gateway into the Business Park.	<p>The OPA for the Site proposes to further amend the land use designation to permit commercial use as an additional permitted use.</p> <p>Commercial uses will include retail, fuel stations, and restaurants.</p>
6.7.3.1 – Business Park Policies	The Business Park designation on Schedule FGN-2: Land Use Plan shall be subject to the policies contained within Volume I: The Primary Plan and the policies of this Secondary Plan, where applicable. The policies promote high quality office and prestige employment uses within an integrated business park setting.	<p>The proposed development is appropriate for the Site.</p> <p>The Via Rail Canada Inc. rail infrastructure will be protected.</p>
6.7.3.2	Industrial uses are encouraged to locate within the rear portions of the Business Park designation, abutting the rail lines and rail yard.	If future industrial uses are planned, they will be located at the rear.
6.7.3.3	High quality office buildings, prestige industrial uses and ancillary commercial uses are encouraged to locate along Tecumseh Road East and the proposed Class I Collector Road.	<p>The proposed OPA will allow for commercial as an additional permitted use.</p> <p>The Site will have access to Tecumseh Rd E.</p>
6.7.3.4	A particularly high standard of design shall be required for the lands adjacent to Tecumseh Road East, with the objective of creating attractive streetscapes along this important civic way. Buildings shall be located in close proximity to the street in order	<p>The proposed development will be professionally designed.</p> <p>The Site will include pedestrian and cycling connections.</p> <p>Landscaping will be provided.</p>

OP Policy #	Policy	Response
	to promote pedestrian activity, create a defined street edge and screen parking areas. Landscape elements shall assist in creating an enjoyable pedestrian environment, defining the street edge and screening parking areas.	
6.7.3.5	Uses abutting the intersection of Tecumseh Road East and the proposed Class 1 Collector Road shall provide for a highly visible and aesthetic gateway into the Business Park.	The development will be set back from the road, behind other commercial uses.
6.7.3.6 – Ancillary Commercial Uses	Prestige office uses and ancillary commercial uses are envisioned along the Tecumseh Road East frontage, and may include a hotel/convention facility. Ancillary commercial uses along the Tecumseh Road East frontage are only permitted within the Business Park designation where they occupy the ground floor of a multi-storey building, and are subject to the urban design policies contained in Volume 1: The Primary Plan.	Business Park uses will remain. The OPA for the Site proposes to further amend the land use designation to permit commercial use as an additional permitted use. Commercial uses will include retail, fuel stations, and restaurants.

Therefore, the proposed development will conform to the purpose and intent of the City of Windsor OP with the proposed amendment to permit commercial as an additional permitted use.

5.1.3 Zoning By-law

The City of Windsor Zoning By-Law (ZBL) #8600 was passed by Council on July 8, 2002, and then a further Ontario Municipal Board (OMB) decision was issued on January 14, 2003.

A ZBL implements the PPS and the City OP by regulating the specific use of property and provide for its day-to-day administration.

According to Maps 10 and 11 attached to the ZBL the Site is currently zoned Commercial District (CD 2.1) and Holding Manufacturing District 1.4 (HMD1.1) category (see Figures 4a and 4b – City of Windsor Zoning Map 10 and Map 11).

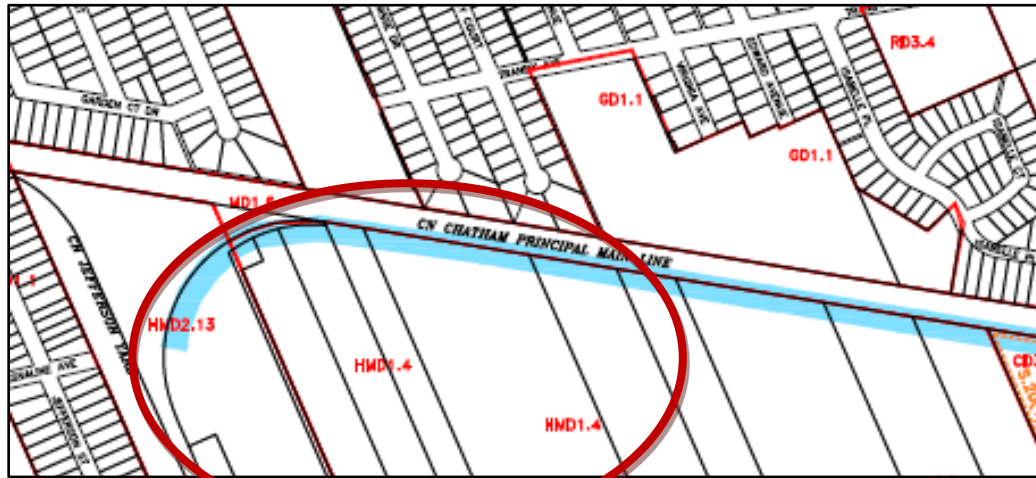


Figure 4a – City of Windsor Zoning Map 10

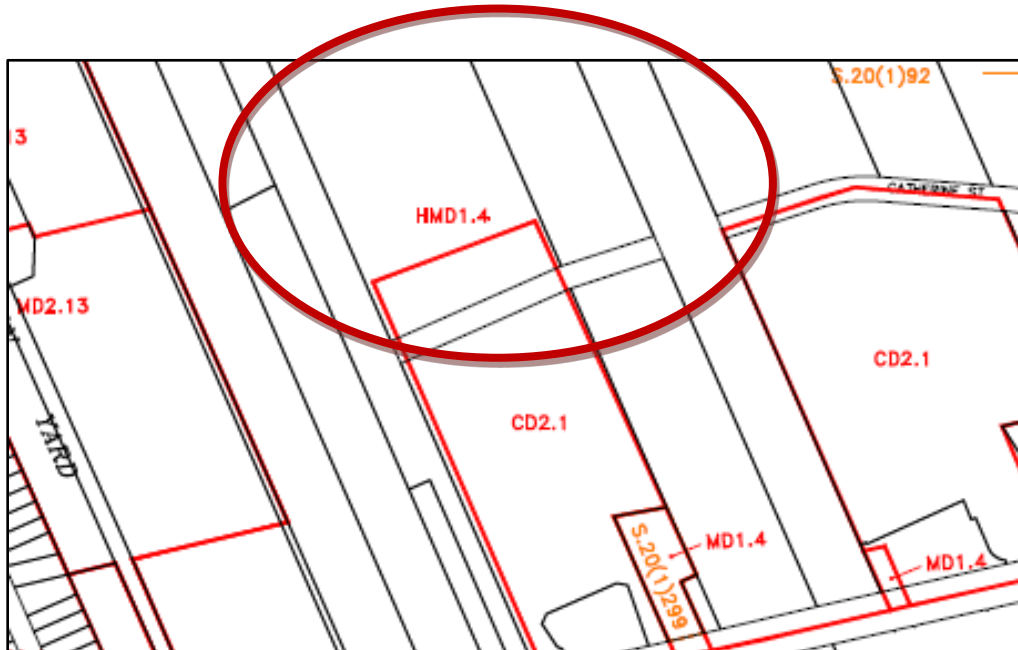


Figure 4b – City of Windsor Zoning Map 11

The zoning for the Site proposes to be changed to Commercial District 2.1 (CD 2.1 - S.20(1)XXX) category in order to permit the proposed development in addition to the MD1.4 uses.

The SWM facility will be zoned to Green District 1.5 (GD1.5).

A review of the CD2.1 zone provisions, as set out in Section 15.1 of the ZBL is as follows:

Zone Regulations	Required CD2.1 Zone	Proposed (retained lands)	Compliance and/or Relief Requested with Justification
Permitted Uses	Bakery Business Office Child Care Centre Commercial School Confectionery Food Outlet - Drive-Through Food Outlet - Take-Out Funeral Establishment Garden Centre Gas Bar Medical Office Micro-Brewery Parking Garage Personal Service Shop Place of Entertainment and Recreation Place of Worship Professional Studio Public Hall Public Parking Area Repair Shop – Light Restaurant Restaurant with Drive-Through Retail Store Temporary Outdoor Vendor's Site Tourist Home Veterinary Office Wholesale Store Existing Automobile Repair Garage Existing Service Station Any use accessory to any of	Uses permitted in the MD1.4 zone. Proposed commercial uses. Commercial uses will include retail, fuel stations, restaurants, etc. Child care centre and tourist home shall not be permitted.	Will comply subject to the ZBA.

Zone Regulations	Required CD2.1 Zone	Proposed (retained lands)	Compliance and/or Relief Requested with Justification
	the preceding uses. An Outdoor Storage Yard is prohibited, save and except, in combination with the following main uses: Garden Centre, Temporary Outdoor Vendor's Site, Existing Automobile Repair Garage.		
Building Height – maximum	14.0 m	9 m (1 storey)	Complies
Gross Floor Area – maximum Bakery or Confectionary	550.0 m ²	N/A	Complies
A Temporary Outdoor Vendor's Site is prohibited in a Business Improvement Area.	N/A	N/A	Complies
Parking Requirements 24.20.5.1	Major Commercial Centre – 1 for each 22.5 m ² GFA (24,428 m ²) = 1,085	Current building – 967 Future building – 418 Total - 1,385 provided	Complies
Accessible Parking Spaces 24.24.1	1,001 or more: Type A – 5 spaces plus 0.5 percent of parking spaces = 69+5=74 Type B – 5.5 spaces plus 0.5 percent of parking spaces = 69+5.5=74	TBD	Shall comply

Zone Regulations	Required CD2.1 Zone	Proposed (retained lands)	Compliance and/or Relief Requested with Justification
	Total = 149		
Bicycle Parking Spaces 24.30.1.1	20 or more: 2 for the first 19 spaces plus 1 for each additional 20 parking spaces Total = 2+68.3=70	TBD	Shall comply
Loading Space	Over 22,500 m ² : 4	TBD	Shall comply
Parking Area Separation 25.5.20	.3 an interior lot line or alley – 0.90 m	TBD	Shall comply

Therefore, the proposed development will comply with all zone provisions set out in the CD2.1 and no site-specific relief is required.

6.0 SUMMARY AND CONCLUSION

6.1 Context and Site Suitability Summary

6.1.1 Site Suitability

The Site is ideally suited for commercial development for the following reasons:

- The land area is sufficient to accommodate the proposed development,
- The Site is generally level, which is conducive to easy vehicular movements,
- The Site will be able to accommodate municipal water, storm and sewer systems,
- There are no anticipated traffic or parking concerns, and
- The location of the proposed development is appropriate.

6.1.2 Compatibility of Design

The proposed development is compatible with the surrounding area.

The design of the buildings will address compatibility as part of the SPC approval.

The Site is capable of accommodating the proposed development in terms of scale, massing, height and siting.

Parking, fire route, and landscaping will be provided.

All zone provisions set out in the CD2.1 zone can be complied with.

6.1.3 Good Planning

The proposal represents good planning as it addresses the need for the development of a vacant parcel of land, which contributes to providing employment opportunities in the area.

Commercial use on the Site represents an efficient development pattern that optimizes the use of land.

The proposed development will provide commercial use to the area's residents.

The Site is currently underutilized.

6.1.4 Environment Impacts

Various environmental studies have been conducted. The Ministry has been contacted regarding species at risk, and that mitigation measures will be a condition of the SPC.

6.1.5 Municipal Services Impacts

There will be no negative impacts on the municipal system as the proposed use will not add to the capacity in a significant way.

6.1.6 Social, Cultural and/or Economic Conditions

The proposed development does not negatively affect the social environment as the Site is in close proximity to major transportation corridors and nearby amenities.

Development in an existing built-up area of the City contributes toward the goal of 'live, work and play' where citizens share a strong sense of belonging and a collective pride of place.

The proposed development promotes efficient development and land use patterns, which sustains the financial well-being of the Municipality.

The proposal does not cause any public health and safety concerns.

The proposal represents a cost-effective development pattern that minimizes land consumption and servicing costs.

There will be no urban sprawl as the proposed development is within the existing settlement area and is an ideal infilling opportunity.

The Site will not impact any heritage resources.

6.2 Conclusion

In summary, it would be appropriate for the City of Windsor to approve the OPA and ZBA to permit the proposed commercial development on the Site.

The proposed development is an appropriate use of an underutilized vacant property and offers economic activity.

This PRR has shown that the proposed development is consistent with the PPS, conforms with the intent and purpose of the City of Windsor OP and represents good planning.

Planner's Certificate:

I hereby certify that this report was prepared by Tracey Pillon-Abbs, a Registered Professional Planner, within the meaning of the Ontario Professional Planners Institute Act, 1994.


Tracey Pillon-Abbs, RPP
Principal Planner



VIA RAIL CANADA INC.
RAIL CORRIDOR

FUTURE COMMERCIAL BLDG. - SITE DATA

SITE ZONING:	T.B.D.
PROPOSED LOT AREA =	33,861 SQ.M. (3.38 HECTARES)
PROPOSED NEW BUILDING	9,357 SQ.M.
BUILDING FOOTPRINT (LOT COVERAGE) =	9,357 SQ.M. (27.63%)
LANDSCAPE AREA PROVIDED 10.14% =	3,431 SQ.M.
TOTAL PARKING PROVIDED =	418 SPACES INC. 16 H/C

PROPOSED COMMERCIAL BUILDING - SITE DATA

SITE ZONING:	T.B.D.
PROPOSED LOT AREA =	79,126 SQ.M. (7.91 HECTARES)
PROPOSED NEW BUILDING	15,071 SQ.M.
BUILDING FOOTPRINT (LOT COVERAGE) =	15,071 SQ.M. (19.04%)
LANDSCAPE AREA PROVIDED 11.92% =	9,435 SQ.M.
TOTAL PARKING PROVIDED =	967 SPACES INC. 16 H/C

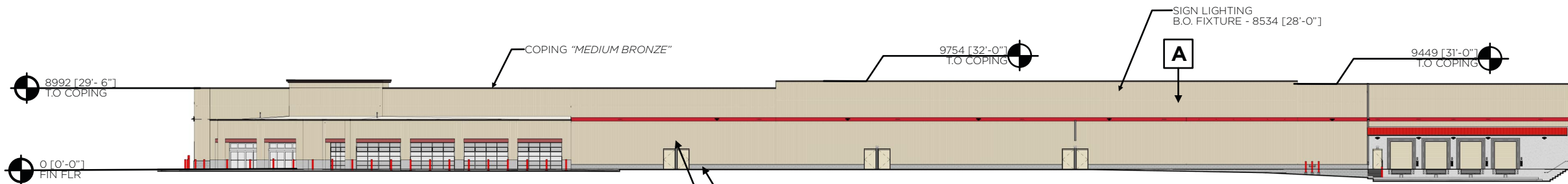
FUTURE
1-STOREY
COMMERCIAL
BUILDING
AREA 9,357 SQ.M.
PRKG: 418 STALLS

**PROPOSED COMMERCIAL
BUILDING
PARKING: 967 STALLS
19.56 ACRES**

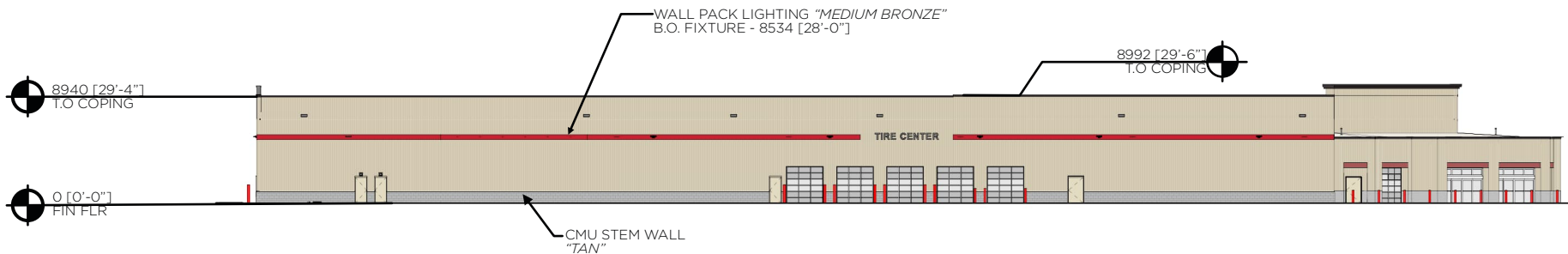
**R • O • C • K
DEVELOPMENTS**

ACCESS ROAD
(0.26 ACRES)

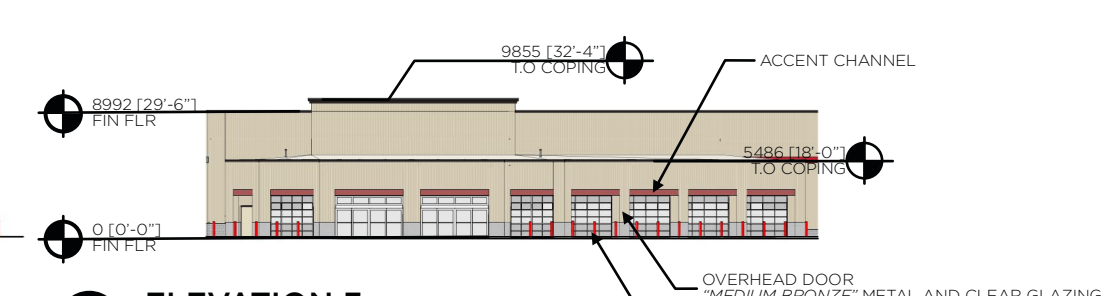
CATHERINE STREET



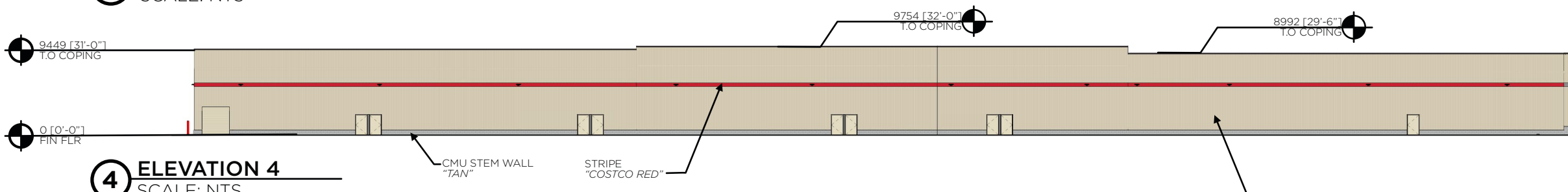
1 ELEVATION 1
SCALE: NTS



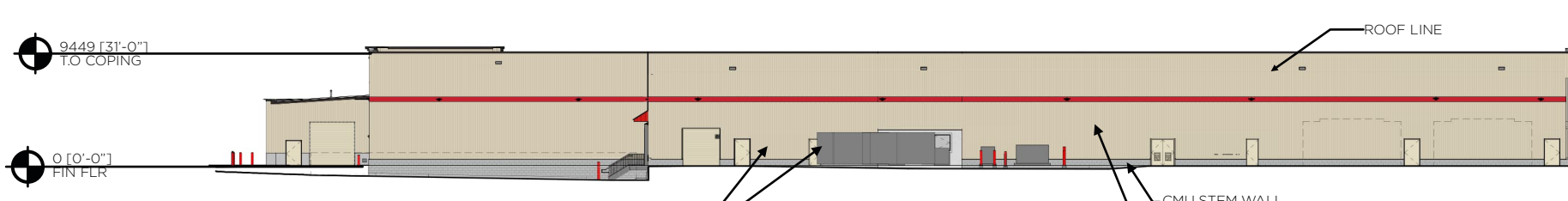
2 ELEVATION 2
SCALE: NTS



3 ELEVATION 3
SCALE: NTS



4 ELEVATION 4
SCALE: NTS



5 ELEVATION 5
SCALE: NTS

APPENDIX D – CONSULTATION

CITY OF WINDSOR - DEVELOPMENT ENGINEERING – JUAN PARAMO

The Official Plan, under the Forest Glade North Secondary Plan, identifies the need for two new north-south collector roads to service the area north of Tecumseh Road East, between Jefferson Street and Lauzon Parkway. These collector roads will extend from Tecumseh Road to the anticipated Catherine Street extension. The location of the new intersections along Tecumseh Road East for Roseville Garden and Catherine Street north/south, aligns with the planning and construction recommendations from the approved Tecumseh Road East Environmental Assessment already implemented for the area.

Additional planning will be undertaken as part of the ongoing Forest Glade North Municipal Class Environmental Assessment (EA), which is currently being undertaken jointly by the applicant with the City as a co-proponent. Detailed engineering designs for all new infrastructure is being completed concurrently with the EA to ensure the Secondary Plan area is properly serviced to current standards.

The applicant will be required to enter into a cost-sharing agreement for the construction of all essential infrastructure, including roads, sewers, watermain, streetlighting and stormwater management facilities to service the entire Forest Glade North planning area. Under this agreement, the applicant will be responsible for the costs associated with servicing their site, while the City will cover the costs for servicing other land in the area. Most of the City's contribution towards these new services will eventually be recovered when development proceeds on the benefitting vacant lands.

In summary we have no objection to the proposed development:

The site will be serviced by new sewer infrastructure as part of the overall servicing strategy for the area, in accordance with the approved Forest Glade North Municipal Class Environmental Assessment (EA). The EA's findings will guide the specific servicing approach for this site. All new sewer infrastructure will be designed and constructed in accordance with current engineering standards, to ensure that any new development in the area will not negatively impact the existing surrounding sewer network.

Servicing and right-of-way needs specific to the subject development will be further addressed through Site Plan Control, in accordance with the Forest Glade North EA once finalized. The following requirements, based on the information available to date, would be part of the Site Plan Control agreement.

Construction of Rights-of-way – The owner and the City agree to cost-share and construct all infrastructure required to service the Forest Glade North Planning Area in accordance with the approved Forest Glade North Environmental Assessment and subsequent Engineering Detail Design. The servicing infrastructure detailed design shall, include the following components:

1. The owner will be responsible for the extension of the Catherine Street right-of-way from the current terminus to Tecumseh Road in accordance with the final recommendations of the Forest Glade North Servicing Environmental Assessment. The recommended cross-section includes concrete roadway, curb and gutter, sidewalk, multi-use trail, watermain, sanitary sewers, storm sewers, utilities, traffic and streetlighting infrastructure.
2. The owner will be responsible for the extension of the Roseville Garden right-of-way from Tecumseh Road to Catherine Street in accordance with the final recommendations of the Forest Glade North Servicing Environmental Assessment. The recommended

APPENDIX D – CONSULTATION

cross-section includes concrete roadway, curb and gutter, sidewalk, multi-use trail, watermain, sanitary sewers, storm sewers, utilities, traffic and streetlighting infrastructure.

3. The construction of a regional stormwater management facility to service the Forest Glade North Secondary Plan Area including a pond, pump station, storm sewers, and associated infrastructure.
4. The construction of traffic control infrastructure including:
 - a. Partial implementation of signalized intersections at Tecumseh and Catherine Street, and Tecumseh and Roseville Garden.
 - b. The construction of a full signalized intersections at Catherine Street and Roseville Garden. Land requirement for this new intersection will be determined during Site Plan Control.
 - c. The removal of the existing signalized intersection at Tecumseh Road and Home Depot private road.
5. The owner will be responsible for adjustments to existing infrastructure as required to implement the overall project including:
 - a. The removal of the existing cul-de-sac at the Catherine Street terminus,
 - b. Widening of the existing Catherine Street roadway
 - c. Construction of a multi-use trail, and sidewalks along the existing Catherine Street right-of-way.
 - d. Replacement and relocation of driveways for affected sites,
 - e. Reconstruction of the raised median along the Home Depot private road on Tecumseh as part of the removal of the signalized intersection work and in accordance with the approved Tecumseh Road East Environmental Assessment.

Land Conveyance - Prior to the issuance of a construction permit, the owner (s) shall agree to gratuitously convey to the Corporation, the following rights-of-way:

1. A 22.0m wide right-of-way for the Catherine Street extension across property 6770 Tecumseh Road East (Part of Lots 121 & 122, Conc. 1 being Part 7 on Plan 12R17987)
2. A 22.0m wide right-of-way for the Catherine Street extension across property 6560 Tecumseh Road East (Part of Lot 120, Conc. 1 being Part 9 on Plan 12R26172)
3. Lands sufficient for a regional stormwater management facility at the rear of the subject lands. The estimated conveyance is 6.24 acres and is to be confirmed through Site Plan Control.

Easement Conveyance - Prior to the issuance of a construction permit, the owner shall gratuitously convey to the Corporation an easement across the subject lands extending from Catherine Street to the block identified as the Stormwater facility for the purposes of:

1. Access
2. Utility corridor
3. Stormwater overland Flow – major system
4. Stormwater sewer
5. Construction and maintenance

The dimensions of the easement will be confirmed during the Site Plan Control process.

APPENDIX D – CONSULTATION

Existing Watercourses and Natural Land Drainage - The owner agrees that no natural watercourses shall be blocked, abandoned, or otherwise altered during construction of this development unless approved by the City Engineer. No natural land drainage shall be cut off without adequate provision made for its interception, to the satisfaction of the City Engineer. The subject property currently has a drainage easement providing a stormwater outlet from the Home Depot site to the Hawkins Drain.

Sanitary Sampling Manhole - The owner agrees for all non-residential uses, to install a sanitary sampling manhole accessible at the property line of the subject lands to the City Engineer at all times. The determination of the requirement or interpretation if a sampling manhole exists or exceptions to such, will be to the satisfaction of the City Engineer.

Reciprocal Access – Prior to the issuance of a construction permit, the owner shall agree to provide reciprocal access for each lot over the adjacent lands, so that the rear lot has access to Catherine, in form satisfactory to the City Solicitor.

If you have any further questions or concerns, please contact Juan Paramo, of this department at jparamo@citywindsor.ca

CITY OF WINDSOR - LANDSCAPE & URBAN DESIGN – HODA KAMELI

There is no objection to this zoning and official plan amendment.

Require a Tree Inventory and Protection plan identifying which trees are to be retained and proposed preservation techniques to be implemented. As per O.P. Subsection 5.3.6, removal of any trees will require to be replaced or compensated to the satisfaction of the City Forester.

Urban Design Study, and more design review will be needed at Site Plan Control application. Council shall require a high standard of architectural and landscape design for Industrial and Business Park in accordance with the Urban Design chapter of this Plan.

CITY OF WINDSOR – PARKS & FACILITIES – FORESTRY – MARC EDWARDS

The Forestry Department previously requested that the developer follow the City of Windsor's Site Control Plan section 3.1 under existing trees. To date we have not received a tree inventory.

CITY OF WINDSOR – PARKS & FACILITIES – NATURAL AREAS – KAREN ALEXANDER

EER for 0 Catherine St. - Naturalist Areas Review - Date: January 10, 2024

Significance: potential Significant Wildlife Habitat, potential Regulated Species at Risk habitat

Proposal: Development proposal

Recommendation: Further work required to address the comments below

1. Include more detail to demonstrate the appropriate regard to the PPS (2024) 4.1.7, development and site alteration shall not be permitted in habitat of endangered and threatened species, except in accordance with provincial and federal requirements. Specifically,

APPENDIX D – CONSULTATION

- a. The northwest corner of the project area extends into grid 17LG3987 which lists Willow-leaved Aster (Thr, S2), and Brindled Madtom (NAR, S2). These species need to be regarded within this EER.
- b. Restricted Species (Eastern Foxsnake) is identified in 3 adjacent grids, 17LG3985, 17LG4086, and 17LG4087. MECP consultation is required to determine if Habitat Regulations for this species apply.

CITY OF WINDSOR - PLANNING & DEVELOPMENT SERVICES - HERITAGE PLANNING – TRACY TANG

The City of Windsor is in receipt of the Stage 1 Archaeological Assessment called "Stage 1 Archaeological Assessment - 0 Catherine Street, Part of Lots 118 to 123, Concession 1 Petite Cote, former Township of East Sandwich, County of Essex, now City of Windsor, Ontario", PIF #P1056-0246-2024, dated April 24, 2024, as well as the Stage 2 Archaeological Assessment called "Stage 2 Archaeological Assessment 0 Catherine Street (Formerly Part of Lots 118 - 123, Concession 1 Petite Côte, Geographic Township of East Sandwich, Essex County) Now City of Windsor, Ontario", PIF #P354-0083-2024, dated August 22, 2024 with a recommendation of "No Further Work" for the Study Area.

However, we require a copy of the letter from the Ministry confirming acceptance of the report in the Ontario Public Register of Archaeological Reports, as well as GIS Shapefiles of the Study Area.

CITY OF WINDSOR - PLANNING & DEVELOPMENT SERVICES - SITE PLAN CONTROL

The development proposal is subject to Site Plan Control pursuant to the Planning Act and City of Windsor By-law 1-2004. Where preceding development applications are required, inclusive of Official Plan and Zoning By-law Amendments, request for Site Plan Control Pre-Consultation Stage 1 may be made following completion of the requisite Development and Heritage Standing Committee meeting at <https://ca.cloudpermit.com/login>.

CITY OF WINDSOR - PLANNING & DEVELOPMENT SERVICES - ZONING COORDINATOR – CONNER O’ROURKE

Current Zoning: Holding – Manufacturing District 1.4 (HMD1.4)

Proposed Use: Major Commercial Centre / Retail Store / Gas Bar

Section 5 – General Provisions:

- Accessory Building [5.10]: Complies
- Exterior Finishing [5.37]: Complies
- Flood Protection & Natural Hazards Provisions [5.40]: Within ERCA regulated zone
- Railway Right-of-Way Provisions [5.60.1]:
 - [5.60.1.1] – minimum height of an earth berm (i.e. constructed continuously adjacent to the common boundary line between the lot and the railway right-of-way)
Required: minimum 2.50 m **Provided: 0.0 m**
 - [5.60.1.2] – minimum separation between railway right-of-way and commercial use:
Required: 30.0 m Provided: 54.0 m

APPENDIX D – CONSULTATION

- [5.60.1.3] – minimum separation maintained between the railway right-of-way and an industrial use: Not applicable

Section 24 – Parking, Loading, and Stacking Provisions – Overall Proposal:

- Number of Parking Spaces [24.20.5.1]:
Required: 1,090 Provided: 1,361
- Number of Type A Accessible Parking Spaces [24.24.1]:
Required: 11 Provided: 32
- Number of Type B Accessible Parking Spaces [24.24.1]:
Required: 11 Provided: **0**
- Number of Bicycle Parking Spaces [24.30.1]:
Required: 56 Provided: **0**
- Number of Loading Spaces [24.40.1.9]:
Required: 7 Provided: **6**
- Number of Stacking Spaces [24.50.1]: **Please provide stacking spaces for the proposed gas bar**

Section 24 – Parking, Loading, and Stacking Provisions – Phase 1:

- Number of Parking Spaces [24.20.5.1]:
670 (Required) 943 (Provided)
- Number of Type A Accessible Parking Spaces [24.24.1]:
8 (Required) 16 (Provided)
- Number of Type B Accessible Parking Spaces [24.24.1]:
8 (Required) 0 (Provided)
- Number of Bicycle Parking Spaces [24.30.1]:
35 (Required) 0 (Provided)
- Number of Loading Spaces [24.40.1.9]:
4 (Required) 4 (Provided)
- Number of Stacking Spaces [24.50.1]: **Provide stacking spaces for the gas bar**

Section 24 – Parking, Loading, and Stacking Provisions – Phase 2:

- Number of Parking Spaces [24.20.5.1]:
420 (Required) 418 (Provided)
However, will comply with the additional parking spaces from Phase 1
- Number of Type A Accessible Parking Spaces [24.24.1]:
5 (Required) 16 (Provided)
- Number of Type B Accessible Parking Spaces [24.24.1]:
6 (Required) **0 (Provided)**
- Number of Bicycle Parking Spaces [24.30.1]:
23 (Required) **0 (Provided)**
- Number of Loading Spaces [24.40.1.9]:
3 (Required) **2 (Provided)**

APPENDIX D – CONSULTATION

Section 25 – Parking Area Regulations – Phase 1:

- [25.5.10.3] – A curb shall bound the perimeter of a parking area and shall separate a landscaped open space yard.
- Access Area [25.5.30.4]: Required – Maximum: 9.00 m **Provided: 12.10m**

Section 25 – Parking Area Regulations – Phase 2:

- [25.5.10.3] – A curb shall bound the perimeter of a parking area and shall separate a landscaped open space yard.

CITY OF WINDSOR - TRANSPORTATION PLANNING – ELARA MEHRILOU

The Official Plan classifies Catherine Street as a Class 2 Collector, the EA will determine the required width. Per the Official Plan, a sidewalk is required on both sides of a Collector Road. The applicant shall agree to construct sidewalks, at their own expense, within the right-of-way, extending from the existing sidewalk fronting Catherine Street.

All parking must comply with ZBL 8600. Accessible parking spaces, bicycle parking spaces and loading spaces must comply with Zoning By-Law 8600 in quantity and dimensions.

The Phase 1 Retail Store requires 11 type A and 11 type B accessible parking spaces, 50 bicycle parking spaces and 4 loading spaces. Phase 2 retail requires 5 type A and 6 type B accessible parking spaces, 22 bicycle parking spaces and 3 loading spaces.

Transportation Planning received and reviewed the Transportation Impact Study memo project number 230538 dated 2024-08 -15 conducted by Paradigm Transportation Solutions limited:

- We are not satisfied that the right turn bay is not required for the west access. Also, the site plan shows that EBR trucks must occupy the opposite lanes to complete their maneuver. Having the right turn bay and a wider entrance/lane may solve this issue.
- Site plan shows, one of the commercial buildings is about 19.56 Acres while the TIS shows that about 158,000 sq. ft. Make sure the correct value is used in the site plan.
- It is not clear if active transportation facility e.g. sidewalk, is provided in the site plan, particularly to access to Phase 2. Providing suitable and safe access for commercial and consumer use for all proposed development is recommended.
- Please submit all simulation files, traffic counts in the original file format and excel.

All exterior paths of travel must meet the requirements of the Accessibility for Ontarians with Disabilities Act (AODA). All accesses shall conform to the TAC Geometric Design Guide for Canadian Roads and the City of Windsor Standard Engineering Drawings.

Curved curb not permitted within the right-of-way. The site plan to show the throat length.

ENWIN - HYDRO ENGINEERING: Keegan Morency Kendall

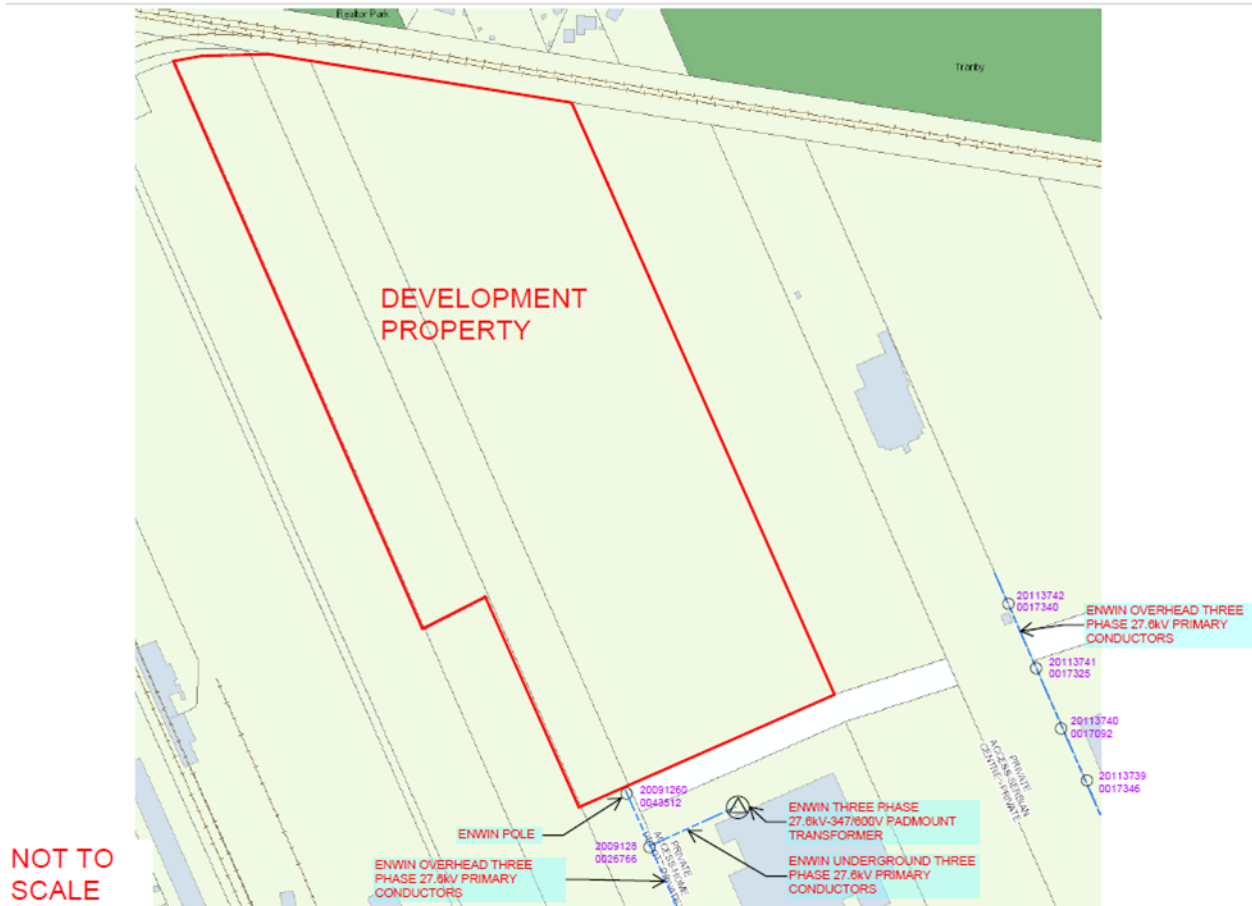
No objection provided adequate clearances are achieved and maintained. Please note the following.

- 1- ENWIN has three phase 27.6kV overhead primary conductors at the south west corner of the property.
- 2- ENWIN has three phase 27.6kV underground primary conductors servicing the Home Depot south of the property.
- 3- ENWIN has a pole line that ends at the south west corner of the property.

APPENDIX D – CONSULTATION

- 4- ENWIN has three phase 27.6kV overhead primary conductors that will cross the proposed expansion of Catherine St, located east of the property, to provide service to the Serbian Centre.

Please request locates prior to starting construction to ensure the location of all underground conductors in the area. Prior to working in these areas, we would suggest notifying your contractor and referring to the Occupational Health and Safety Act and Regulations for Construction Projects to confirm clearance requirements during construction. Also, we suggest referring to the Ontario Building Code for permanent required clearances for New Building Construction.



ENWIN - WATER ENGINEERING - Bruce Ogg

ENWIN Water has no objections.

ESSEX REGION CONSERVATION AUTHORITY (ERCA) – ALICIA GOOD

Natural Hazards and Regulatory Responsibilities Under the Conservation Authorities Act, O. Reg 686/21, PPS

The following comments reflect ERCA's role in protecting people and property from the threats of natural hazards and regulating development hazards lands under Section 28 of the *Conservation Authorities Act*.

The above noted lands are subject to our Regulation under the *Conservation Authorities Act* (Ontario Regulation No. 41/24). The parcel falls within the regulated area of the

APPENDIX D – CONSULTATION

Hawkins Drain. The property owner will be required to obtain an approval from the Essex Region Conservation Authority prior to any construction or site alteration or other activities affected by Section 28 of the *Conservation Authorities Act*.

Our office understands that the subject lands are proposed to be consolidated and reconfigured into three parcels through the Consent process. We additionally understand that the future developments will be subject to Site Plan Control.

We are concerned with the potential impact of the quality and quantity of runoff in the downstream watercourse due to future development of this site. We recommend that the municipality ensure through the Site Plan Control process that the release rate for any future development is controlled to the capacity available in the existing storm sewers/drains.

Our office has no concerns with the proposed Official Plan Amendment to permit large scale commercial uses in the Business Park designation. Further, our office has no concerns with the proposed Zoning By-law Amendment to allow for commercial uses.

ERCA requires to be circulated with the Applications for Consent for this project. To support these consents, our office needs to have a level of confidence that the parcel containing the stormwater management facility is large enough to support the proposed developments. Our office requires to review the detailed design of the proposed stormwater management system at the time of circulation of the Applications for Consent. This design must also specify how the stormwater management of the individual sites will be addressed through the Site Plan Control process. Our office is happy to provide any further clarification regarding this matter through discussions with the applicant.

ERCA additionally requires to be circulated with the Applications for Site Plan Control for this project.

Final Recommendation - As noted above, our office has **no objection** to OPA 192 OPA-7265 and Z-042-24. We require to be circulated with the Applications for Consent for this project. Our office requires to review the detailed design of the proposed stormwater management system at the time of circulation of the Applications for Consent. We additionally require to be circulated with the Applications for Site Plan Control at the appropriate time.

TRANSIT WINDSOR – JASON SCOTT

Transit Windsor has no objections to this development. The closest existing transit routes to this property are with the Transway 1C, Ottawa 4, and Route 418X along Tecumseh Road East. The closest existing bus stop to this property is located on Tecumseh Road East at the Northeast Corner to the Home Depot property at the traffic signal. This bus stop is approximately 350 metres from this property falling within Transit Windsor's 400 metre walking distance guidelines to a bus stop.

It is proposed that once the roads are developed in this area to access this property, that Transit Windsor will alter one of its routes in this area to travel along the new roads to better service this development. Transit Windsor's City Council approved Transit Master also has an additional new secondary route further adding new service to this area. This would be subject to City Council operating budget approval for implementation. Timelines are unknown currently.

APPENDIX D – CONSULTATION

VIA RAIL – PAUL CHARBACHI

The Applicant must submit engineering drawings signed and sealed by a certified professional. The engineering drawings will be reviewed by an engineering firm designated by VIA at the Applicant's expenses. The Applicant must also submit locates to VIA. The locates must be submitted to VIA electronically and physically. The Applicant must meet the following requirements:

Transport Canada: *Railway Safety Act*, Part III, Sections 24 and 25.

For Clearance:

- *Railway Right of Way Access Control Policy*;
- *Wire Crossings and Proximities Regulations* – C.R.C., c. 1195;
- *Standards Respecting Railway Clearances* – TC E-05;
- Notice of Railway Works Regulations, a copy of the notice must be sent to VIA.

Canadian Standards Association:

- CAN/CSA C22.3 No. 1 – Overhead Systems;
- CAN/CSA C22.3 No. 7 - Underground Systems;
- CAN/CSA Z662 – Oil and Pipeline Systems;
- CAN/CSA-B137.4 - Polyethylene Piping Systems for Gas Services.

VIA:

- *Buried Signal and Communication Guidelines*;
- *Guidelines for New Development*;
- *guidance which the Federation of Canadian Municipalities (FCM) has created on this topic specifically, you can find their guidance within the following link: Guidelines for New Development in Proximity to Railway Operations.*
- Adjacent landowners, buildings and overhead structures are not allowed to drain or modify existing drainage ways to divert water onto railway property without a hydraulic study and approval of the VIA Rail Infrastructure Department.
- All loads must be in compliance with Cooper E90;
- Inspection frequency and submittal
- Agreements signed between Via and the applicant

The Federation of Canadian Municipalities and the Railway Association of Canada:

- *Guidelines for New Development in Proximity to Railway Operations.*

Other:

- Proper fencing must be included or planned to be installed in order to avoid any trespassing or intrusions into the VIA right-of-way;
- All fence maintenance will be done on the Applicant expense.

In addition, the Applicant must comply with the following areas of concern for which VIA request information, reassurances and/or commitments with regards to the application:

APPENDIX D – CONSULTATION

Utilities:

- Electrical and Gas Supply - VIA would like assurances from the City and the Applicant that the new development will not negatively impact on the capacity, availability, stability of the supply and future growth capability thereof.
- Communications - VIA would like assurances from the City and the Applicant, that the new development will not impact VIA's operations as a result of potential alterations to the existing cellphone towers or any other fibre-optic infrastructures supplying the VIA station and property.

Water & Wastewater:

- Drainage Sanitary/Storm - VIA would like assurances that the new development will not limit or interfere with its operations, specifically the main sanitary drainage that runs South-to-North from the Train Yards, through VIA's property towards the proposed development.
- Water supply - VIA would like assurances that the new development will not affect the supply and water pressure that is provided for the station.

Construction Disturbances:

- VIA requests a copy of the Pedestrian study (from New Development).
- VIA is concerned by the flow of people that will go through our premises (either interior or exterior) to access the station.

Neighbour Relationships:

- VIA requests the Applicant's monitoring and management plan of the impacts of its construction, including but not limited to:
 - Air contaminants / Dust pollution;
 - Noise pollution / Working hours;
 - Existing conditions;
 - and the impacts of vibrations.
- VIA requests the Applicant's communication and management plan for future tenants and or owners of the project with respect to VIA's active train station nearby, that may produce one or more of, but not limited to, the following: emission of noise, dust, vibration, fumes, odours and other gaseous or non-gaseous emissions that may affect the enjoyment of the development for which VIA shall not be held responsible.

VIA requests the Applicant's commitment to making all efforts not to interfere with VIA's operations, VIA's track infrastructure or use of VIA property. When in the vicinity of VIA property or Railway right-of-way, VIA requests the Applicant commitment to comply with and conform to all VIA, Department of Transport and Canadian Transportation Agency rules and regulations, or any other authority having jurisdiction.

When and where the City's or the Applicant's actions, whether direct or indirect, negatively impact any of the above, VIA's operations, and or VIA's property, VIA wants assurances from the City and the Applicant that they will take all necessary and possible steps to mitigate or eliminate those impacts.

Considering our requests, VIA requires the City and the Applicant to indemnify VIA against any and all claims, damages or proceedings (including legal costs and other costs and expenses) that may arise in relation to the non-compliance to any condition contained in this letter.



Subject: Official Plan Amendment and Zoning By-law Amendment Applications for the property known as 0 North Service Road; Applicant: Dardevco Inc.; File Nos. OPA 191 [OPA/7261] and Z-029/24 [ZNG/7233]; Ward 8

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

Decision Number: **DHSC 699**

- I. THAT the City of Windsor Official Plan, Volume II, Part 1 – Special Policy Areas, **BE AMENDED** by adding site specific policies as follows:

1.X WEST SIDE OF NORTH SERVICE ROAD EAST, BETWEEN JEFFERSON BOULEVARD AND CLEMENCEAU BOULEVARD

1.X.1 The property described as Lot 205, Registered Plan 1153, [PIN 01562-0241 LT] located on the west side of North Service Road East, between Jefferson Boulevard and Clemenceau boulevard, is designated on Schedule A: Planning Districts and Policy Areas in Volume I – The Primary Plan.

1.X.2 Notwithstanding the policy in section 7.3.2.3 of the Official Plan, Volume I, a new development for self-storage facility shall be permitted on the property described as Lot 205, Registered Plan 1153, [PIN 01562-0241 LT] without municipal sanitary sewer and water infrastructure available to service the subject land, provided the self-storage facility has no office space, washroom/toilet, and no space(s) requiring municipal sanitary sewer and/or water service.

- II. THAT Zoning By-law 8600 **BE AMENDED** for the land located on the west side of North Service Road East, between Jefferson Boulevard and Clemenceau boulevard, described as Lot 205, Registered Plan 1153, [PIN 01562-0241 LT], by adding the following site-specific zoning provision to Section 20(1);

“524. WEST SIDE OF NORTH SERVICE ROAD EAST, BETWEEN JEFFERSON BOULEVARD AND CLEMENCEAU BOULEVARD

For the lands comprising Lot 205, Registered Plan 1153, [PIN 01562-0241 LT], a *Self-storage facility* shall be an additional permitted use, and the following provisions shall not apply:

- a) Section 5.2.10 – with respect to availability of municipal sanitary sewer and municipal water service, provided the *self-storage facility* has no office space, washroom/toilet, and no space(s) requiring municipal sanitary sewer and/or water service;
- b) Sections 5.67.1 & 5.67.3.
- c) Sections 24.26.5 & 24.40.20.3.

[ZDM 11 & 15; ZNG/7233]”

III. THAT the holding zone provisions **SHALL APPLY** to the subject land described as Lot 205, Registered Plan 1153, [PIN 01562-0241 LT], save and except the use of the subject land for a self-storage facility that does not require sanitary sewer and water service.

IV. THAT the H symbol may be removed when the applicable holding conditions in Section 95.10 of By-law 8600 have been satisfied.

V. THAT the Site Plan Approval Officer **BE DIRECTED** to consider the comments in Appendix C attached to this report, and incorporate the items in paragraph (a) below in the Site Plan Agreement, along with other relevant requirements identified in the Site Plan Control approval process for the proposed development on the subject land:

- a) The Site Plan Control Agreement shall incorporate the following:
 - **SIDEWALKS** – The Owner shall pay, prior to the issuance of a Building Permit, the sum of \$7,606.00 as contribution towards the future construction of a concrete sidewalk on the North Service Road East frontage of the subject land.

-
- *STREET LIGHTING* - The Owner shall pay, prior to the issuance of a Building Permit, a sum to be determined by traffic operations towards the future construction and installation of streetlighting including all poles, wiring, fixtures, and conduits with design, location and specifications satisfactory to the City Engineer and EnWin Utilities Ltd. Should the decorative poles be requested, the owner shall provide extra poles and/or funds in accordance with Council Resolution 743/2000.

Carried.

Report Number: S 5/2025
Clerk's File: Z/14913 & Z/14865

Clerk's Note:

1. The recommendation of the Development & Heritage Standing Committee and Administration are the same.
2. Please refer to Item 7.2 from the Development & Heritage Standing Committee held on February 3, 2025.
3. To view the stream of this Standing Committee meeting, please refer to:
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20250203/-1/10538>

Subject: Official Plan Amendment and Zoning By-law Amendment Applications for the property known as 0 North Service Road; Applicant: Dardevco Inc.; File Nos. OPA 191 [OPA/7261] and Z-029/24 [ZNG/7233]; Ward 8

Reference:

Date to Council: February 3, 2025
Author: Justina Nwaesei, MCIP, RPP
Planner III - Development
519-255-6543, ext. 6165
jnwaesei@citywindsor.ca

Planning & Building Services
Report Date: January 15, 2025
Clerk's File #: Z/14913 & Z/14865

To: Mayor and Members of City Council

Recommendation:

I. THAT the City of Windsor Official Plan, Volume II, Part 1 – Special Policy Areas, **BE AMENDED** by adding site specific policies as follows:

1.X WEST SIDE OF NORTH SERVICE ROAD EAST, BETWEEN JEFFERSON BOULEVARD AND CLEMENCEAU BOULEVARD

1.X.1 The property described as Lot 205, Registered Plan 1153, [PIN 01562-0241 LT] located on the west side of North Service Road East, between Jefferson Boulevard and Clemenceau boulevard, is designated on Schedule A: Planning Districts and Policy Areas in Volume I – The Primary Plan.

1.X.2 Notwithstanding the policy in section 7.3.2.3 of the Official Plan, Volume I, a new development for self-storage facility shall be permitted on the property described as Lot 205, Registered Plan 1153, [PIN 01562-0241 LT] without municipal sanitary sewer and water infrastructure available to service the subject land, provided the self-storage facility has no office space, washroom/toilet, and no space(s) requiring municipal sanitary sewer and/or water service.

II. THAT Zoning By-law 8600 **BE AMENDED** for the land located on the west side of North Service Road East, between Jefferson Boulevard and Clemenceau boulevard, described as Lot 205, Registered Plan 1153, [PIN 01562-0241 LT], by adding the following site-specific zoning provision to Section 20(1);

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For the lands comprising Lot 205, Registered Plan 1153, [PIN 01562-0241 LT], a *Self-storage facility* shall be an additional permitted use, and the following provisions shall not apply:

- a) Section 5.2.10 – with respect to availability of municipal sanitary sewer and municipal water service, provided the *self-storage facility* has no office space, washroom/toilet, and no space(s) requiring municipal sanitary sewer and/or water service;
- b) Sections 5.67.1 & 5.67.3.
- c) Sections 24.26.5 & 24.40.20.3.

[ZDM 11 & 15; ZNG/7233]”

III. THAT the holding zone provisions **SHALL APPLY** to the subject land described as Lot 205, Registered Plan 1153, [PIN 01562-0241 LT], save and except the use of the subject land for a self-storage facility that does not require sanitary sewer and water service.

IV. THAT the H symbol may be removed when the applicable holding conditions in Section 95.10 of By-law 8600 have been satisfied.

V. THAT the Site Plan Approval Officer **BE DIRECTED** to consider the comments in Appendix C attached to this report, and incorporate the items in paragraph (a) below in the Site Plan Agreement, along with other relevant requirements identified in the Site Plan Control approval process for the proposed development on the subject land:

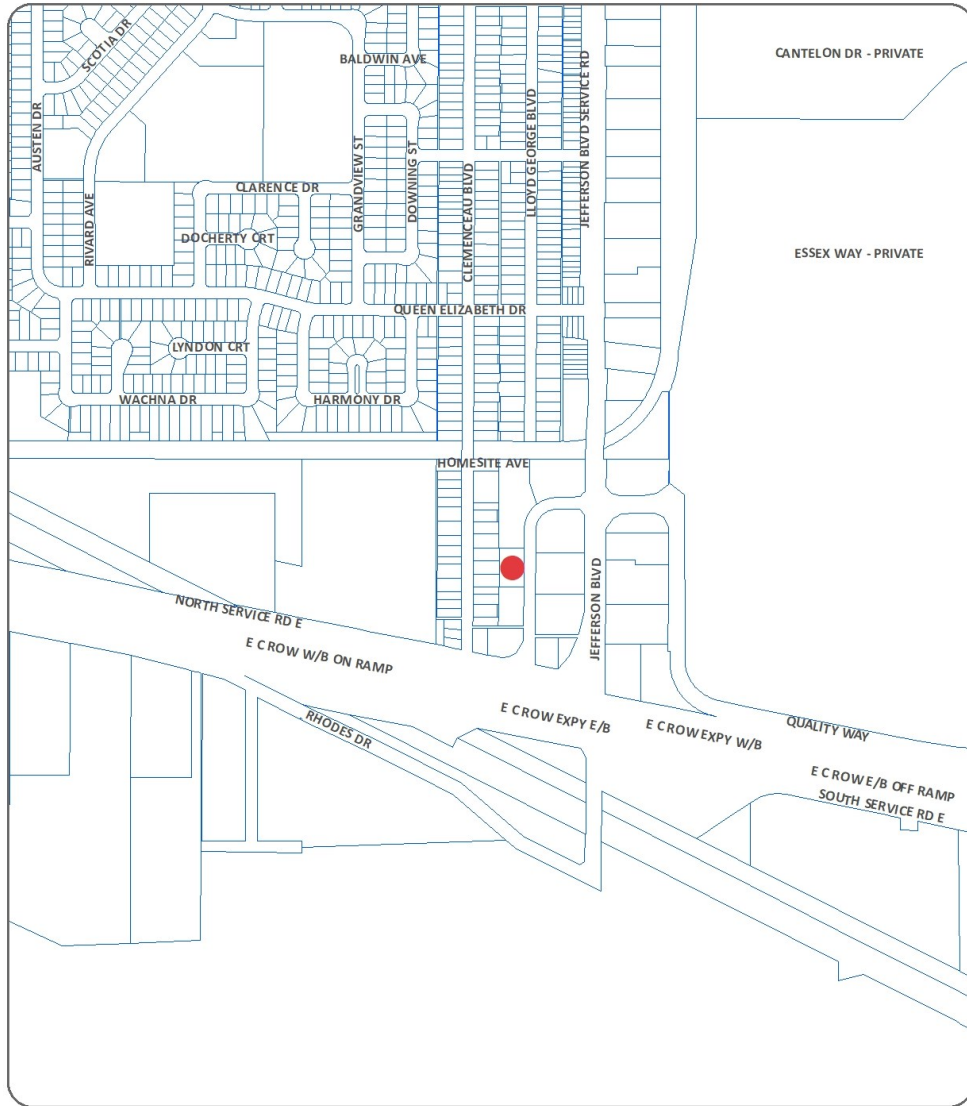
- a) The Site Plan Control Agreement shall incorporate the following:
 - *SIDEWALKS* – The Owner shall pay, prior to the issuance of a Building Permit, the sum of \$7,606.00 as contribution towards the future construction of a concrete sidewalk on the North Service Road East frontage of the subject land.
 - *STREET LIGHTING* - The Owner shall pay, prior to the issuance of a Building Permit, a sum to be determined by traffic operations towards the future construction and installation of streetlighting including all poles, wiring, fixtures, and conduits with design, location and specifications satisfactory to the City Engineer and EnWin Utilities Ltd. Should the decorative poles be requested, the owner shall provide extra poles and/or funds in accordance with Council Resolution 743/2000.

Executive Summary:

N/A

Background:

- 1. KEY MAP:



KEY MAP - Z-029/24, ZNG/7233 & OPA 191, OPA-7261



● SUBJECT LANDS

2. APPLICATION INFORMATION

LOCATION: 0 North Service Road (on the west side of North Service Road East between Jefferson Blvd and Clemenceau Blvd, abutting the north limit of the property municipally known as 6010 North Service Road East)

ROLL No.: 070-640-03100

APPLICANT: DARDEVCO INC. (c/o Michael Primeau)

AGENT: PILLON ABBS INC., (c/o Tracey Pillon-Abbs)

REGISTERED OWNER: SAME AS APPLICANT

PROPOSAL: The applicant proposes to amend the existing MD1.4 zoning district on the subject land to a site-specific MD1.4 to permit self-storage units (shipping containers) as an additional permitted use on the subject land.

The proposed amendment is intended to facilitate the construction of self-storage shipping container units for household use. Access to the site will be from North Service Road East with two (2) entrance locations. Each access will be gated with security features. Parking for a total of 3 parking spaces is provided (includes 1 barrier free space.)

The applicant also requests to amend the Official Plan by adding a site-specific policy direction to permit a new development with no sanitary sewer to service the subject land. The requested OPA is based on the fact that the proposed self-storage facility, as designed, does not require sanitary sewer service.

The development as proposed is subject to Site Plan Control.

SUBMISSIONS BY APPLICANT:

- Zoning By-law Amendment Application Form
- Official Plan Amendment Application Form
- Notice of Electronic Public Open House by Pilon Abbs Inc.
- Public Information Centre (PIC) Registration Report
- Open House PowerPoint Presentation by Pilon Abbs Inc.
- Concept Plan dated November 2023
- Planning Justification Report, dated December 3, 2024, by Pilon Abbs Inc.
- Building Elevations
- Tree Inventory and Preservation Plan, dated April 18, 2024, by Bezaire and Partners
- Topographic Plan of Survey, dated July 13, 2021

Copy the link below to access the above materials located on the City’s website:

<https://www.citywindsor.ca/residents/planning/land-development/development-applications/current-development-applications/0-north-service-road>

3. SITE INFORMATION

OFFICIAL PLAN	ZONING & ZDM	CURRENT USE(S)	PREVIOUS USE(S)
BUSINESS PARK [Sch. D: OP Vol. 1)	MANUFACTURING DISTRICT 1.4 (MD1.4); ZDM11&15	Vacant	unknown
FRONTAGE	DEPTH	AREA	SHAPE
66.14 m along North Service Rd	41.22m	2726.65 m ² . (0.674 acres)	Rectangular
Note: All measurements are approximate			

4. REZONING MAP



PART OF ZONING DISTRICT MAPS 11 & 15

N.T.S.

REQUESTED ZONING AMENDMENT

Applicant: Dardevco Inc.



SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT



DATE : DECEMBER, 2024
FILE NO. : Z-029/24, ZNG/7233

5. NEIGHBOURHOOD CHARACTERISTICS

NEIGHBOURHOOD MAP



NEIGHBOURHOOD MAP - Z-029/24, ZNG/7233 &
OPA 191, OPA-7261



SUBJECT LANDS

The subject neighbourhood is characterized by a mix of uses comprising industrial, commercial, and low-profile residential developments.

SURROUNDING LAND USE

On the North side of the subject land, there is a plaza (Jefferson Commerce Centre) with variety of business activities at 3215 North Service Road East.

Northeast of the subject land contains an existing manufacturing facility (Force Automation) at 3215 Jefferson Blvd.

On the West side of the subject land, along both sides of Clemenceau Blvd, there are low profile residential developments of the single detached (single unit dwellings) form of housing. Further west is a Rail Yard owned by Canadian National Railway Company.

North Service Rd abuts the East side of the subject land, and employment uses (Mark's Plumbing HVAC and Sequel Tool and Mold) are next east, abutting the east limit of North Service Rd ROW.

An employment use (motorcycle dealer) abuts the South side of the subject land.

MUNICIPAL INFRASTRUCTURE

- The City's records show there is a 1,350 mm diameter RCP storm sewer within the North Service Road E. right-of-way.
- There are hydro poles in the closed alley at the rear, and fire hydrant on west side of North Service Road right-of-way.
- There are concrete curbs and gutters on the both sides of the North Service Rd right-of way all the way to the bend heading towards Clemenceau intersection, but there is no sidewalk.
- The closest existing transit route to the subject property is with the Central 3, which has direct service along North Service Rd E. The closest existing bus stop is located approximately 160 metres from the subject property to this property, along North Service Rd E, at the northwest Corner of Jefferson Blvd intersection.
- North Service Road is classified as Class 1 Collector Road, and Jefferson Blvd is a Class 2 Arterial Road.

Discussion:

PLANNING ANALYSIS:

1. PROVINCIAL PLANNING STATEMENT (PPS) 2024

The Provincial Planning Statement is a policy statement issued under the authority of section 3 of the Planning Act. The Provincial Planning Statement (PPS) 2024 came into effect on October 20, 2024. PPS 2024 applies to all decisions in respect of the exercise of any authority that affects a planning matter made on or after October 20, 2024.

In respect of the exercise of any authority that affects a planning matter, section 3 of the Planning Act requires that decisions affecting planning matters shall be consistent with policy statements issued under the Act, such as PPS 2024.

Comments, submissions or advice that affect a planning matter that are provided by the council of a municipality, a local board, a planning board, a minister or ministry, board, commission or agency of the government shall be consistent with the Provincial Planning Statement.

The applicant's consultant submitted a revised Planning Rationale Report (PRR) dated December 3, 2024, which addresses relevant policies of the Provincial Planning Statement (PPS) 2024. The PRR and other required support studies, reports, and information received for the subject applications can be accessed on the city's website by copying the this link: <https://www.citywindsor.ca/residents/planning/land-development/development-applications/current-development-applications/0-north-service-road>

The applicant's PRR explains salient details of the applications, provides an analysis of the key policy considerations of the PPS as it relates to the proposed development on the subject land, and provides information and supporting reasons why the OPA and ZBA applications should be considered and approved. According to the applicant's planning consultant, the proposed use will provide for the needs of nearby residences and businesses by providing storage opportunities.

The applicant's planning consultant analyzed the PPS policies in section 5.1 of the revised PRR dated December 3, 2024. I have reviewed the planning analysis in the revised PRR and deem the Planning Consultant's analysis to be acceptable.

The PRR confirms that full municipal infrastructure is available within the surrounding area but not along the frontage of the subject land. The PRR also confirms that full municipal services are not required for the proposed self storage use. Therefore, it is understood that the absence of municipal sanitary sewer and water service on the subject land will have no impact on the proposed development.

The applicant's planning consultant concludes as follows: *"This PRR has shown that the proposed development is consistent with the PPS, conforms with the intent and purpose of the OP and ZBL and represents good planning."*

2. OFFICIAL PLAN (OP):

The site is designated "Business Park" in Schedule D - Land Use, City of Windsor Official Plan (OP) Vol. 1. The Business Park land use designation provides for business and industrial uses of a similar quality and character to locate together in highly visible areas according to a comprehensive development plan. Copy the following link to access the Business Park Policies (s.6.4.4) of the OP:

<https://www.citywindsor.ca/documents/residents/planning/plans-and-community-information/windsor-official-plan/Chapter%206%20-%20Land%20Use.pdf>

The proposed self-storage facility is similar to a warehouse, in some ways. The Business Park land use designation lists a warehouse as a permitted ancillary use. Also, a self-storage facility does not cause dust, noise, or vibration, and there is no outside storage required or proposed. Therefore, it makes sense to accept a *self-storage facility* as an appropriate use of the subject land in the Business Park land use designation.

It should also be noted that in 2010, council adopted CR72/2010 to approve a *self-storage facility* as a site-specific additional permitted use on the property municipally known as 3215 Jefferson Blvd, situated northeast of the subject land and designated Business Park in the Land Use Schedule D of OP Vol. 1. See CR 72/2010 below:

*“That an amendment to Zoning By-law 8600 requested by KFJ Holdings Ltd. **BE APPROVED** changing the zoning of Lots 203 and 204, Part of Lots 223 and 216, Part of Block “C”, Part of Homesite Avenue, and Part of the alley (designated as Parts 1,2,3,4 and 5, 12R-18423), Registered Plan 1153 by adding a site-specific provision to permit the following additional uses:*

- *Athletic or sports facility; club; health studio;*
- *A place of entertainment and recreation; a private hall;*
- *Garden Centre;*
- *Micro-brewery;*
- *Self-storage facility”*

Council subsequently passed By-law 51/2010 to permit the above site-specific additional permitted uses on the property known as 3215 Jefferson Blvd.

Locational Criteria, s.6.4.4.3: Business Park development shall be located where:

(a) the business park use can be sufficiently separated and/or buffered from sensitive land uses; [The ZBA meets this requirement. The applicant’s PRR indicates that the proposed development will serve as a buffer between the residential uses to the west and the manufacturing uses to the east. There is a 6.1 m landscape buffer between the proposed development and the abutting residential uses at the rear.]

(b) the site will be accessible and highly visible from Controlled Access Highway or a Class I or Class II Arterial Road; [The ZBA meets this requirement. The subject land fronts on North Service Road and has access to a Class 2 Arterial Road (Jefferson Blvd). Visibility from Jefferson Blvd might be impaired by existing developments on the west side of Jefferson Blvd and east side of North Service Road.]

(c) full municipal physical services can be provided; [Full municipal services can be provided by extension of existing municipal watermain and sanitary sewer to the subject site. The level of available municipal services is sufficient for the proposed development. Therefore, the intent of this requirement is achieved by the recommended OPA & ZBA]

(d) business park related traffic can be directed away from residential areas; [The recommended ZBA meets this requirement]

(e) public transportation service can be provided; [The recommended ZBA meets this requirement. Transit Windsor Bus route, Central 3, provides direct service along North Service Rd E. There is a bus stop 160m away from the subject land]; *and*

(f) there is access to designated truck routes [The recommended ZBA meets this requirement. North Service Road, Jefferson Blvd, and some nearby ROWs are Truck Routes].

The applicant's PRR demonstrates that the proposed development meets the locational criteria (s.6.4.4.3, OP Vol. 1) and the Evaluation Criteria (s.6.4.4.4, OP Vol. 1). The Business Park design guideline in s.6.4.4.5, was also analyzed in the PRR, and further review of s.6.4.4.5 will occur at the time of Site Plan Control review and approval. The PRR also confirms that the Zoning By-law Amendment Evaluation Criteria in s.11.6.3.3 of OP Vol. 1, are satisfied.

The provision of infrastructure such as sewerage and stormwater management works and utilities allows all land uses to serve their intended function, and ensures a safe and healthy environment. In order to accommodate sustainable, efficient and effective infrastructure, Council will ensure that they are provided and maintained in an orderly and coordinated fashion [*Infrastructure Policy (s.7.3) of the OP, Vol. 1.*]

Infrastructure include sewerage, stormwater management and water works, waste management systems, electric power, communications, telecommunications, transit corridors, transportation corridors, and oil and gas pipelines and associated facilities [*per s.7.3.2.1, OP Vol. 1.*]

Council shall require all new developments to have full municipal infrastructure available, or agreements in place to provide such infrastructure, as a condition of approving a development proposal. [*New Development Policy, s.7.3.2.3, of OP Vol. 1.*]

There is no sanitary sewer along the frontage of the lands abutting North Service Rd ROW from Jefferson to Clemenceau. The closest sanitary sewer trunks are found along Clemenceau Blvd, Jefferson Blvd, and the closed Homesite Avenue. Also, there is no watermain in front of the subject property. The watermain stops in front of 5950 North Service Road East, approximately 100 m from the south limit of the subject land.

Typically, lack of full municipal infrastructure, with no plan or agreement in place to provide the full municipal infrastructure, would be sufficient grounds to recommend against a development proposal. However, due to the nature of what is being proposed, city staff (both engineering and planning) are supporting the applicant's request for a site-specific OPA to allow the proposed development to proceed without full municipal services.

It should be noted that sanitary sewer will not be required for the proposed use. As per the requested Official Plan Amendment for this site, this development of a self-storage facility on the subject site is being supported as a site-specific business park use consisting of a self-storage facility with no sewer requirements and no watermain available to service the site. Any land use necessitating sanitary services and/or water

supply will require new sanitary services and watermain to be installed at the frontage of the property.

The recommended OPA is deemed consistent with PPS 2024, because there is full municipal servicing available within the subject area and this report contains recommendations to ensure that any proposed development on the subject land, besides self storage facility, cannot proceed without the extension of the nearby sanitary sewer and water service.

3. ZONING

The subject land is zoned Manufacturing District 1.4 (MD1.4) by City of Windsor Zoning By-law 8600. A copy of By-law 8600 can be found on the city's website by copying this link:

<https://www.citywindsor.ca/documents/city-hall/by-laws-online/Consolidated%20Zoning%20By-law%208600%202024%20DEC%2019.pdf>

PROPOSED DEVELOPMENT: Self-storage facility. The MD1.4 does not permit a self-storage facility; therefore, the recommended ZBA is necessary to permit the proposed development on the subject land.

Section 3.10 of By-law 8600 defines "SELF-STORAGE FACILITY" as follows:

"SELF-STORAGE FACILITY means a building divided into individual self-contained storage units, which are available to the public exclusively for the storage of their equipment or goods, and may include in combination with the lease or rental of a motor vehicle or trailer for the purpose of moving equipment or goods, the lease, rental, or sale of accessories, equipment, materials, or supplies for the purpose of packing, moving, storage, or towing, faxing, mailbox, packing, and the provision of mailbox, packing, shipping, or shredding services. A transport terminal or warehouse is not a self-storage facility."

REQUESTED SITE-SPECIFIC ZONING PROVISIONS: The applicant's conceptual plan is attached as Appendix A to this report. Several zoning issues have been identified, and the applicant has requested relief from the following sections of By-law 8600:

- a) **SECTIONS 24.26.5 & 24.40.20.3** - Parking and Loading space locations, respectively.
 - *"A parking space, visitor parking space or accessible parking space is prohibited in a required front yard or required landscaped open space yard, except on a lot occupied by a single-unit dwelling, semi-detached dwelling, duplex dwelling or a townhome dwelling unit, a parking space, visitor parking space or accessible parking space is permitted in a required front yard", per section 24.26.5.*
 - *"A loading space or access area thereto is prohibited in a required front yard", per section 24.40.20.3.*

- b) **SECTION 25.5.10.3** – Construction & Maintenance of Parking Area.
 - *"A curb shall bound the perimeter of a parking area and shall separate a landscaped open space yard, landscaped open space island or parking area separation from the parking area."*

It should be note that Zoning By-law 8600 defines a parking area as follows:

PARKING AREA means an area used for parking spaces, bicycle parking spaces and loading spaces and includes all collector aisles and parking aisles. A loading compound, outdoor storage yard, or transport storage area is not a parking area.

It should also be noted that Section 25 – Parking Area Provisions of By-law 8600 states in subsection 25.1.1, “*The provisions in this Section apply to the construction or maintenance of a **parking area containing five or more parking spaces, accessible parking spaces, visitor parking spaces or combination thereof in all zoning districts in this by-law.***”

Take note that the concept plan for the proposed development shows only 3 parking spaces proposed; therefore, **the provision in s.25.5.10.3 does NOT apply.**

c) *SECTION 5.67 – Required Yard in Manufacturing District.*

- *5.67.1 - “A required yard shall be maintained exclusively as a landscaped open space yard, save and except that an access area may cross a required yard.”* In addition to the requested relief from s.5.67.1, it is also important to address the provision in s.5.67.3.
- *5.67.3 – “Within a required yard, a refuse container, a loading space, an outdoor storage yard, or the display, loading, parking, repairing, servicing, storing, or unloading of a commodity, equipment, material, motor vehicle, transport truck, or transport trailer is prohibited.”*

The proposed development is situated on a parcel that backs unto residential development. Section 6.4.4.5 - Design Guidelines, of the OP requires “*the provision of appropriate landscaping or other buffers to enhance: (i) all parking lots, and outdoor loading and service areas; (ii) the separation between the use and adjacent sensitive uses, where appropriate...*”

The MD1.4 requires a minimum Front Yard Depth of 9.0 m (applicant proposes 10.6m), and a minimum Rear Yard Depth of 6.0 m from a rear lot line that abuts a lot on which a dwelling or dwelling unit is located (applicant proposes 6.1m).

The proposed 6.1m rear yard depth is shown as a landscaped open space yard, but the proposed 10.6m front yard depth contains 1 loading space and 3 parking spaces. Therefore, the concept plan does not comply with section 5.67.1 and 5.67.3 of By-law 8600.

An analysis of adjacent lands (north, south, and east) zoned MD1.4 shows that, with respect to s.5.67, existing MD1.4 lands adjacent to the subject land exhibit the same non-compliance identified on the proposed development’s concept plan.

Planning staff support the applicant’s request for relief from s.5.67.1 and s.5.67.3.

d) *SECTION 5.2.10 – Prohibitions.*

- *“The erection of a building or structure on a lot is prohibited except where all of the following are available: a street paved to the satisfaction of the City Engineer; municipal storm water outlet; municipal sanitary sewer; municipal electrical service; and municipal water service.*
- *Notwithstanding the foregoing, a building permit may be issued for a building or structure provided that the lot upon which the building or structure is*

proposed to be located is within a registered plan of subdivision in which the street has not been assumed by the City of Windsor but in which the street is to be assumed under the terms of a registered subdivision agreement or a servicing agreement”.

As noted in this report, the closest sanitary sewer trunks are found along Clemenceau Blvd, Jefferson Blvd, and the closed Homesite Avenue. Also, the closest watermain is in front of 5950 North Service Road East, approximately 100 m from the south limit of the subject land. The sanitary sewer and watermain need to be extended to the front of the subject land.

The applicant’s request for relief from s.5.2.10 of the by-law is supported by municipal staff because of the nature of what is being proposed. The *self-storage facility*, as proposed, does not require sanitary sewer and water service. Secondly, the rest of the permitted uses on the subject land cannot move forward without the extension of the sanitary sewer and water service to the subject land.

PARKING: Zoning By-law 8600 requires a minimum of 2 (two) motor vehicle parking spaces for a *self-storage facility*. Three (3) parking spaces (total) are proposed (includes one barrier free space.)

Based on the analysis provided in this report, the recommended Zoning By-law Amendment is consistent with PPS 2024, and would maintain conformity with the Official Plan when OPA 191 comes into effect.

4. HOLDING PROVISION

A holding provision is recommended for this zoning by-law amendment to ensure that

- a. construction permit is not issued for any permitted use(s) in the existing MD1.4 zoning district (save and except the use of the subject land for a *self-storage facility* that does not require sanitary sewer and water service) until such time when municipal sanitary sewer and watermain are extended to the subject land;
- b. future developments on the subject land will have full municipal services.
- c. a decision to approve the amendments is consistent with PPS 2024.

The H symbol may be removed when the applicable holding conditions in Section 95.10 of By-law 8600 have been satisfied.

5. SITE PLAN

The development proposal is subject to Site Plan Control pursuant to the Planning Act and City of Windsor By-law 1-2004. Therefore, Site Plan Approval and Site Plan Agreement are required for the proposed development.

The items, issues, and comments, which are detailed in Appendix D attached to this report, are best addressed at the time of Site Plan Control Review/Approval and may be incorporated, as deemed necessary, within the Site Plan Control Agreement for the proposed development on the subject land.

At the time Site-Plan control, special consideration should be given to the following:

- stormwater detention scheme will be required to demonstrate a pre-development stormwater release rate post development.
- Stage 1 archaeological assessment and any further recommended assessments are required to be entered into the Ontario Public Register of Archaeological Reports to the satisfaction of the City of Windsor and the Ontario Ministry of Citizenship and Multiculturalism, prior to any additional land disturbances. (See attached Appendix C for more details).
- The owner/developer is requested to provide a detailed tree inventory for all live trees over 10cm DBH on the lot, both city and privately owned. (See attached Appendix C for more details).
- The owner/developer is requested to provide a tree inventory and a detailed landscape plan identifying all existing and proposed trees and planting areas.
- It is crucial to incorporate trees and shrubs along the west property line to provide a screening buffer for the adjacent residential properties.

The Site Plan Control Agreement shall incorporate the following:

SIDEWALKS – The Owner shall pay, prior to the issuance of a Building Permit, the sum of \$7,606.00 as contribution towards the future construction of a concrete sidewalk on the North Service Road East frontage of the subject land.

STREET LIGHTING - The Owner shall pay, prior to the issuance of a Building Permit, a sum to be determined by traffic operations towards the future construction and installation of streetlighting including all poles, wiring, fixtures, and conduits with design, location and specifications satisfactory to the City Engineer and EnWin Utilities Ltd. Should the decorative poles be requested, the owner shall provide extra poles and/or funds in accordance with Council Resolution 743/2000.

Risk Analysis: N/A. See Climate Change Risks analysis below

Climate Change Risks

Climate Change Mitigation: As part of the SPC process, a stormwater detention scheme will be required to demonstrate a pre-development stormwater release rate post development. As part of the SPC Agreement, the applicant will be required to submit a stormwater management plan restricting stormwater runoff to pre-development levels. Implementation of approved servicing plan, and storm water management plan for the proposed development would help mitigate adverse impacts on climate change.

Climate Change Adaptation: Stormwater management also helps to support climate change adaptation.

Financial Matters: N/A

Consultations:

1. Planning Consultations

The application went through the Planning Consultation process, which resulted in the applicant's submission of the required supporting studies/reports and information noted in the *Application Information* section of this planning report.

2. PUBLIC OPEN HOUSE [Developer-led Public Information Centre (PIC)]

DATE: April 23, 2024; VENUE: Virtual; TIME: 6:00 pm to 7:00 pm

NEIGHBOURHOOD PARTICIPATION: Attended by 2 members of the public (neighbours). It is noted that 44 invitations were mailed to the landowners and tenants within a 120 m radius of the subject land.

Summary of comments/concerns/input from the area residents and the response from the applicant’s planning consultant can be found in **Appendix B** attached to this report.

3. DEPARTMENT AND AGENCIES

Attached as **Appendix C**, to this report, are comments from the municipal departments and external agencies. There are no objections. Note that this planning report takes into consideration the comments found in Appendices B and C hereto attached, and the planning analysis contained in the December 3, 2024, PRR submitted by the applicant.

Conclusion:

The applicant’s Planning Rationale Report (PRR) dated December 3, 2024, explains salient details of the applications and provides information and supporting reasons why the OPA and ZBA applications should be considered and approved.

The OPA and ZBA applications have been evaluated considering the PPS 2024, the OP policies, By-law 8600, the PRR, and comments found in Appendices B & C attached.

In my professional opinion, the recommended OPA and ZBA are consistent with the policies of the Provincial Planning Statement 2024. The ZBA will maintain conformity with the City of Windsor Official Plan when OPA 191 comes into effect.

Approval is recommended with a holding provision on the subject land, as stipulated in Recommendation III of this report.

Planning Act Matters:

I concur with the above comments and opinion of the Registered Professional Planner.

Greg Atkinson, MCIP, RPP
Manager of Development/Deputy City Planner

Neil Robertson, MCIP, RPP
City Planner

I am not a registered Planner and have reviewed as a Corporate Team Leader

JP

JM

Approvals:

Name	Title
Greg Atkinson	Manager of Development/Deputy City Planner
Neil Robertson	City Planner / Executive Director, Planning & Development
Aaron Farough	Senior Legal Counsel, Legal Services & Real Estate

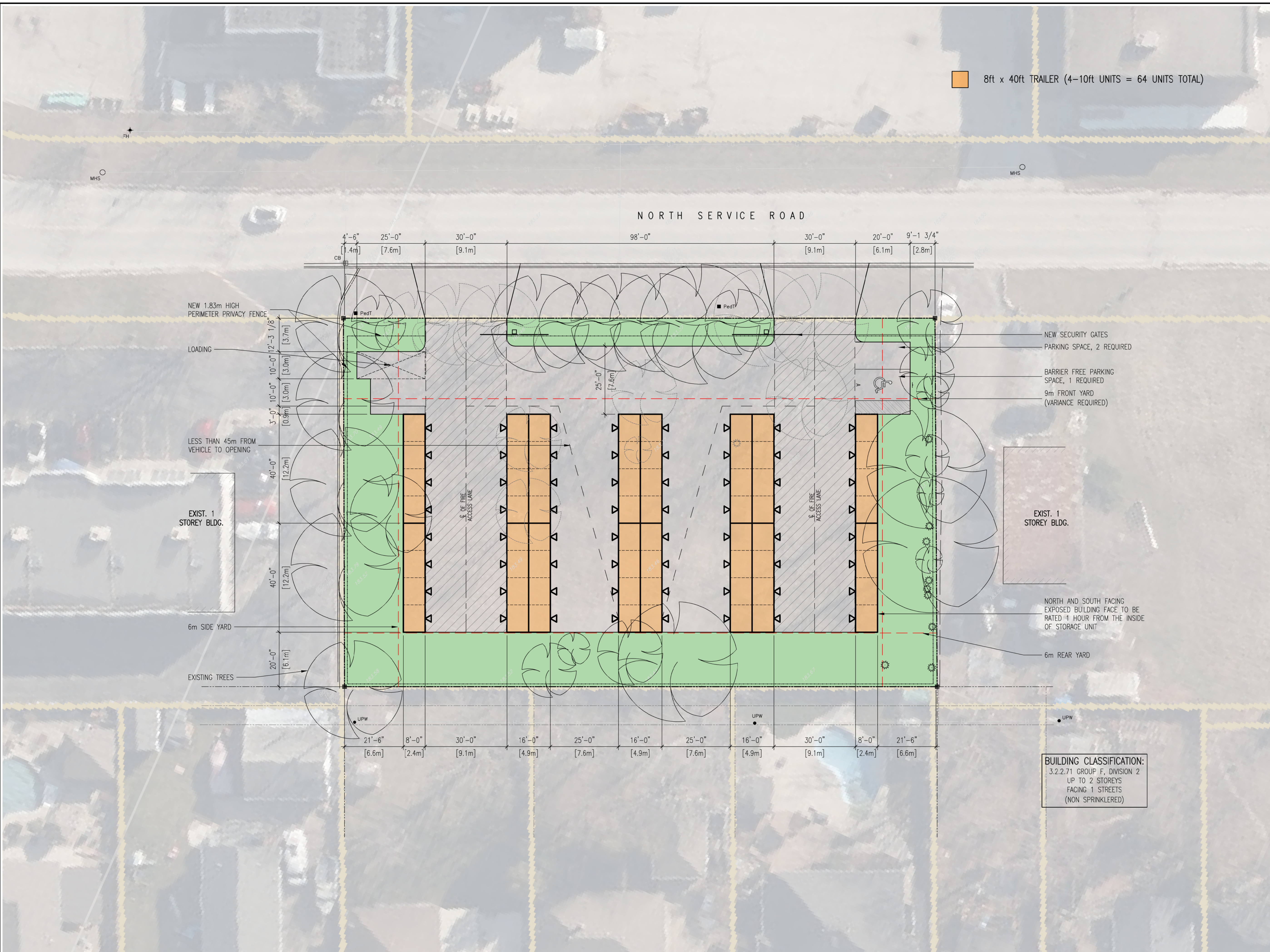
Name	Title
Jelena Payne	Commissioner, Economic Development
Joe Mancina	Chief Administration Officer

Notifications:

Name	Address	Email
Abutting property owners, tenants/ occupants within 200 meters (665feet) radius of the subject land		
Applicant / Registered Owner: Dardevco Inc., c/o Michael Primeau		
Agent: Pillon Abbs Inc., c/o Tracey Pillon-Abbs		
Councillor Gary Kaschak		

Appendices:

- 1 Appendix A - Concept Plan
- 2 Appendix B - Summary of Comments and Responses from the Public Open House
- 3 Appendix C - Results of Consultation with municipal departments & external agencies



8ft x 40ft TRAILER (4-10ft UNITS = 64 UNITS TOTAL)

NORTH SERVICE ROAD

NEW 1.83m HIGH PERIMETER PRIVACY FENCE

LOADING

LESS THAN 45m FROM VEHICLE TO OPENING

EXIST. 1 STOREY BLDG.

6m SIDE YARD

EXISTING TREES

NEW SECURITY GATES

PARKING SPACE, 2 REQUIRED

BARRIER FREE PARKING SPACE, 1 REQUIRED

9m FRONT YARD (VARIANCE REQUIRED)

EXIST. 1 STOREY BLDG.

NORTH AND SOUTH FACING EXPOSED BUILDING FACE TO BE RATED 1 HOUR FROM THE INSIDE OF STORAGE UNIT

6m REAR YARD

BUILDING CLASSIFICATION:
3.2.2.71 GROUP F, DIVISION 2
UP TO 2 STOREYS
FACING 1 STREETS
(NON SPRINKLERED)

2024/01/12 OWNER REVIEW

date (yyyy/mm/dd): issued for:

- general notes:
1. THIS PRINT IS AN INSTRUMENT OF SERVICE ONLY AND IS THE PROPERTY OF THE ARCHITECT.
 2. DRAWINGS SHALL NOT BE SCALED.
 3. CONTRACTORS SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB AND THIS OFFICE MUST BE NOTIFIED OF ANY VARIATIONS FROM THE DIMENSIONS AND CONDITIONS SHOWN BY THESE DRAWINGS.
 4. ATTENTION IS DIRECTED TO PROVISIONS IN THE GENERAL CONDITIONS REGARDING CONTRACTOR'S RESPONSIBILITIES IN REGARD TO SUBMISSION OF SHOP DRAWINGS.
 5. IN THE EVENT THE ARCHITECT IS RETAINED TO REVIEW SHOP DRAWINGS, SUCH REVIEW IS ONLY TO CHECK FOR CONFORMANCE WITH DESIGN CONCEPT AND WITH THE INFORMATION GIVEN IN THE CONTRACT DOCUMENTS.
 6. CONTRACTORS SHALL PROMPTLY NOTIFY THE ARCHITECT IN WRITING OF THE EXISTENCE OF ANY OBSERVED VARIATIONS BETWEEN THE CONTRACT DOCUMENTS AND ANY APPLICABLE CODES OR BY-LAWS.
 7. THE ARCHITECT IS NOT RESPONSIBLE FOR THE CONTRACTOR'S MEANS, METHODS AND OR TECHNIQUES IN THE CONSTRUCTION OF THIS FACILITY.

stamp:

A architectural
D design
A associates inc. architect

1670 mercer street
windsor ontario canada n8x 3p7
ph 519.254.3430 fax 519.254.3642
email - info@ada-architect.ca www.ada-architect.ca

project:
PROPOSED SELF-STORAGE DEVELOPMENT
NORTH SERVICE ROAD
WINDSOR, ON

client:
TELESONIC CANADA INC.

title:
SITE PLAN

scale:
AS SHOWN

drawn by:
JT

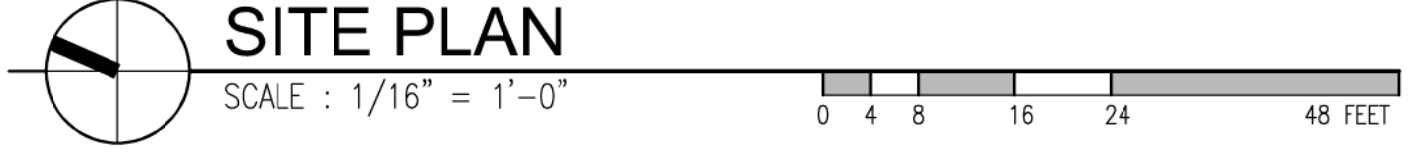
checked by:
JBK

date:
NOVEMBER, 2023

comm. no.:
2024-009

sheet no.:

A1.0



SITE DATA – SITE ZONING COMMERCIAL DISTRICT MD1.4 (BYLAW 8600)

	REQUIRED	PROPOSED
a. LOT AREA		2,729.9 m ²
b. LOT FRONTAGE	MIN. 30.0 m	53.0 m
c. BUILDING AREA		475.6 m ²
d. BUILDING LOT COVERAGE		17.4 %
e. BUILDING HEIGHT	MAX. 20.0 m	3.0 m
f. BUILDING SETBACKS		
FRONT – EAST	MIN. 9.0 m	10.7 m
REAR – WEST	MIN. 6.0 m	6.1 m
SIDE INTERIOR – NORTH	MIN. 6.0 m	6.6 m
SIDE EXTERIOR – SOUTH	MIN. 6.0 m	6.6 m
g. NO. OF PARKING SPACES		
SELF-STORAGE FACILITY	2 SPACES	3 SPACES
h. NO. OF ACCESSIBLE PARKING SPACES		
1 TO 25 PARKING SPACES	1 SPACE	1 SPACE
i. NO. LOADING SPACES	1 SPACE	1 SPACE
k. PAVED AREA		1,338.9 m ²
COVERAGE		49.0 %
l. LANDSCAPED AREA		915.1 m ²
COVERAGE	MIN. 15.0 %	33.5 %
m. LINEAR CONCRETE CURB		180.3 m

LEGEND



SOFT SURFACE
LANDSCAPED
AREA

APPENDIX B - Summary of the comments and responses from the public Open House

3.2 Public Consultation Strategy

In addition to the statutory public meeting, the *Planning Act* requires that the Applicant submit a proposed strategy for public consultation with respect to an application as part of the complete application requirements.

As part of a public consultation strategy, in addition to the statutory public meeting, an informal electronic public open house was held with area residents (120 m radius) and property owners on Tuesday, April 23, 2024, from 6:00 pm to 7:00 pm.

A total of 44 notices were mailed out.

The open house provided members of the public with opportunities to review and comment on the proposed development.

In addition to City of Windsor staff and the applicant representatives, a total of 2 people attended.

The following is a summary of the comments and responses from the public open houses:

Topic Item	Comments and Questions	Response
Timelines	When will construction start?	At a minimum 6-8 months.
Next Steps	What are the next steps?	Once the application is considered, the development is subject to SPC and then a building permit.
Hours	What are the hours of operation?	Hours are yet to be determined; however, daylight hours are preferred. There may be some special requests from time to time.
	Does the City regulate the hours?	Zoning cannot regulate the hours of operation.
Security	How will the security work?	Access cards will be provided. Surveillance cameras will be on-site.
Grass	Is there grass space?	Yes, as shown (in green) on the concept plan.
Paving	Is there paved space?	Yes, as shown (in grey) on the concept plan.
Lighting	How will the lighting be controlled?	As part of SPC approval, a lighting plan most likely will be required.
Fencing	Is fencing proposed	Existing privacy fencing will remain. New chain link is proposed.
Water	Is water being connected?	No, water will not be connected to the site.
Fire Suppression	If there is a fire, how will it be fought if there is no water?	The fire department will have access to nearby fire hydrants.

APPENDIX B - Summary of the comments and responses from the public Open House

Storage of Items	What types of items are allowed to be stored?	Individual units are kept personal and private. There are no controls over what can be stored.
Hazardous Material	What if someone has hazardous material stored in the units?	This would be dealt with similarly to when someone has items in their

APPENDIX C – CONSULTATION

CANADA POST – BRUNO DESANDO

Canada Post has no comments for application Z 029-24 [ZNG-7233] & OPA 191 [OPA-7261].

TRANSIT WINDSOR – JASON SCOTT

Transit Windsor has no objections to this development. The closest existing transit route to this property is with the Central 3. The Central 3 route has a peak weekday frequency of 30 minutes. The closest existing bus stop to this property is located on North Service at Jefferson Northwest Corner. This bus stop is approximately 160 metres from this property falling within Transit Windsor's 400 metre walking distance guidelines to a bus stop. This will be maintained with Transit Windsor's City Council approved Transit Master Plan.

DEVELOPMENT ENGINEERING – JUAN PARAMO

We have reviewed the subject Rezoning application and have the following comments:

Sewers The site may be serviced by a 1350mm storm sewer located within the North Service Road E right-of-way. If possible existing connections should be utilized. Any redundant connections shall be abandoned in accordance with the City of Windsor Engineering Best Practice B.P 1.3.3.

No sanitary sewers are available to service the site, however the City notes that sanitary servicing will not be required for the proposed use. As per the Official Plan Amendment on this site, this development is permitted to be a site-specific business park consisting of a self-storage facility with no sewer requirements. Any land use necessitating sanitary services will require new sanitary services to be installed at the frontage of the property.

At the time Site-Plan control, a stormwater detention scheme will be required to demonstrate a pre-development stormwater release rate post development.

The applicant will be required to submit, prior to the issuance of permits, a stormwater management plan in accordance with Windsor Essex Region Stormwater Management Standards Manual, restricting stormwater runoff to pre development levels. This will include, at a minimum:

- Submission of stormwater management review fee,
- Stormwater management report stamped by a professional engineer
- Site servicing drawings stamped by a professional engineer
- Stormwater management check list (see link below)

For more information of SWM requirements, visit: link

<https://essexregionconservation.ca/wp-content/uploads/2018/12/WE-Region-SWM-Standards-Manual.pdf>.

<https://www.citywindsor.ca/business/buildersanddevelopers/Documents/Checklist-Rational-Method.pdf>

Right-of-Way

North Service Road East is classified as a Class 1 Collector Road according to the Official Plan requiring a right-of-way width of 28.0m; the current right-of-way is 20.1m,

however no conveyance is being requested at this time.

Please note that prior to issuance of a building permit, the City of Windsor requires contributions for the construction of future sidewalks and streetlighting infrastructure along the subject site frontage along North Service Road E.

In summary we have no objection to the proposed development, subject to the following requirements:

Sidewalks -The owner(s) agrees, to:

- Pay to the Corporation, prior to the issuance of a Building Permit, the sum of \$7,606.00 being the Owner's contribution towards the future construction of a concrete sidewalk on the North Service Road East frontage of the subject lands.

Street Lighting – The owner agrees to:

- Pay to the Corporation, prior to the issuance of a Building Permit, a sum to be determined by traffic operations towards the future construction and installation of streetlighting including all poles, wiring, fixtures, and conduits with design, location and specifications satisfactory to the City Engineer and EnWin Utilities Ltd. Should the decorative poles be requested, the owner shall provide extra poles and/or funds in accordance with Council Resolution 743/2000.

If you have any further questions or concerns, please contact Daniel Lopez, of this department at dlopez@citywindsor.ca

ZONING COORDINATOR – STEFAN PAVLICA

FYI – below is the updated zoning review for this rezoning application. Section 25 is not applicable for this development proposal.

Below is the zoning review summary for the *above-mentioned property*; circulated on December 18, 2024:

- **Current Zoning Designation:** Manufacturing District 1.4 (MD1.4)
- **Proposed Zoning Designation:** Manufacturing District 1.4 (MD1.4) with site-specific condition to permit a *Self-Storage Facility* use, with units in *shipping container*, as an additional permitted use

- **Existing Use [as per historical Building Permit(s) / Planning Act Applications(s)]:**
 - o Vacant lot

- **Proposed Use:**
 - o *Self-Storage Facility w/ shipping container* units
 - **Not Permitted**

- **Section 5 – General Provisions:**
 - o Prohibitions [5.2.10]:
 - The erection of a *building* or *structure* on a *lot* is prohibited except where all of the following are available: a *street* paved to the satisfaction of the City Engineer; municipal storm water outlet; **municipal sanitary sewer**; municipal electrical service; and municipal water service.
 - o Exceptions to Maximum Building Height Provisions [5.35]:
 - **Please provide elevation drawings or schematics of the proposed shipping containers**

- Required Yard in Manufacturing District [5.67.1]:
 - In any MD1. Or MD2. zoning district, a required yard shall be maintained exclusively as a landscaped open space yard, save and except that an access area may cross a required yard.
 - The proposed minor variance (i.e. annotated on the applicant's site plan) for the relief of the 5.67.1 provision is too great to be considered through a minor variance. The applicant is proposed relief of approximately 65% change from the provision.

- **Section 18.4.5 – Manufacturing District 1.4 (MD1.4) Provisions:**
 - Minimum Lot Width [18.4.5.1]:
 - 30.0m (Required)
 - 66.1m (Provided)
 - Maximum Building Height [18.4.5.4]:
 - 20.0m (Required)
 - Unknown; please provide elevation drawings or schematics of the proposed shipping containers
 - Minimum Front Yard Depth [18.4.5.5]:
 - 9.0m (Required)
 - 10.7m (Provided)
 - Minimum Rear Yard Depth [18.4.5.6]:
 - From a rear lot line that abuts a lot on which a dwelling or dwelling unit is located:
 - 6.0m (Required)
 - 6.1m (Provided)
 - Minimum Side Yard Depth [18.4.5.7]:
 - From a side lot line that abuts a lot on which a dwelling or dwelling unit is located or from a side lot line that abuts a street:
 - 6.0m (Required)
 - Not applicable (Provided)
 - Minimum Landscaped Open Space Yard [18.4.5.8]:
 - 15.0% of lot area (Required)
 - 33.5% (Provided)
 - Maximum Gross Floor Area – Retail Store [18.4.5.10]:
 - 20.0% of the GFA of the main use (Required)
 - Not applicable (Provided)
 - 18.4.5.50 – All activities or uses shall take place entirely within a fully enclosed building. This provision does not apply to the following activity or use: child care centre, gas bar, loading space, outdoor eating area, parking area, parking space, sports facility, or refueling area.

- **Section 20 – Site Specific Zoning Exemptions:**
 - NOT APPLICABLE

- **Section 24 – Parking, Loading, and Stacking Provisions:**
 - Location of Parking, Visitor Parking or Accessible Parking Spaces [24.26.5]:
 - A parking space, visitor parking space or accessible parking space is prohibited in a required front yard or a required landscaped open space yard, except on a lot occupied by a single-unit dwelling, semi-detached dwelling, duplex dwelling or a townhome dwelling unit, a parking space, visitor parking space or accessible parking space is permitted in a required front yard.

- Location of Loading Space [24.40.20.3]:
 - *A loading space thereto is prohibited:*
 - a) *in a required front yard*
- **Section 25 – Parking Area Regulations:**
 - Not Applicable

ENVIRONMENTAL SUSTAINABILITY – NOLAN LACHANCE

Given that the applicant is requesting approval of no provision for full municipal infrastructure (sanitary sewer), we would like to suggest that design considerations be considered for surface water management to ensure minimal overland flooding in the area, given its proximity to residential homes. Natural management solutions such as rain gardens and rain barrels are recommended.

TRANSPORTATION PLANNING – ELARA MEHRILOU

- North Service Road is classified as a Class 1 Collector according to the Official Plan with a required right-of-way width of 26.2 meters per schedule X. However, the current right of way is not sufficient, and land conveyance is required; no land conveyance is requested at this time.

- A sidewalk contribution per Engineering Right-of-Way requirements is required along the property fronting North Service Road.

- All parking must comply with ZBL 8600.

- All accesses shall conform to the TAC Geometric Design Guide for Canadian Roads and the City of Windsor Standard Engineering Drawings.

- Transportation has concern about queuing and blocking the future sidewalk due to the location of the security gates. The security gates must be relocated to accommodate minimum of one car within the property.

- All exterior paths of travel must meet the requirements of the Accessibility for Ontarians with Disabilities Act (AODA).

ENBRIDGE – SANDRO AVERSA

After reviewing the provided information, and consulting our mapping system, please note that Enbridge Gas has active infrastructure within the proposed area. A PDF drawing have been attached for reference.

Please Note:

1. *The shown piping locations are approximate and for information purposes only*
2. *The drawings are not to scale*
3. *This drawing does not replace field locates. Please contact Ontario One Call for onsite locates prior to excavating, digging, etc*

Enbridge Gas requires a minimum separation of 0.6m horizontal and 0.3m vertical from all our plant less than NPS 16 and a minimum separation 1.0m horizontal and 0.6m vertical between any CER-regulated and vital pipelines. For all pipelines (including vital pipelines), when drilling parallel to the pipeline, a minimum horizontal clearance measured from the edge of the pipeline to the edge of the final bore hole of 1 m (3.3 ft) is required. Please ensure that this minimum

separation requirement is maintained, and that the contractor obtains locates prior to performing any work and utilizes safe excavation practices while performing any work in the vicinity.

Also, please note the following should you find any abandoned infrastructure in the area:

- Any pipe that is excavated, please assume that it is live.
- If during any job, any pipe is found that is not on the locate sheet and conflicts with your work, please call our emergency number (1-877-969-0999), and one of our Enbridge representatives will respond to determine if that plant is in fact live or dead.
- Please note that our Enbridge Gas representative will respond to the live or dead call within 1-4 hours, so please plan your work accordingly.

Please contact me if you have any further questions or concerns.



SITE PLAN CONTROL

The development proposal is subject to Site Plan Control pursuant to the Planning Act and City of Windsor By-law 1-2004. Where preceding development applications are required, inclusive of Official Plan and Zoning By-law Amendments, request for Site Plan Control Pre-Consultation Stage 1 may be made following completion of the requisite Development and Heritage Standing Committee meeting at <https://ca.cloudpermit.com/login>.

FORESTRY – YEMI ADEYEYE

There are 14 City owned trees on the Right-of-Way along the North Service road in front of this proposed development area.

The developer has already provided a tree survey and a Tree Root Protection Plan. In the survey it shows 10 trees with a total of 333 DBH will be removed to accommodate this project.

The City will be seeking The Tree Canopy Recovery Cost.

The owner/developer is requested to provide a detailed tree inventory for all live trees over 10cm DBH on the lot, both city and privately owned. The inventory should identify ownership and provide sub-meter accuracy GPS location, species, diameter (DBH) and condition for each tree. For trees in proximity to a roadway, less than 10m, GPS location should be taken on the nearest road-side of the tree. Indication should be made for each tree if it is to be preserved &

protected or removed during development. A qualified, Arborist, Urban Forester or Landscape Architect should conduct the tree survey.

Forestry will require detailed site plans prior to construction that shows adequate Tree Root protection zones for each individual tree if they are to be preserved on-site through the development process. Details regarding the protection area required and type of fencing for Tree Root protection zones can be provided by Forestry.

If the trees are NOT to be preserved through the development process, and a request is made that specific trees be removed, the Removal & Canopy Replacement cost will be calculated based on a Diameter-for-Diameter replacement ratio for both City owned and Private trees. Forestry requests the opportunity to review landscaping plans in order to provide comment and suggestion that would maximize future on-site Tree Canopy and Tree Canopy Resilience. Please let us know if you have any further questions regarding Tree Protection and Replacement issues. Forestry will continue to monitor the progress of this construction work.

NATURAL AREAS – KAREN ALEXANDER

The parcel appears mowed with numerous trees.

Natural Areas comments:

- No harming active bird nests (Migratory Birds Act)
- Recommend using Best Management Practices to remove the Black Locust identified for removal, and consider removing the one planned to keep anyway & replace with a native tree. TechnicalBMP_BlackLocust.pdf (invasivespeciescentre.ca). Although it is not restricted or prohibited in the Invasive Species Act, it is an aggressive invasive species that can harm city natural areas and be costly to control.

LANDSCAPE & URBAN DESIGN

Pursuant to the application for a zoning amendment Z 029-24 [ZNG-7233] & OPA 191 [OPA-7261] - Dardevco Inc. | 0 North Service Rd.

There is no comments on Zoning and OPA from landscape and urban design lens.

On this subject, please consider the following comments to include in the SPC application stage:

A tree inventory and a detailed landscape plan, identifying all existing and proposed trees and planting areas. It is essential to include trees and shrubs along the west property line to create a screening buffer for the adjacent residential properties.

ENWIN

HYDRO ENGINEERING: Anwar Nagar

No Objection to the proposed self storage facility, provided adequate clearances are achieved and maintained. Enwin has an existing overhead pole line with 16 kV primary high voltage on the northwest corner of the property and a 120/240-volt secondary hydro distribution pole line on the west limit of the property.

Prior to working in these areas, we would suggest notifying your contractor and referring to the Occupational Health and Safety Act and Regulations for Construction Projects to confirm clearance requirements during construction. Also, we suggest referring to the Ontario Building Code for permanent required clearances for New Building Construction.

WATER ENGINEERING: Bruce Ogg

ENWIN Water has no objections. There is no watermain in front of the property. The watermain stops in front of 5950 North Service Road East.



Committee Matters: SCM 47/2025

Subject: Minutes of the International Relations Committee of its meeting held December 11, 2024

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

Decision Number: **DHSC 700**

THAT the minutes of the International Relations Committee of its meeting held December 11, 2024, **BE RECEIVED**.

Carried.

Report Number: SCM 23/2025

Clerk's Note:

1. Please refer to Item 12.1 from the Development & Heritage Standing Committee held on February 3, 2025.
2. To view the stream of this Standing Committee meeting, please refer to:
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20250203/-1/10538>



Committee Matters: SCM 23/2025

**Subject: Minutes of the International Relations Committee of its meeting held
December 11, 2024**

INTERNATIONAL RELATIONS COMMITTEE
Meeting held Wednesday, December 11, 2024

A hybrid meeting of the International Relations Committee is held this day commencing at 3:30 o'clock p.m. in Room 522a, 350 City Hall Square West, there being present the following members:

Councillor Angelo Marignani, Chair
Councillor Renaldo Agostini
Councillor Ed Sleiman
Lubna Barakat
Jerry Barycki
Saiful Bhuiyan
Ronnie Haidar
William Ma

Regrets received from:

Councillor Fred Francis
L.T. Zhao

Also present are the following resource personnel

Sandra Gebauer, Council Assistant
Karen Kadour, Committee Coordinator

1. Call to Order

The Chair calls the meeting to order at 3:32 o'clock p.m. and the Committee considers the Agenda being Schedule A, attached hereto, matters which are dealt with as follows:

2. Declaration of Conflict

None disclosed.

3. Business Items

3.1 Update regarding Arlington, Texas and the request for a Twin City Agreement

The Chair advises that a virtual meeting was held on November 22, 2024, with Sheri Capehart, Program Director, Arlington Sister Cities, City of Arlington, himself, and Sandra Gebauer to discuss a potential partnership with Arlington, Texas.

The remarks as provided by Councillor Angelo Marignani, Chair are as follows:

- Windsor frequently receives partnership requests
- The IRC is interested in pursuing a relationship with Arlington.
- The **Friendship City Policy** was developed to allow for municipal driven partnerships and to manage precedents.
- The 5-year review period falls in line with the Draft Memorandum of Understanding (MOU) provided by Arlington.

Sheri Capehart, Arlington, Texas brought forward the following comments including options for a Windsor-Arlington relationship:

- Arlington is eager for a Sister city partnership in Canada and the City of Windsor as a border city was their first choice.
- A partnership should be a full twin/sister city partnership as per Sister Cities International (SSI).
- Sister City benefits include direct affiliation with SSI's global directory but no fee requirement for Windsor.
- **Sister City Partnership:**
 - Formal and long-term (typically 5+ years).
 - Requires alignment with SSI membership and program.
- **Alternative- Letter of Interest:**
 - Start with a mutual Letter of Interest to establish initial steps.
 - Delegation visits to Arlington/Windsor could:
 - Demonstrate commitment and build rapport.
 - Identify potential community or economic connections.
 - A shorter-term agreement (e.g., 1-2 years) could be proposed as a pilot
- **Exploration without formal Label:**
 - Initiate actions informally:
 - Exchange city staff for short periods to foster operational understanding.
 - Collaborate on mutual interests (tourism, economic development, cultural ties).

The Chair reports that the process will begin with a Letter of Interest from both parties which will demonstrate the City of Windsor's commitment to Arlington. He adds that the Letter of Interest will seek to identify potential community or economic connections that are outside of the municipal spectrum. Once the Letter of Interest has been received by both, delegation visits to Windsor and Arlington will be arranged. Sandra Gebauer advises that the possible next steps would be draft a Letter of Interest, outline the shared goals, and to position the letter as a flexible, exploratory agreement on a trial basis. Ultimately, Arlington, Texas is interested in being a Sister City.

Councillor Ed Sleiman questions if there is any financial commitment to this process. Sandra Gebauer responds that any financial costs would be derived from the visit by the Arlington delegation which would include accommodations, and meals. She adds that the cost of flights would be paid for outgoing delegations.

Councillor Ed Sleiman expresses concern that there may be an influx of cities that wish to be sister cities with the City of Windsor. Sandra Gebauer responds that many requests are received, and notes that the requests are vetted through the IRC.

Ronnie Haidar asks if Arlington is expecting a decision within the next few months. The Chair responds that Arlington expects this relationship to happen within the next year. Ronnie Haidar advises that this is a learning process for the IRC in terms of how we engage with new sister cities by beginning with the friendship city relationship.

Saiful Bhuiyan supports moving forward with this initiative with Arlington, Texas.

Jerry Barycki refers to the opening of the Gordie Howe Bridge and the Chair advises that the City of Windsor has the number one gross domestic product exchange border link in North America.

Sandra Gebauer adds that Sherri Capehart suggested a city staff exchange, i.e. if we are interested in sending city staff (economic development) to Arlington for a short period of time to foster operational understanding.

Moved by Councillor Renaldo Agostino, seconded by Councillor Ed Sleiman,
That City of Windsor Administration **BE REQUESTED** to prepare a Letter of Interest to be sent to Arlington, Texas to begin the process of exploring a Friendship City/Sister City relationship.
Carried.

4. Communications

E-mail to L.T. Zhao from Changchun, China – Inquiry about opportunities with the Windsor Chamber of Commerce

Sandra Gebauer advises in 2022, the IRC was approached by the former Chair of the Chamber of Commerce who asked if an introduction could be arranged between our Chamber of Commerce and our Twin Cities. A letter was drafted and sent to the Twin Cities to determine if there was interest in collaborating and becoming “pseudo” members. She adds that Mannheim, Germany responded to the Chamber of Commerce. She suggests reaching out to the Acting Chair of the Windsor Chamber of Commerce to establish if there is an interest in this initiative.

Moved by Councillor Renaldo Agostino, seconded by Saiful Bhuiyan,

That the initiative in 2022 of the Chamber of Commerce to reach out to the Twin Cities of the City of Windsor to determine if there is interest in collaborating with the Chamber of Commerce **BE RESENT** to the Acting Chair of the WindsorEssex Chamber of Commerce for a response.

Carried.

5. New Business

Jerry Barycki announces that Polish Heritage Month will be held in May 2025.

6. Date of Next Meeting

The next meeting will be held in January 2025 on a date to be determined.

7. Adjourned

There being no further business, the meeting is adjourned at 4:10 o'clock p.m.



Committee Matters: SCM 48/2025

Subject: Minutes of the Property Standards Committee of its meeting held November 7, 2024

Moved by: Councillor Mark McKenzie

Seconded by: Councillor Fred Francis

Decision Number: **DHSC 701**

THAT the minutes of the Property Standards Committee of its meeting held November 7, 2024, **BE RECEIVED**.

Carried.

Report Number: SCM 24/2025

Clerk's Note:

1. Please refer to Item 12.2 from the Development & Heritage Standing Committee held on February 3, 2025.
2. To view the stream of this Standing Committee meeting, please refer to:
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20250203/-1/10538>



Committee Matters: SCM 24/2025

**Subject: Minutes of the Property Standards Committee of its meeting held
November 7, 2024**

PROPERTY STANDARDS COMMITTEE

Meeting held November 7, 2024

A meeting of the Property Standards Committee is held this day commencing at 10:00 o'clock a.m. in Room 140, 350 City Hall Square West, there being present the following members:

Councillor Ed Sleiman, Chair
Councillor Fabio Costante
Councillor Mark McKenzie
Michael George
Dan Lunardi

Appellant in attendance:

Dr. Nasser Zaki, St. Paul Management Limited regarding ***Item 4.1***

Also in attendance are the following resource personnel:

Rob Vani, Deputy Chief Building Official – Inspections
Aaron Farough, Senior Legal Counsel
Karen Kadour, Committee Coordinator

1. Call to Order

The Chair calls the meeting to order at 10:00 o'clock a.m. and the Property Standards Committee considers the Agenda being Schedule A, attached hereto, matters which are dealt with as follows:

2. Disclosure of Interest

Councillor Ed Sleiman discloses an interest on this matter as Dr. Zaki is his personal physician.

3. Request for Deferral, Referral or Withdrawal

None.

4. Appeals

Rob Vani provides an overview of the Presentation entitled “747 Ouellette Avenue – OTR 24-027801, **attached** as Appendix “A’. He indicates that the last established use of the property was a restaurant and a bar. The records indicate that the property has been vacant since 2009 with the building boarded up in 2015. In 2020, St. Paul Management took possession of the property. As of 2024, the building is still boarded up with fencing at the front of the property. The defects to the property are reviewed. He asks that the Order be confirmed.

Dr. Nasser Zaki, St. Paul Management Limited provides the following comments relating to 747 Ouellette Avenue:

- It is the responsibility of the city to take care of Canadian citizens.
- The owner cannot control damage that is being done to the building.
- As there were two fires, they are in the process of suing the insurance company.
- The reason they cannot touch the building is that this is the crime scene”
- The insurance company visited the building a few months ago and advised that the owner cannot touch the building.
- They had a structural engineer visit the building and an application was submitted for demolition of the building, however, they cannot do any work at this time.
- Once approval has been provided by the lawyer that this is done, they will proceed with the demolition.

In response to a question asked by Michael George regarding the two fires, Dr. Zaki advises that the fires occurred in March and April 2022.

Councillor Fabio Costante asks if this building has heritage significance. Rob Vani states it does not, but there are some controls as it is in a BIA area. In response to a question asked by Councillor Fabio Costante regarding if a request for demolition was made, Rob Vani responds that a permit was approved for a partial demolition but was subsequently revoked as the owners did not move forward with the demolition.

Councillor Fabio Costante asks if the appellant has applied for a demolition permit. Dr. Zaki responds that he applied for a permit three days ago.

Councillor Fabio Costante inquires if there is an existing Order that is upheld on the building and Dr. Zaki moves to demolish the building sometime thereafter, what happens to those Orders. Rob Vani responds they would have to fulfill the requirements to demolish the building and restore the site to the requirements of the by-law and once, that is done, all the Orders go away.

Dan Lunardi asks the appellant if he is prevented from fixing the roof or removing the debris. Dr. Zaki responds that his lawyer advised him to not touch the building and to wait for the insurance company to do the inspection.

Moved by Councillor Fabio Costante, seconded by Michael George,
That the Administrative report and recommendation regarding 747 Ouellete Avenue
BE UPHELD in order that the defects **BE RECTIFIED**.
Carried.

Councillor Ed Sleiman abstains from voting on the matter.

Councillor Fabio Costante advises that the Committee is somewhat of a quasi-tribunal and must deal with whether the appellant has breached the Property Standards By-law. There are several breaches on the building as it exists today, and this body cannot make a decision on a future plan. He adds if the appellant proceeds with the demolition, at the conclusion of that process, all these Orders will go away.

5. Adjournment

There being no further business, the meeting is adjourned at 10:30 o'clock a.m.



747 OUELLETTE AVE – OTR 24-027801

Building By-law Officer: Nicole Brush

Date of Inspection: June 13, 2024

Date OTR Issued: June 17, 2024

Date of Appeal: October 24, 2024

Date of Re-Scheduled Appeal: November 7, 2024

- Zoning CD3.1
- Latest established use - RESTAURANT
- VACANT since before 2009
(google images in next slides)
- 2015 - Front door boarded
- 2017 - Front door and window boarded
- 2018 - Canopy removed and front façade fully boarded
- **2020, March – new owner - St. Paul Management**
- 2020, October – SPC started for proposed medical office use, but file not active;
- 2022, April – structure fire.
- 2023, February - Permit **issued** for partial demo of west portion of building
- 2024, June – Permit **revoked** for inactivity.
- 2024 – currently vacant, boarded & front façade fenced
- (18) Building Condition complaints since 2010

16.1 COMMERCIAL DISTRICT 3.1 (CD3.1)

16.1.1 PERMITTED USES

Business Office

Child Care Centre

Commercial School

Food Outlet – Take-Out

Hotel

Medical Office

Micro-Brewery

Personal Service Shop

Place of Entertainment and Recreation

Place Of Worship

Professional Studio

Repair Shop – Light

Restaurant

Retail Store

Dwelling Units in a Combined Use Building with any one or more of the above uses

Ambulance Service

Marina

Parking Garage

Public Hall

Public Parking Area

Any use accessory to any of the preceding uses. An *Outdoor Storage Yard* is prohibited, save and except, in combination with the following main uses:

Ambulance Service, Marina.



2023



June 2024





EAST (FRONT) SIDE OF BUILDING
FACING OUELLETTE AVE



EAST (FRONT) SIDE OF BUILDING (CLOSE UP)
FACING OUELLETTE AVE



SOUTH SIDE OF BUILDING



WEST (BACK) SIDE OF BUILDING
FACING PELISSIER ST



VIEW OF ROOF – TOWARDS FRONT & REAR



**HOLE IN ROOF; DETERIORATING CHIMNEY;
OVERGROWN SCRUB TREES**

DEFECTS

DEFECT 1: EXTERIOR FACADE

Sections 1.7

Holes in exterior cladding (where signage was removed); Peeling paint; Defacement of front and rear walls;

DEFECT 2: WINDOWS & DOORS

Section 1.8

Doors & windows boarded up throughout the building;

DEFECT 3: ROOF & COMPONENTS

Section 1.14

Visible hole through flat roof (near rear of building); Brickwork on northwesterly chimney crumbling;

DEFECT 4: DEBRIS

Section 1.29

Debris and garbage accumulation on roof of building

DEFECT 5: FIRE HAZARD & UNSAFE CONDITION

Section 2.1

Exposed wiring on front and rear of building.



BUILDING AS OF OCTOBER 21, 2024



Committee Matters: SCM 58/2025

Subject: Auditor General Status Update Report 2025

- I. THAT the report from the Office of the Municipal Auditor General dated January 31, 2025, titled “Office of the Auditor Guiding Practices” attached as Appendix A **BE RECEIVED** for information, and further;
- II. THAT the Auditor General Charter **BE AMENDED** as outlined in Appendix A
- III. THAT the report from the Office of the Municipal Auditor General dated February 4, 2025, titled “Jan 31, 2025, Auditor General Work Plan Status” attached as Appendix B **BE RECEIVED** for information, and further;
- IV. THAT City Council **DIRECT** the Office of the Auditor General research publicly available materials related to other municipal Auditor General Office’s considering:
 - i. Independence practices
 - ii. Professional standards alignment
 - iii. Budget
 - iv. Reporting structures, and further
- V. THAT the Office of the Auditor General **REPORT BACK** to City Council with a summary report of the research findings, options analysis and recommendations; and further,
- VI. THAT the report from the Office of the Municipal Auditor General dated February 4, 2025, titled “2025 Auditor General Work Plan” attached as Appendix C **BE RECEIVED** for information and **BE APPROVED** as presented.

Clerk’s File: MH2025

January 31, 2025

Office of the Auditor Guiding Practices

Summary Package

Executive Summary

Context

As part of updating practices for alignment and adherence to the Institute for Internal Auditors (IIA) Standards Board released the updated Global Internal Audit Standards (Standards), the main component of the International Professional Practices Framework (IPPF).

Several governing and guiding documents were updated or created. This package provides a summary of the documents and the actual materials created for use.

Overview of the New Standard & Changes

Governance

1. [The Auditor General Role Overview](#) provides a high-level context of the role.
2. [The Auditor General Charter](#) has been updated to consider alignment with the new IIA IPPF and reporting directly to the Council (as when the original mandate was prepared, the CSSC was in place). A clean final copy and a track changes version are presented.
3. [Analysis of Essential Elements of Governance](#) provides an overview of the essential elements of the IIA IPPF, which the Council and Management must be aware of and actively endorse. Further, the outline of the assessment framework to be completed in 2025 is included.

Communication

4. [Items to Be Escalated as Part of the Normal Course of Reporting](#) provide the framework for qualifying/assessing findings as they are noted and reported in the normal course of work. These will be the guiding principles of assessment for the Office of the Auditor General.
5. [Issues that Should Be Escalated Immediately to the City Council and Senior Management](#) provide the framework for qualifying/assessing, which circumvents the regular reporting practices and requires more rapid escalation. These will be the guiding principles of assessment for such items for the Office of the Auditor General.
6. [2025 Materiality and Ratings](#) provides the current basis for the financial and qualitative considerations used by the Office

of the Auditor General in determining ratings for the overall report and individual findings.

Annual Strategy and Framework

7. [2025 Auditor General Strategy](#) outlines the objectives, focus areas and key components guiding the function for the coming year.
8. [2025 Auditor General & Office of the Auditor General Budget](#) outlines the major categories for which the budget provides funding.
9. [Technology Implementation Plan](#) outlines the current state assessment and planned technology initiative enabling the Office of the Auditor General and plans for 2025.
10. [Executive Learning Plan](#) identifies the planned development areas and approach for the Auditor General over the next 2-3 years.

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1. Auditor General Role Overview

Windsor's Auditor General is one of two independent Accountability Officers appointed by, and accountable to, City Council to carry out their mandate as set out in the Municipal Act. The Auditor General assists City Council in holding itself and staff accountable to taxpayers of the City of Windsor including through reviews of City services and how public funds are used.

The Auditor General's Office is independent of the public service with authority through the Municipal Act to conduct financial, operational, compliance, information systems, forensic and other special reviews of most City departments, City agencies and corporations, local boards and other entities the City is related to, or has an interest in.

The role is that of an experienced and innovative leader in the role of Auditor General, which ensures that the Office is delivering on its mission and mandate to assist City Council in holding itself and City administrators accountable for the quality of stewardship over public funds and achieving value for money in City operations. The Auditor General is responsible for carrying out financial (excluding external attest audit), operational, compliance, performance (value for money), forensic and other special reviews of all programs, activities and functions of City divisions and local boards (restricted definition), and the offices of the Mayor and members of Council.

Separate Continuous Improvement and Risk Management functions, reporting to City Administration, provide risk and business consulting services to the public service, as well as independent and objective assurance that the systems for which management is responsible function properly.

This individual leads the overall strategic direction for the Auditor General's Office by establishing goals, objectives and priorities for the Office that are aligned with Council directions, overseeing the policy framework and administration of the Office, and providing strategic advice and guidance to City Council.

In addition to ongoing audit and reporting processes, the Auditor General formulates strategic multi-year audit plans based on a risk assessment process, supplemented with ad-hoc audit work based on self-initiated discovery or Council requests, and administers the Concerned Citizen and Employee Hotline in accordance with the City Council approved protocol.

The Auditor General conducts special studies of specific operations requiring the collection and analysis of data, interpretation of unusual factors, summarization of findings and presentation of recommendations and suggestions. The Auditor General prepares and provides written reports on the determinations and recommendations resulting from your investigations and audits, makes presentations, appears before and respond to questions at City Council and its Committees.

Auditor General - Summary Package

Skills required include:

- An excellent relationship builder and skilled communicator who works closely with executive professionals within the City's agencies, boards, corporations and divisions, and senior officials from other orders of government, as well as private and community-based sectors, collaborating horizontally and creating opportunities for service improvement and efficiencies, and shared success.
- Managing media relations and other public forums relating to the Auditor General's Office.
- Future-focused, using effective management techniques, implement change and performance management processes to recruit and support competent and qualified employees and ensure adequate service levels to respond to changing work environments, and meet the expectations of Council and the public.

2. Auditor General Charter

The following document is the “clean” proposed version updated for consideration of (1) removal of CSSC terminology and (2) alignment to new professional standards. The redlined version is in Appendix A.

AUDITOR GENERAL CHARTER

By virtue of the authority provided to a municipality in s. 223.19 of the *Municipal Act, 2001*, S.O. 2001, c. 25, (the “Act”) The Corporation of the City of Windsor (“City of Windsor”) appointed an auditor general (the “AG”) on September 23, 2019 by Council Resolution CR485/2019.

The purpose, scope, authority, responsibilities and accountability of the AG for the City of Windsor are described in this Auditor General Charter (the “Charter”).

This Charter shall be periodically reviewed and updated, in consultation with City Council.

OVERVIEW

The AG is responsible for assisting the City of Windsor in holding itself and its administrators accountable for the quality of stewardship over public funds and for the achievement of value for money in municipal operations. The AG will carry out its responsibilities by providing objective and independent assessment, advice and assurance with respect to governance, risk management, accountability, and performance. The role of the AG is not only to identify cost savings. When selecting audit projects, the AG attempts to balance audit work that will identify opportunities for cost reductions, loss avoidance, increased revenues, improved revenue collection, enhanced efficiency and effectiveness, and improvements to major control systems.

While cost savings may result from the work conducted by the AG, of equal importance is the work conducted to safeguard the City of Windsor resources and ensure proper use of public funds. Recommendations relating to the improvement of internal controls and the quality of stewardship over public funds are an important part of the AG’s work but are not easily quantifiable. Reports which have no apparent immediate financial benefit may nevertheless have significant other long-term benefits to the City.

The AG also has the responsibility to oversee the Concerned Citizen and Employee Hotline in accordance with the Council-approved protocol.

Throughout this Charter, the term City Council is used. Should City Council at any point create an Audit Committee as a standing committee the Auditor General will report to City Council through said Committee, but the Auditor General retains the right of access to address City Council.

REPORTING

The AG for the City of Windsor shall report directly to City Council and will issue the annual plan reports and status updates to City Council.

Internal Audit personnel will report to and be overseen by the AG and support the AG in executing the mandates within this Charter, and shall be governed by it. Internal Audit personnel, and their efforts/hours will be directed by the AG. The AG has delegated the following powers conferred to him under the Act to the Internal Audit personnel who report to him or her, including all internal audit personnel: Scope, Duty to Furnish, Access to Records, Confidentiality and Testimony. (see Appendix A).

PURPOSE

The purpose of the AG is to provide independent, objective assurance and advice designed to add value and improve the City of Windsor’s operations. Independence is mandated by the *Act* and carried out in accordance with professional standards. The AG will collaborate with the City of Windsor management and help the City of Windsor accomplish its objectives by

Auditor General - Summary Package

bringing a systematic, disciplined approach to evaluate and improve the effectiveness of governance, risk management, and control processes.

In addition to these primary services, the AG shall provide guidance to improve the effectiveness of controls, examine suspected fraudulent or irregular activities, and provide advisory services to assist with the improvement of operational activities.

SCOPE

The scope of the AG is defined annually through the approved Work Plan ("Work Plan") and includes all audit activities to assist management in determining whether the City of Windsor's network of governance, risk management, and control processes, are adequate and functioning in a manner to ensure:

- Risks are appropriately identified and managed.
- Interaction with the various governance groups occurs as needed.
- Significant financial, managerial, and operating information is accurate, reliable, and timely.
- Employees' actions are in compliance with policies, standards, procedures, and applicable laws and regulations.
- Interactions and arrangements with third parties, including external parties, are in compliance with policies, standards, procedures, and applicable laws and regulations.
- Resources and assets are acquired economically, used efficiently, and adequately safeguarded.
- Operations and initiatives are conducted to deliver results that are consistent with established objectives and goals.
- Quality and continuous improvement are fostered in the City of Windsor's control process.
- Legislative or regulatory compliance issues impacting the City of Windsor are recognized and addressed appropriately.

Opportunities for improving management control, financial and operating results, and the City of Windsor's structure or performance may be identified during audits. To fulfill its objective of adding value and improving the City of Windsor's operations, the AG will validate findings and recommendations with the appropriate level of management and obtain management responses and action plans to include in reports.

ACCOUNTABILITY

The AG, in the discharge of his/her duties, shall be accountable to the City of Windsor by reporting directly to City Council to:

- Provide coverage of the adequacy and effectiveness of the City of Windsor's processes for controlling its activities and managing its risks.
- Report important issues related to the processes for managing risk and controlling the activities of the organization, including potential improvements to those processes, and provide information concerning such issues through resolution. This includes coverage of risk management and governance practices.
- Periodically provide information on the status and results of the annual Audit Plan and the sufficiency of department resources. This includes ensuring the resources are sufficient in amount and competency to cover the risks in the annual audit plan.
- Coordinate with and provide coverage of other control and monitoring functions (risk management, governance, compliance, security, legal, ethics, environmental).
- Coordinate with external audit.
- Along with management, establish a follow-up process to track and monitor the effective implementation of management actions related to important issues and recommendations.

AUTHORITY, ACCESS AND SUPPORT

The AG may exercise the powers and shall perform the duties with respect to the City of Windsor's:

1. departments,

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2. local boards,
3. controlled corporations, and
4. grant recipients (where the grant received is directly or indirectly from the municipality, a local board or a municipally-controlled corporation for grants received 2006 or later).

The responsibilities of the AG do not include those matters for which an auditor is responsible under s.296(1) of the *Act*. The AG's responsibilities do not include annually auditing the accounts and transactions of the municipality and its local boards and expressing an opinion on the financial statements of these bodies based on the audit.

As per the *Act*, the AG does not have the right to limit the natural person powers bestowed upon a municipality nor does the AG have the right to limit municipal by-laws respecting the following matters:

1. Governance structure of the municipality and its local boards.
2. Accountability and transparency of the municipality and its operations and of its local boards and their operations.
3. Financial management of the municipality and its local boards.
4. Public asset of the municipality acquired for the purpose of exercising its authority under this or any other Act.
5. Economic, social and environmental well-being of the municipality, including respecting climate change.
6. Health, safety and well-being of persons.
7. Services and things that the municipality is authorized to provide under subsection 1 of the Municipal Act.
8. Protection of persons and property, including consumer protection.
9. Animals.
10. Structures, including fences and signs.
11. Business licensing.

As per the *Act*, the City of Windsor, its local boards and its municipally-controlled corporations and grant recipients shall give the AG, such information regarding their powers, duties, activities, organization, financial transactions and methods of business as the AG believes to be necessary to perform their duties.

As per the *Act*, the AG is entitled to have free access to all books, accounts, financial records, electronic data processing records, reports, files and all other papers, things or property belonging to or used by the municipality, its local boards, the municipally-controlled corporations or the grant recipient, as the case may be, that the AG believes to be necessary to perform their duties.

For the purpose of this Charter, affiliates of the City of Windsor include, but are not limited to, service providers, subcontractors, consultants or any other party performing work, whereby the City of Windsor has an oversight role.

The AG shall have access to any functions, meetings, records, physical property, and personnel required to carry out its responsibilities. The AG shall handle confidential information by adhering to the same restrictions that apply to the department that manages it.

The AG will have full and free access to the CSSC and City Council.

The Mayor and City Councillors, City of Windsor management and staff shall provide full cooperation, access to records, explanations, assistance, and general facilitation to complete audit endeavours.

The AG shall have the authority to stop, delay or postpone active/ongoing or planned work in order to redirect efforts to conduct projects and analysis when a complaint/allegation is lodged which may have merit. Any such changes will be reported to City Council for approval of the Audit Plan change or alternatively for allocation of additional resources to avoid such changes to the plan.

The CAO, or his or her designate, is authorized to:

- Coordinate with management to ensure the audit personnel have unrestricted access to all functions, meetings, records, physical property, and personnel required to carry out their responsibilities.

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- Coordinate with management to allocate internal resources and/or seek from management the necessary assistance of personnel in departments of the City of Windsor or those contracting with the City of Windsor in order to accomplish audit objectives.
- As part of carrying out his or her responsibilities or at the request of management, provide advice to management on the audit process, as deemed appropriate.

ETHICAL CONSIDERATIONS

The AG, and the office (personnel) that he/she oversees:

- is required to perform their work with honesty, professional courage and integrity.
- Must understand, respect, meet and contribute to the legitimate and ethical expectations of the City of Windsor
- Must be able to recognize and report conduct that is contrary to the City of Windsor's legitimate and ethical considerations.
- Comply with professional designation ethical requirements and related ethics training.

RESPONSIBILITY

The AG's responsibilities and accountability are defined and approved by the City of Windsor through City Council as well as through the appointment of an Auditor General by the City of Windsor under the Act, which includes all activities that encompass:

- The examination and evaluation of the adequacy and effectiveness of the system of internal controls; and,
- The quality of performance in carrying out assigned responsibilities and operational activities.

The AG has responsibility to:

- Develop a rolling three-year Work Plan using an appropriate risk-based methodology, including any risks or control concerns identified by management, and submit that plan, as well as any recommendations regarding changes to the plan, if required, to the CSSC for review and approval.
- Implement each year's Work Plan, as approved, including as appropriate any special tasks or projects requested by Council.
- Propose, and make merited, amendments to the annual Work Plan and projects as per the provided powers and authority.
- Maintain professional resources with staff and, where appropriate, additional resources with sufficient knowledge, skills, experience, and professional certifications to meet the requirements of this Charter.
- Evaluate and assess important merging/consolidating functions and new or changing services, business units, processes, systems, operations, and control processes coincident with their development, implementation, and/or expansion.
- Evaluate the reliability and integrity of operational and financial information and the means used to identify, measure, classify, and report such information.
- Evaluate the systems established to ensure compliance with policies, plans, procedures, laws, and regulations which could have a significant impact on the organization.
- Evaluate the means of safeguarding assets and, as appropriate, verify the existence of such assets.
- Evaluate the effectiveness and efficiency with which resources are employed.
- Evaluate operations or programs to ascertain whether results are consistent with established objectives and goals.
- Evaluate and report on risk management processes, significant risk exposures and control issues.
- Consider fraud risks during the planning of audits, alertness to process deficiencies or other red flags which indicate the possibility that fraud could or has occurred, the determination of whether further action is required, and the recommendation of investigations where appropriate.

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- Assist as appropriate in the investigation of suspected fraudulent activities within the organization and notify management (where appropriate) and Council of the results.
- Issue periodic reports summarizing results of audit activities to the Executive Leadership Team and to Council.
- Keep Council informed of emerging trends and successful practices in internal auditing.
- Provide audit measurement goals and results to City Council.
- Coordinate its plans and efforts with those of the external auditors to avoid duplication of audit efforts and to optimize audit coverage.
- In discharging its responsibilities or at the request of management, as appropriate, provide advice to management that add value and improve an organization's governance, risk management, and control processes without the AG assuming management responsibility.
- Execute a quality assurance and improvement program to ensure effective operation of audit activities and annually report the results of the program to the CAO, or designate and Council in accordance with professional standards.

INDEPENDENCE AND OBJECTIVITY

The AG is required to perform his or her responsibilities in an independent manner. He or she is required to be objective in accordance with professional standards.

In order to ensure maintenance of its independence and objectivity, the AG will remain free from interference by any element in the City of Windsor, including matters of audit scope, procedures, frequency, timing, or report content.

To provide for the organizational independence of the audit function, the AG will report functionally to City Council with administrative coordination provided by the CAO, or designate, to support the AG role.

To ensure objectivity, the AG shall not implement procedures or controls, develop records, or engage in any activity that would impair their objectivity. To assist management in discharging their responsibilities, the AG office may advise management in the formulation of policies and procedures, or the development of new systems. However to remain independent and objective, it will be in an advisory capacity, with final decisions and implementation being the responsibility of the appropriate management.

The AG shall not have direct responsibility or authority over any activities which they review. The AG will attest to the organizational independence of the AG's and related staff/personnel audit activity and identify any unwarranted restrictions on audit scope, communications, access, and resources, including personnel and externally contracted resources to Council, at least annually.

REPORTING AND MONITORING

The AG will submit to Council:

1. A rolling three year risk-based Audit Plan for approval by Council. Annual Work Plans will be developed based on a prioritization of the audit universe using a risk-based methodology, including input from the Mayor, Councillors, the City of Windsor Corporate Leadership Team, senior management and other identified City of Windsor staff. Any significant deviation from the approved Work Plan, including modifications made by the AG based on merit and the AG powers, will be communicated to Council through periodic updates.
2. A written report will be prepared and issued following the conclusion of each audit engagement and once discussed with management, will be distributed as appropriate, including Council. To ensure management feedback and to encourage management participation in the process, the audit report will include management's response and corrective action taken or to be taken in regard to the specific findings and recommendations, including timetable of anticipated completion.
3. A written report will be prepared based on validation of management's corrective action plan closure and summary status for all unresolved findings (those open as of the prior report as well as the new ones raised in the period).
4. An annual report on the audit activities conducted during the preceding year.
5. Immediate communication of any suspected or known instances of fraud to Council.

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Based on the AG's judgement, the escalation process will be directed to City Council or the CAO. Any team member, or contractor, reporting up through the chain of command of the AG shall report any ethical concerns to the AG unless it regards the AG directly - such concern should be reported directly to the CAO for escalation. Escalation guidance is provided in the document "AG Summary of Escalation Criteria".

STANDARDS

The internal audit profession is covered by the International Professional Practices Framework of The Institute of Internal Auditors (IIA). This framework includes mandatory elements consisting of the Definition of Internal Auditing, the Code of Ethics, and the International Standards for the Professional Practice of Internal Auditing. As part of this standard the IIA has published "Unique Aspects of Internal Auditing in the Public Sector 2nd Edition - Global Practice Guide" which will also be leveraged as an interpretative and supporting standard reference.

The AG will meet the applicable mandatory requirements of the profession.

Where appropriate, performance audits (also known as value-for-money audits), may leverage the Generally Accepted Government Auditing Standards for Performance Audits or the Performance Audit Process as outlined by the Office of the Auditor General of Canada.

The AG shall employ established and proven frameworks and practices that are appropriate for the City and for the effective performance of AG responsibilities.

ENQUIRIES

Enquiries about this policy should be directed to the AG, or designate or the CAO.

APPROVAL

Modifications to the Auditor General Charter must be:

1. In compliance with the Act.
2. Based on the annual review and approved by the appointed AG.
3. Subsequent to the initial presentation, where modifications are identified through preceding items 1 and 2, such modifications will be presented to City Council for endorsement through a Council Resolution.

APPENDIX A: DELEGATION OF POWERS AND DUTIES TO INTERNAL AUDIT PERSONNEL

Under the Act, section 223.19 (5) the Auditor General has the ability to delegate powers and duties while also retaining those powers and duties (section 223.29 (6)). The Auditor General hereby delegates the following powers and duties conferred upon him through the Act and Charter to all Internal Audit personnel:

Duty to Furnish: 223.20 (1) The municipality, its local boards and the municipally-controlled corporations and grant recipients referred to in subsection 223.19(3) shall give the Auditor General such information regarding their powers, duties, activities, organization, financial transactions and methods of business as the Auditor General believes to be necessary to perform his or her duties under this Part. 2006, c. 32, Sched. A, s. 98.

Access to Records: 223.20 (2) The Auditor General is entitled to have free access to all books, accounts, financial records, electronic data processing records, reports, files and all other papers, things or property belonging to or used by the municipality, the local board, the municipally-controlled corporation or the grant recipient, as the case may be, that the Auditor General believes to be necessary to perform his or her duties under this Part. 2006, c. 32, Sched. A, s. 98.

Duty of Confidentiality: 223.22(1) The Auditor General and every person acting under the instructions of the Auditor General shall preserve secrecy with respect to all matters that come to his or her knowledge in the course of his or her duties under this Part. 2006, c. 32, Sched. A, s. 98.

Testimony: 223.23 Neither the Auditor General nor any person acting under the instructions of the Auditor General is a competent or compellable witness in a civil proceeding in connection with anything done under this Part. 2006, c. 32, Sched. A, s. 98.

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Further, the Auditor General hereby delegates the powers and duties (specifically, scope, authority, access and support, independence & objectivity, reporting & monitoring and standards) outlined in the Auditor General Charter to all Internal Audit personnel such that those personnel support him in executing said Charter.

Auditor General for the Corporation of the City of Windsor

Date

3. Analysis of Essential Elements of Governance

The Purpose of Internal Auditing as articulated in Domain I: Purpose of Internal Auditing.

The Office of the Auditor strengthens the organization’s ability to create, protect, and sustain value by providing the City Council and management with independent, risk-based, and objective assurance, advice, insight, and foresight.

The Office services to enhance the organization’s:

- Successful achievement of its objectives.
- Governance, risk management, and control processes.
- Decision-making and oversight.
- Reputation and credibility with its stakeholders.
- Ability to serve the public interest.

The essential conditions outlined under each of the standards in Domain III: Governing the Internal Audit Function.

The following symbols are used to provide an assessment of the current governance practices related to The Corporation of the City of Windsor’s alignment with the Essential Condition of the new standards:



- denotes areas where the summarized practices support the achievement of the Essential Condition or where future-oriented, the articulated plans as expected to support the Essential Condition.



- denotes area of focus where there are challenges in meeting the Essential Condition. The required overview of the risk of not meeting the Essential Conditions is provided below in the Section Entitled “ “. The reporting of these challenges and the associated risks is a required communication from the Auditor General to City Council under the enhanced standards. Options for resolution are also provided.

Essential Elements - City Council:

#	Essential Condition	Assessment	Summary Assessment Notes
1	Discuss with the chief audit executive and senior management the appropriate authority, role, and responsibilities of the internal audit function.		

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#	Essential Condition	Assessment	Summary Assessment Notes
2	Approve the internal audit charter, which includes the internal audit mandate and the scope and types of internal audit services.		
3	Discuss with the chief audit executive and senior management other topics that should be included in the internal audit charter to enable an effective internal audit function.		
4	Approve the internal audit charter.		
5	Review the internal audit charter with the chief audit executive to consider changes affecting the organization, such as the employment of a new chief audit executive or changes in the type, severity, and interdependencies of risks to the organization.		
6	Champion the internal audit function to enable it to fulfill the Purpose of Internal Auditing and pursue its strategy and objectives.		
7	Work with senior management to enable the internal audit function's unrestricted access to the data, records, information, personnel, and physical properties necessary to fulfill the internal audit mandate.		
8	Support the chief audit executive through regular, direct communications.		
9	Demonstrate support by:		
9a	– Specifying that the chief audit executive reports to a level within the organization that allows the internal audit function to fulfill the internal audit mandate.		-

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#	Essential Condition	Assessment	Summary Assessment Notes
9b	– Approving the internal audit charter, internal audit plan, budget, and resource plan.		
9c	– Making appropriate inquiries of senior management and the chief audit executive to determine whether any restrictions on the internal audit function’s scope, access, authority, or resources limit the function’s ability to carry out its responsibilities effectively.		
9d	– Meeting periodically with the chief audit executive in sessions without senior management present.		
10	Establish a direct reporting relationship with the chief audit executive and the internal audit function to enable the internal audit function to fulfill its mandate.		
11	Authorize the appointment and removal of the chief audit executive.		
12	Provide input to senior management to support the performance evaluation and remuneration of the chief audit executive.		
13	Provide the chief audit executive with opportunities to discuss significant and sensitive matters with the board, including meetings without senior management present.		
14	Review the requirements necessary for the chief audit executive to manage the internal audit function, as described in Domain IV: Managing the Internal Audit Function.		

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#	Essential Condition	Assessment	Summary Assessment Notes
15	Approve the chief audit executive's roles and responsibilities and identify the necessary qualifications, experience, and competencies to carry out these roles and responsibilities.		
16	Engage with senior management to appoint a chief audit executive with the qualifications and competencies necessary to manage the internal audit function effectively and ensure the quality performance of internal audit services.		
17	Communicate with the chief audit executive to understand how the internal audit function is fulfilling its mandate.		
18	Communicate the board's perspective on the organization's strategies, objectives, and risks to assist the chief audit executive with determining internal audit priorities.		
19	Set expectations with the chief audit executive for:		
20	– The frequency with which the board wants to receive communications from the chief audit executive.		
20a	– The criteria for determining which issues should be escalated to the board, such as significant risks that exceed the board's risk tolerance.		

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#	Essential Condition	Assessment	Summary Assessment Notes
20b	– The process for escalating matters of importance to the board.		
20c	Gain an understanding of the effectiveness of the organization’s governance, risk management, and control processes based on the results of internal audit engagements and discussions with senior management.		
21	Discuss with the chief audit executive disagreements with senior management or other stakeholders and provide support as necessary to enable the chief audit executive to perform the responsibilities outlined in the internal audit mandate.		
22	Collaborate with senior management to provide the internal audit function with sufficient resources to fulfill the internal audit mandate and achieve the internal audit plan.		
23	Discuss with the chief audit executive, at least annually, the sufficiency, both in numbers and capabilities, of internal audit resources to fulfill the internal audit mandate and achieve the internal audit plan.		
24	Consider the impact of insufficient resources on the internal audit mandate and plan.		
25	Engage with senior management and the chief audit executive on remedying the situation if the		

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#	Essential Condition	Assessment	Summary Assessment Notes
	resources are determined to be insufficient.		
26	Discuss with the chief audit executive the quality assurance and improvement program, as outlined in Domain IV: Managing the Internal Audit Function.		
27	Approve the internal audit function's performance objectives at least annually. (See also Standard 12.2 Performance Management.)		
28	Assess the effectiveness and efficiency of the internal audit function. Such an assessment includes:		
28a	– Reviewing the internal audit function's performance objectives, including its conformance with the Standards, laws and regulations; ability to meet the internal audit mandate; and progress towards completion of the internal audit plan.		
28b	– Considering the results of the internal audit function's quality assurance and improvement program.		
28c	– Determining the extent to which the internal audit function's performance objectives are being met.		
28d	Discuss with the chief audit executive the plans to have an external quality assessment of the internal audit function conducted by an independent, qualified assessor or assessment team.		

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#	Essential Condition	Assessment	Summary Assessment Notes
30	Collaborate with senior management and the chief audit executive to determine the scope and frequency of the external quality assessment.		
31	Consider the responsibilities and regulatory requirements of the internal audit function and the chief audit executive, as described in the internal audit charter, when defining the scope of the external quality assessment.		
33	Review and approve the chief audit executive's plan for the performance of an external quality assessment. Such approval should cover, at a minimum:		
33a	– The scope and frequency of assessments.		
33b	– The competencies and independence of the external assessor or assessment team.		
33c	– The rationale for choosing to conduct a self-assessment with independent validation instead of an external quality assessment.		
34	Require receipt of the complete results of the external quality assessment or self- assessment with independent validation directly from the assessor.		
35	Review and approve the chief audit executive's action plans to address identified deficiencies and opportunities for improvement, if applicable.		

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#	Essential Condition	Assessment	Summary Assessment Notes
36	Approve a timeline for completion of the action plans and monitor the chief audit executive's progress.		

Essential Conditions - Management:

#	Essential Condition	Assessment	Summary Assessment
1	Participate in discussions with the City Council and chief audit executive and provide input on expectations for the internal audit function that the City Council should consider when establishing the internal audit mandate.		
2	Support the internal audit mandate throughout the organization and promote the authority granted to the internal audit function.		
3	Communicate with the City Council and chief audit executive about management's expectations that should be considered for inclusion in the internal audit charter.		
4	Support recognition of the internal audit function throughout the organization.		
5	Work with the City Council and management throughout the organization to enable the internal audit function's unrestricted access to the data, records, information, personnel, and physical properties necessary to fulfill the internal audit mandate.		

Auditor General - Summary Package

6	Position the internal audit function at a level within the organization that enables it to perform its services and responsibilities without interference, as directed by the City Council.		
7	Recognize the chief audit executive's direct reporting relationship with the City Council.		
8	Engage with the City Council and the chief audit executive to understand any potential impairments to the internal audit function's independence caused by non-audit roles or other circumstances and support the implementation of appropriate safeguards to manage such impairments.		
9	Provide input to the City council on the appointment and removal of the chief audit executive.		
10	Solicit input from the City Council on the performance evaluation and remuneration of the chief audit executive.		
11	Engage with the City Council to determine the chief audit executive's qualifications, experience, and competencies.		
12	Enable the appointment, development, and remuneration of the chief audit executive through the organization's human resources processes.		
13	Engage with the City Council to provide the internal audit function with sufficient resources to fulfill the internal audit mandate and achieve the internal audit plan.		

Auditor General - Summary Package

14	Engage with the City Council and the chief audit executive on any issues of insufficient resources and how to remedy the situation.		
15	Provide input on the internal audit function's performance objectives.		
16	Participate with the City Council in an annual assessment of the chief audit executive and internal audit function.		
17	Collaborate with the City Council and the chief audit executive to determine the scope and frequency of the external quality assessment.		
18	Review the results of the external quality assessment, collaborate with the chief audit executive and City Council to agree on action plans that address identified deficiencies and opportunities for improvement, if applicable, and agree on a timeline for completion of the action plans.		

Essential Condition Non-Compliance Risks and Recommendations

1	Finding Title
	Description of Finding
	Risk:
	Potential Strategies For Resolution (Underlined Item is the Recommended Approach): <ul style="list-style-type: none">•

4. Items to Be Escalated as Part of the Normal Course of Reporting

Criteria for the Chief Audit Executive (CAE) to Escalate Issues to the City Council and Senior Management

The Chief Audit Executive (CAE) plays a critical role in ensuring that significant issues, risks, and control deficiencies are appropriately communicated to the City Council and senior management. The decision to escalate issues must be based on the severity, potential impact, and urgency of the matter. Below is an outline of the criteria that should guide the CAE in determining when and how to escalate audit findings:

1. Severity of the Issue

- **Material Weaknesses in Internal Controls:**
 - Any identified weaknesses in key internal controls that could lead to material misstatements in financial reporting, non-compliance with regulations, or financial losses should be escalated immediately.
 - **Example:** Failure in segregation of duties, inadequate fraud detection mechanisms, or significant deficiencies in IT security controls.
 - **Failure to Address Previously Identified Issues:**
 - If management has failed to take appropriate corrective action on previously identified audit findings or if previous remediation plans are not being executed effectively, these should be escalated to the City Council or senior management.
 - **Example:** Delays or failure to implement key recommendations from prior audits.
 - **Compliance Violations or Legal Risks:**
 - Escalate issues where there is a violation of laws, regulations, or significant contractual obligations that could lead to legal consequences, regulatory fines, or reputational damage.
 - **Example:** Non-compliance with provincial laws (e.g., **Municipal Act, 2001**) or federal regulations like **PIPEDA** (Personal Information Protection and Electronic Documents Act).
-

2. Financial Impact

- **Significant Financial Loss or Risk:**
-

- Any risk or issue that could lead to significant financial loss, impairment of assets, or undermining of the municipality's financial integrity should be brought to the attention of senior management or the City Council.
 - **Example:** Mismanagement of funds, significant overspending on a project, or exposure to fraud.
 - **Unusual Financial Transactions:**
 - Instances of large or unusual financial transactions that do not align with the municipality's typical spending patterns or that cannot be explained through normal business processes.
 - **Example:** Unauthorized payments, unusually high expenses, or lack of proper documentation for financial transactions.
-

3. Reputational Risk

- **Risk to Public Trust or Confidence:**
 - Any issue that could potentially damage the municipality's reputation, harm public trust, or lead to a loss of confidence among stakeholders (citizens, government, suppliers, etc.) should be escalated.
 - **Example:** Poor performance in public services, corruption allegations, mishandling of public funds, or failure to meet community expectations.
 - **High-Profile Public Issues:**
 - Issues that have the potential to become public scandals or attract significant media attention should be escalated to ensure that senior management and the City Council are prepared to address them effectively.
 - **Example:** A data breach that exposes sensitive citizen information or the mismanagement of a public health crisis.
-

4. Risk of Operational Disruption

- **Disruption to Critical Services:**
 - If audit findings point to risks that could disrupt essential public services, such as emergency services, healthcare, transportation, or utilities, the issue should be escalated to ensure timely corrective action.
 - **Example:** Identified weaknesses in IT systems that could result in failure of municipal service delivery (e.g., tax collection, waste management, water supply).
 - **Inadequate Disaster Recovery and Business Continuity Planning:**
 - If audits reveal gaps in disaster recovery and business continuity plans that could lead to extended operational disruptions in the event of a crisis, escalation is necessary.
 - **Example:** Lack of a tested IT disaster recovery plan or gaps in critical infrastructure maintenance.
-

5. Strategic Impact

- **Failure to Achieve Strategic Objectives:**
 - If internal audits reveal that risks or deficiencies are threatening the municipality's ability to achieve its strategic goals (e.g., infrastructure development, environmental sustainability), it should be escalated.
 - **Example:** Delays or failures in key projects that affect long-term planning (e.g., major public infrastructure projects, municipal digital transformation initiatives).
 - **Missed Opportunities for Efficiency or Cost Savings:**
 - Findings that suggest missed opportunities for operational efficiency, cost savings, or enhanced performance that could significantly improve the municipality's financial position or service delivery.
 - **Example:** Identification of inefficiencies or waste in service contracts, procurement, or resource allocation.
-

6. Compliance with Ethical Standards

- **Ethical Violations or Conflicts of Interest:**
 - If audit findings indicate violations of ethical standards, conflicts of interest, or breaches of the municipality's code of conduct, they should be escalated.
 - **Example:** Cases where senior employees or council members are found to have engaged in unethical behaviour, such as nepotism, bribery, or accepting kickbacks from vendors.
 - **Concerns About Whistleblower Allegations:**
 - Any credible whistleblower complaints or reports of unethical conduct, fraud, or harassment should be carefully reviewed and escalated as necessary.
 - **Example:** A whistleblower report alleging discriminatory practices in the hiring process or misuse of funds.
-

7. Audit or Control Environment Challenges

- **Inability to Complete Audits Due to Obstruction or Lack of Cooperation:**
 - If the audit team faces resistance from management or lacks access to critical information, this could hinder the audit's effectiveness and should be escalated.
 - **Example:** Senior management or staff not providing necessary documents, or failure to respond to audit requests in a timely manner.
 - **Lack of Audit Independence:**
-

- If internal auditors face pressures that compromise their objectivity or independence, it is crucial to escalate the issue to the City Council and senior management.
 - **Example:** Attempts by management to influence audit findings or the scope of the audit.
-

8. Legal and Regulatory Deadlines

- **Failure to Meet Legal, Regulatory, or Contractual Deadlines:**
 - Escalate any situation where the municipality is at risk of missing important legal, regulatory, or contractual deadlines that could lead to penalties or non-compliance issues.
 - **Example:** Missed deadlines for submitting mandatory reports to the Ontario Ministry of Municipal Affairs and Housing, or failure to comply with audit requirements under the **Municipal Act, 2001**.
-

9. High-Risk, High-Impact Projects

- **High-Risk Projects or Initiatives:**
 - Issues arising from high-profile or high-risk projects, particularly those involving large financial investments or critical public services, should be escalated immediately.
 - **Example:** A major capital project (e.g., building a new municipal facility, upgrading water treatment plants) facing budget overruns, compliance challenges, or significant delays.
 - **Complex or Unclear Project Oversight:**
 - If there are risks related to the oversight or governance of large-scale projects, particularly those involving multiple stakeholders (e.g., government agencies, contractors), the CAE should escalate these concerns.
 - **Example:** Confusion or lack of clarity in project governance leading to poor decision-making or cost overruns.
-

10. Timing and Urgency

- **Immediate Threat to Operations or Reputation:**
 - Any issue posing an immediate and significant threat to operations, financial stability, or the municipality's reputation should be escalated as a priority.
-

- **Example:** A cybersecurity breach that compromises sensitive resident data or an internal fraud investigation that requires urgent attention to prevent further financial loss.
 - **Delayed Reporting of Critical Findings:**
 - If audit findings with significant implications are not reported in a timely manner, this could delay necessary interventions. The CAE should escalate any delays in reporting critical issues to the City Council and senior management.
 - **Example:** A key finding of a significant control deficiency that was not reported on time, delaying corrective action.
-

Conclusion

The CAE must ensure that issues are escalated to the City Council and senior management when they pose significant risks to the municipality's operations, financial stability, compliance, or reputation. The criteria outlined above should help guide this decision-making process, ensuring that critical matters are addressed in a timely and effective manner. Transparent communication with senior leadership is essential to mitigate risks and protect the interests of the municipality and its stakeholders.

5. Issues that Should Be Escalated Immediately to the City Council and Senior Management

Certain audit findings or risks are so critical that they require **immediate escalation** due to their potential to severely impact the municipality's operations, financial integrity, legal standing, or reputation. These issues should be promptly brought to the attention of the City Council and senior management to allow for rapid intervention and decision-making.

Such items first need to be based in fact or evidence prior to escalation.

In reading the following issues, the current materiality is set at \$5,000,000.

High-impact transaction-level concerns are set at \$375,000.

1. Material Weaknesses in Internal Controls

- **Significant Control Failures:**
 - Any identified **material weaknesses** in the internal controls that could lead to major financial misstatements, significant fraud, or non-compliance with laws and regulations.
 - **Example:** A breakdown in segregation of duties, lack of approval mechanisms for financial transactions, or deficiencies in IT system security that could allow unauthorized access.
 - **Inability to Mitigate Fraud Risks:**
 - If the audit identifies critical **fraud risks** that have not been mitigated through internal controls or monitoring systems.
 - **Example:** Gaps in procurement oversight or lack of fraud detection mechanisms that could result in significant financial loss.
-

2. Legal and Compliance Violations

- **Regulatory Non-Compliance:**
 - Any violation of **municipal, provincial, or federal laws** that exposes the municipality to legal or regulatory penalties, fines, or reputational damage.
 - **Example:** Non-compliance with the **Municipal Act, 2001**, violations of the **Ontario Building Code**, or failure to meet **Environmental Protection Act** requirements.
 - **Potential Legal Liabilities:**
-

- Issues that could expose the municipality to **legal actions**, lawsuits, or settlements, particularly if these could have significant financial implications.
 - **Example:** Allegations of discrimination, harassment, or wrongful termination by municipal employees or contractors.
-

3. Significant Financial Loss or Risk

- **Material Financial Loss or Irregularities:**
 - Any situation where there is a **substantial financial loss** due to fraud, mismanagement, or errors in financial transactions.
 - **Example:** Discovery of a major embezzlement, significant overpayments to contractors, or large discrepancies in municipal accounts.
 - **Unusual or Unauthorized Transactions:**
 - Instances of **unusual financial transactions** or payments that do not align with the municipality's policies, budgets, or historical trends, raising concerns about fraud, waste, or mismanagement.
 - **Example:** A large, unexplained wire transfer or payment to an unknown or unauthorized vendor.
-

4. Cybersecurity and Data Privacy Breaches

- **Data Breaches or Cyberattacks:**
 - **Cybersecurity incidents** that expose sensitive information, disrupt municipal operations, or compromise data privacy (e.g., resident data, financial records).
 - **Example:** A **data breach** that exposes citizens' personal information or a **ransomware attack** that locks critical municipal systems, such as tax or billing systems.
 - **Failure to Protect Sensitive Data:**
 - Any **breach of data protection protocols**, especially involving sensitive personal, financial, or healthcare data (e.g., data governed by **PIPEDA** or local privacy laws).
 - **Example:** Exposure of confidential information due to poor encryption, lack of access controls, or employee mishandling of data.
-

5. Major Disruption to Critical Services

- **Disruption of Essential Municipal Services:**
-

- **Service interruptions** that could severely impact residents or businesses, particularly in areas like water supply, emergency services, waste management, or public health.
 - **Example:** A failure in water treatment facilities, a disruption in the delivery of public health services, or significant delays in emergency response services due to inadequate planning or management.
 - **Significant Infrastructure Failures:**
 - Failure or risk of failure of critical municipal **infrastructure** that could cause widespread disruption or safety risks to residents.
 - **Example:** A bridge failure or collapse, major public transportation system outages, or electrical grid failures.
-

6. High-Profile Ethical Violations or Conflicts of Interest

- **Fraud, Bribery, or Corruption:**
 - Discovery of any serious **fraud, bribery, or corruption** involving high-level municipal officials or contractors.
 - **Example:** Allegations of bribery in the procurement process or misuse of municipal funds by senior management or council members.
 - **Conflicts of Interest:**
 - Any **conflicts of interest** that could result in unethical or biased decision-making, particularly involving senior officials or individuals in key positions.
 - **Example:** A senior employee or elected official awarding contracts to family members or personal business interests.
-

7. Issues That Threaten Public Trust or Reputation

- **Scandals or High-Profile Allegations:**
 - **Public scandals or high-profile allegations** that could seriously damage the municipality's reputation or erode public trust in local government.
 - **Example:** Allegations of sexual harassment or discrimination within the municipality, or poor handling of a public health or safety crisis.
 - **Severe Public Backlash:**
 - Any situation where **public outcry** is likely, especially when related to essential public services or policies.
 - **Example:** A major controversy over a public policy decision (e.g., significant cuts to essential services or increased taxes without proper consultation with the community).
-

8. Critical Risk to Financial Stability or Viability

- **Impending Insolvency or Financial Distress:**
 - Risks of **insolvency**, **bankruptcy**, or other financial crises that could threaten the municipality's ability to meet its obligations or maintain critical services.
 - **Example:** Insolvency of a key municipal contractor or vendor, or a significant reduction in provincial funding that puts the municipality's budget at risk.
 - **Material Overruns in Major Projects:**
 - **Cost overruns** or significant delays in major capital or infrastructure projects that threaten financial stability or long-term planning.
 - **Example:** A public works project (e.g., road repair or public building construction) that exceeds its budget by a significant margin, or is delayed due to poor management or contractor issues.
-

9. Unaddressed Audit Findings or Obstruction

- **Obstruction of Audit Process:**
 - If the audit team faces **resistance**, **lack of cooperation**, or **obstruction** from senior management or key stakeholders, preventing them from obtaining critical information or completing the audit process.
 - **Example:** Senior management failing to provide required documents or delaying audit activities that impede the ability to assess financial or operational risks.
 - **Failure to Act on Critical Audit Recommendations:**
 - If there are **critical audit findings** that remain unaddressed, and the delay in action could lead to significant risks.
 - **Example:** Failure to address a material weakness in the internal control system that could lead to financial misstatements or non-compliance with laws.
-

10. Breach of Municipal Governance or Oversight

- **Governance Failures or Weak Oversight:**
 - Any failure or **weakness in governance** structures or oversight mechanisms that could lead to poor decision-making, mismanagement, or unethical behavior.
 - **Example:** A lack of independent oversight in the budgeting process, or where there are significant governance gaps in decision-making (e.g., improper delegation of authority, lack of transparency in council decisions).
-

6. 2025 Materiality and Ratings

Determination

- **Annual Budget:** \$499,614,326
 - **Materiality Thresholds:**
 - Financial: 1% of total budget = **\$5 million.**
 - Impact for ratings: 1.5% - low, 7.5% - high
 - Low - <\$75,000
 - Medium - \$75,000 to \$375,000
 - High - >\$375,000
 - Aggregate: Systemic non-compliance > **\$100,000 cumulative.**
-

Considerations

1. Define Materiality Objectives

- **Public sector considerations:**
 - Focus on safeguarding public funds, ensuring compliance with regulations, and achieving value for money.
 - Stakeholders include government bodies, taxpayers, and regulatory authorities.
 - Materiality thresholds should align with the goals of transparency and accountability.
-

2. Establish Financial Materiality Thresholds

- Use financial data from budgets, expenditures, or grants to set quantitative thresholds:
 - **Budget size:** A percentage of the annual budget or specific program budget.
 - **Expenditure:** A percentage of total expenditures.
 - **Revenue:** A percentage of total revenue or funding.

Examples of common financial thresholds:

- 0.5% to 1% of the entity's total annual budget for large public sector organizations.
- For smaller programs or departments, thresholds might be adjusted to 1% to 5%.

Determination:

- Materiality set at 1%
-

3. Assess Qualitative Materiality Factors

- In the public sector, qualitative factors often outweigh financial ones. Consider:
 - **Public perception:** Issues that could erode trust in public institutions.
 - **Legal and regulatory compliance:** Violations of laws or regulations, regardless of financial value.
 - **Critical services:** Impact on service delivery, especially for essential services like healthcare or education.
 - **Stakeholder sensitivity:** Issues of significant concern to elected officials or the public.

Determination

- A \$10,000 compliance issue with environmental regulations might be deemed material due to reputational risks and legal exposure.
-

4. Link Materiality to Risk Appetite

- Assess the entity's **risk tolerance** for errors or inefficiencies:
 - For high-risk areas (e.g., procurement, grants, fraud), use lower materiality thresholds.
 - For low-risk or non-critical processes, thresholds may be higher.
-

5. Cumulative Materiality

- In public sector audits, individually immaterial issues may collectively be significant, particularly if they reflect systemic issues.
 - Use cumulative materiality to assess the aggregate effect of multiple small issues.
-

6. Relevance of Non-Financial Metrics

- Public sector entities often manage non-financial resources, such as infrastructure, public services, or data. Include metrics such as:
 - Impact on service levels or performance targets.
 - Breaches of governance frameworks.
-

- Determination: Already included in ratings

Audit Report Classification

Report Classification	Our work identified one or more of the following:
Optimally Controlled	<ul style="list-style-type: none"> ● Well-structured design effectively achieves fit-for-purpose control objectives. ● Controls are consistently applied and operate at an optimum level of effectiveness.
Managed	<ul style="list-style-type: none"> ● The sound design achieves control objectives. ● No control design improvements were identified during the review. ● Controls are consistently applied. ● Only minor instances of controls identified as not operating, which have mitigating back-up controls or the risk of loss, are immaterial. ● All previous significant audit action items have been closed.
Some Improvement Opportunity	<ul style="list-style-type: none"> ● Control design improvements were identified; however, the risk of loss is immaterial. ● Isolated or “one-off” significant controls were identified as not operating for which sufficient mitigating backup controls could not be identified. ● Numerous instances of minor controls not operating for which sufficient mitigating back-up controls could not be identified. Some previous significant audit action items have not been resolved promptly.
Major Improvement Opportunity	<ul style="list-style-type: none"> ● The design is not optimal and may put control objectives at risk. ● Control design improvements were identified to ensure that the risk of material loss is minimized and functional objectives are met. ● A number of significant controls were identified as not operating, for which sufficient mitigating backup controls could not be identified, which may put control objectives at risk. ● Losses have occurred as a result of control environment deficiencies. ● Little action was taken on previous significant audit findings to resolve the item promptly.
Unacceptable Risk Exposure	<ul style="list-style-type: none"> ● Control design leaves the opportunity for loss, error or abuse. ● Significant control design improvements were identified to ensure that the risk of material loss is minimized and functional objectives are met. ● An unacceptable number of controls (including a selection of both significant and minor) were identified as not operating for which sufficient mitigating backup controls could not be identified, creating the opportunity for loss, error or abuse. ● Material losses have occurred as a result of control environment deficiencies. Instances of fraud or significant contravention of corporate policy detected. ● No action was taken on previous significant audit findings to resolve the item on time.

Findings Ratings

	Low Impact	Medium Impact	High Impact
Highly Likely	Moderate	Significant	Significant
Likely	Low	Moderate	Significant
Unlikely	Low	Low	Moderate

Likelihood

Rating	Description
Highly Likely	History of regular occurrence of the event. The event is expected to occur in most circumstances.
Likely	History of occasional occurrences of the event. The event could happen at some time.
Unlikely	History of none or seldom occurrence of the event. The event may occur only in exceptional circumstances.

Impact

Rating	Description (applied when one criterion is met)
High	<p>Financial impact is likely to exceed \$375,000 in direct loss or opportunity cost.</p> <p>Internal Control: Significant control weaknesses, which would lead to financial or fraud loss.</p> <p>An issue that requires a significant amount of senior management/Board effort to manage, such as</p> <ul style="list-style-type: none"> • Failure to meet key strategic objectives/significant impact on strategy and objectives. • Loss of ability to sustain ongoing operations: <ul style="list-style-type: none"> ◦ Loss of key competitive advantage/opportunity. ◦ Loss of supply of key process inputs. • A significant reputational sensitivity, e.g., market share, earnings per share, credibility with stakeholders and brand name/reputation building. <p>Legal/regulatory: Large-scale action, major breach of legislation with very significant financial or reputational consequences</p>
Medium	<p>Financial impact is likely to be between \$75,000 to \$375,000 in terms of direct loss or opportunity cost.</p> <p>Internal Control: Significant control weaknesses, which could result in potential loss resulting from inefficiencies, wastage, and cumbersome workflow procedures.</p> <p>An issue that requires a significant amount of senior management/Board effort to manage, such as</p> <ul style="list-style-type: none"> • No material or moderate impact on strategy and objectives. • Disruption to regular operation with a limited effect on achieving corporate strategy and objectives. • Moderate reputational sensitivity. <p>Legal/regulatory: Regulatory breach with material financial consequences, including fines.</p>
Low	<p>Financial impact is likely to be less than \$75,000 in direct loss or opportunity cost.</p> <p>Internal Control: Significant control weaknesses, which could result in potential insignificant loss resulting from workflow and operational inefficiencies.</p> <p>An issue that requires a significant amount of senior management/Board effort to manage, such as</p> <ul style="list-style-type: none"> • Minimal impact on strategy. • Disruption in regular operations does not affect the achievement of corporate strategy and objectives. • Minimal reputational sensitivity. <p>Legal/regulatory: Regulatory breach with minimal consequences.</p>

7. 2025 Auditor General Strategy

Vision:

To enhance and protect organizational value by providing risk-based and objective assurance, advice, and insight.

Key Components:

1. Objectives:

- Strengthen governance, risk management, and internal controls.
- Develop a plan to align functional activities to required professional standards, funding allocation and the Auditor General mandate
- Administer the Concerned Citizen and Employee Hotline and Investigate Qualified Allegations

2. Strategic Focus Areas:

- **Close Open Projects:** Complete and report on BIA review work and Professional Standards Alignment work.
- **Agility:** Adapt audit plans to address emerging risks, trends, and organizational changes.
- **Stakeholder Engagement:** Maintain clear communication and collaboration with key stakeholders.
- **Allegation Investigation:** Conduct and complete the investigation of several allegations.

3. Audit Plan:

- **Coverage:** Governance, procurement, BIAs, Concerned Citizen and Employee Hotline and professional standards.
- **Risk Assessment:** Perform an annual risk assessment to prioritize high-risk and high-impact areas to be assessed as the one key review area for 2026.

4. Deliverables:

- Audit reports with clear recommendations, categorized by risk (High, Medium, Low).
- Two updates to the Council on progress, findings, and emerging risks.
- Follow-up reports to track management's implementation of corrective actions.
- Concerned Citizen and Employee Hotline status reports and reports on the Outcomes of Investigations.
- Quality assurance self-assessment

5. Performance Metrics:

- **Efficiency:** Percentage of audits completed within the budgeted effort.
- **Quality:** Stakeholder satisfaction scores from post-audit surveys.
- **Impact:** Number of accepted recommendations and successful implementations.

6. Methodology:

- **IPPF Standards Compliance:** Ensure adherence to IIA's Standards and the Code of Ethics.
- **Continuous Improvement:** Regularly update the audit methodology and tools.
- **Integration:** Collaborate with external auditors, risk management, and compliance functions as relevant.

7. Key Risks Monitored in 2025:

- Cybersecurity threats and data privacy.
 - Regulatory changes and compliance.
 - Supply chain disruptions.
 - Fraud, corruption, and financial mismanagement.
 - Environmental, Social, and Governance (ESG) risks.
-

Structure:

Team Structure:

- Chief Audit Executive (CAE).
- Staff team members (2 part-time)
- Use of co-sourced or outsourced audit services for specialized expertise and resource supplementation

Technology and Tools:

- Risk Savvy Audit File Management Suite
- Productivity Tools
- IIA and ISACA Centres of Excellence and Knowledge Repositories

Reporting Lines:

- Functional reporting to City Council.
- Administrative reporting to the CAO.
- Status reporting to Commissioner of Finance/City Treasurer via Executive Initiatives Co-ordinator

8. 2025 Auditor General & Office of the Auditor General Budget

The budget allocation for the Office of the Auditor General was set at \$300,000. The total is expected to include service delivery and the core team's expenses to deliver the services. As such, the budget is expected to address the following IIA IPPF essential conditions:

Staffing Costs (Personnel):

- Salaries and Benefits
- Training and Development
- Recruitment Costs

2. Technology and Tools:

- Audit Software
- Cybersecurity Tools
- Data Analytics and AI

3. External Support/Outsourcing:

- Outsourcing/Co-sourcing
- Specialist Resources

Actual costs for professional services will be treated as an expense and the total fees will be divided by the annual hourly rate to determine effort hours - at both budget/planning time and trued up upon completion.

4. Audit Materials and Resources:

- Travel and Subsistence
- Office Equipment

5. Risk Management and Governance Oversight:

- Risk Assessment Tools
- Governance and Compliance

6. Quality Assurance and Improvement:

- Quality Reviews
- Continuous Improvement

7. Contingency Funds:

- Unforeseen Audit Needs

8. Compliance and Legal Costs:

- Legal Support (generally through the City Solicitor)
- Regulatory Reporting

Additionally, the Budget is expected to address the following elements which are not IIA IPPF essential conditions:

9. Concerned Citizen and Employee Hotline Administration

- Administration and oversight
- Complainant Interaction
- Supporting technology/channels and access
- Protocol management and updates
- Investigations
- Reporting

9. Technology Implementation Plan

To limit security risks the specific tools and devices are not named in this public document.

1. Assessment and Planning

- **Current State Assessment:** Begin by assessing the internal audit function's current state. Evaluate existing tools, processes, and capabilities. Identify gaps where technology can improve, such as automating repetitive tasks, increasing coverage, or improving risk identification.

The internal audit function is a small function with a limited budget.

- Technology currently leveraged includes:
 - Devices:
 - Mobile computing solutions
 - Laser Printer/Sanner
 - Portable Scanner
 - Software solutions:
 - Cloud-based corporate productivity tools
 - Writing and proofreading
 - Natural language processing for research
 - Multi-layered security protection
 - File and note management software
 - Random sampling tools
 - PDF reader and generator
 - Virtual meeting solutions
 - File transfer acceleration
 - Application launcher and productivity platform
- Opportunities:
 - Greater efficiency in time/status reporting and mapping
 - More integrated file/document management for project work
 - Screen or meeting recording for evidentiary support
 - Possibly, data analytics, but not currently an issue
 - Automated file management solutions
 - Automation software
 - Rapid scheduling tools
 - Enhanced backup solutions
- **Define Objectives:** The key objectives for 2025 would be:
 - (1) increase efficiency and reduce error in time tracking, status reporting and analysis,
 - (2) increase ease and accuracy in file documentation and consolidation,

(3) ease of meeting enablement/reduced effort and

(4) continuity of services.

2. Selecting Technology Tools

- **Tool Selection:**
 - Look into file management automation
 - Explore identified solutions for work file management, time tracking and status reporting
 - Look into virtual meeting software with a recording ability
 - Learn more about identified applications
 - SSD backups & cloud cross-backups

3. Integration and Testing

- **Pilot Testing:** Pilot test each - note where/how below:
 - Unnamed - set up and trying - for January
 - Unnamed - reviewed and confirmed security - SOC2, access controls privacy, encryption at rest and in transmission. Set up templates for testing
 - Virtual mtg - see if CoW teams can do this
 - Unnamed - set up and trying - for February
 - Unnamed - set up and trying - for February
 - Unnamed - does not appear to add benefits, given the current functionality
 - Unnamed - set up and trying - for January through March
 - Backups - SSD - set up for February

4. Training and Change Management

- **Training Programs:** Real-time use, prover courses and online
- **Ongoing Support** - vendor site and user forum.

5. Monitoring and Continuous Improvement

Monitor Effectiveness: Evaluate each tool 1 month after roll-out, 3 mos, 6 mos and annually

10. Executive Learning Plan

An **Executive Learning Plan** for a **Chief Audit Executive (CAE)** is a structured approach to ongoing professional development, tailored to the CAE’s strategic and leadership role within the organization. It typically focuses on expanding the CAE’s knowledge in key areas such as governance, risk management, auditing standards, technology, and leadership, while also preparing the CAE to address current and emerging challenges within their organization.

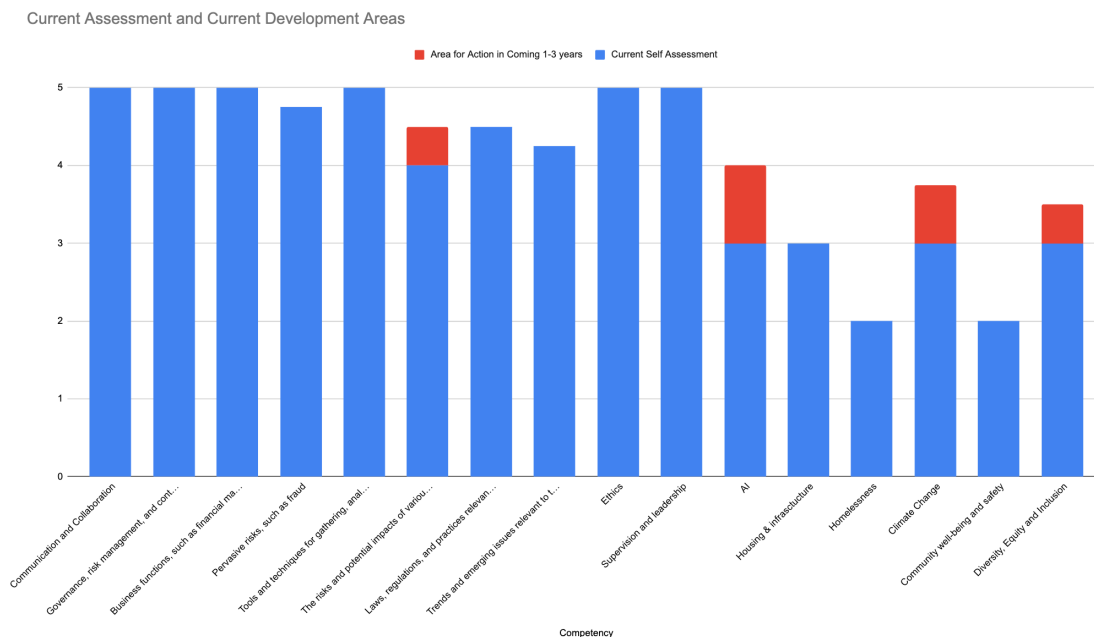
Below is a comprehensive **Executive Learning Plan** outline for a **Chief Audit Executive**:

Executive Learning Plan for a Chief Audit Executive (CAE)

1. Overview of Learning Goals

- Enhance leadership and strategic thinking skills.
- Stay current on auditing standards, governance, and risk management.
- Leverage technology, including data analytics and AI, to improve audit processes.
- Strengthen communication skills with senior leadership and the Board.
- Foster a culture of integrity, transparency, and risk management across the organization.

1. Overview of Self-Assessment and Areas of Focus



2. Core Learning Areas

1. Governance and Leadership Development

- **Goal:** Build leadership skills to effectively lead the internal audit function, manage teams, and interact with the Board and senior management.
- **Learning Topics:**
 - **Governance Frameworks:** Understanding best practices in governance for boards and audit committees.
 - **Executive Leadership:** Development of communication, decision-making, and strategic planning skills.
 - **Board and Audit Committee Relations:** Training on effective reporting, escalation, and collaboration with senior leadership and the Board.
 - **Crisis Management and Decision Making:** How to lead in times of crisis or organizational change.
- **Resources:**
 - Executive coaching or mentoring programs.
 - **Courses or certifications** on governance and board interactions (e.g., **Corporate Governance by Harvard Business School** or **Institute of Internal Auditors (IIA)** courses).
 - **Leadership development programs** like those offered by the **National Association of Corporate Directors (NACD)**.

2. Auditing Standards and Risk Management

- **Goal:** Ensure knowledge of the latest auditing standards, compliance requirements, and best practices in risk management.
- **Learning Topics:**
 - **Public Sector Accounting Standards (PSAS), IFRS, and GAAP** (for municipalities or public sector bodies).
 - **Risk Management:** Advanced concepts in identifying, assessing, and mitigating organizational risks (operational, financial, strategic).
 - **Internal Control Frameworks:** Learn about the **COSO** framework for risk management and internal controls.
 - **Fraud Risk and Prevention:** Best practices for fraud risk assessment, detection, and prevention within an organization.
- **Resources:**
 - **IIA's Professional Practices Framework** and other relevant auditing standards (e.g., **AICPA, PSAB**).
 - **Risk Management** courses (e.g., **Enterprise Risk Management (ERM) workshops**).
 - **Webinars and seminars** hosted by **Audit and Risk Management Institutes** (e.g., **IIA, ACFE**).

3. Technology and Data Analytics in Auditing

- **Goal:** Understand and apply the latest technologies in the audit function, including data analytics, AI, and cybersecurity.
- **Learning Topics:**

- **Data Analytics for Auditing:** Leveraging tools like **IDEA**, **ACL**, or **Power BI** to analyze large datasets and identify risks.
- **Automation in Internal Audit:** Use of Robotic Process Automation (RPA) in audit testing and reporting.
- **Artificial Intelligence and Machine Learning:** Exploring AI tools to predict trends, assess risks, and optimize the audit process.
- **Cybersecurity and IT Auditing:** Knowledge of key cybersecurity risks, frameworks, and IT audit procedures.
- **Resources:**
 - **Advanced Analytics and AI in Auditing** online courses (e.g., **IIA's Data Analytics for Auditors**).
 - **RPA and AI certifications** (e.g., **UiPath Certified RPA Developer**).
 - **Cybersecurity training** (e.g., **Certified Information Systems Auditor (CISA)**, **Certified Information Systems Security Professional (CISSP)**).
- 4. **Strategic Risk Management and Business Continuity**
 - **Goal:** Strengthen strategic risk management and business continuity capabilities.
 - **Learning Topics:**
 - **Enterprise Risk Management (ERM):** Best practices for identifying and addressing enterprise-wide risks, including strategic, financial, operational, and reputational risks.
 - **Crisis and Business Continuity Planning:** Developing and evaluating plans for business continuity in the face of disruptions (e.g., pandemic, natural disasters, cyber-attacks).
 - **Scenario Planning:** Techniques for preparing for various future scenarios and their impact on the audit and risk function.
 - **Resources:**
 - **ERM and Business Continuity Planning** certifications (e.g., **CRO (Chief Risk Officer) certification**, **Business Continuity Institute certification**).
 - **Workshops** and **case studies** on crisis management and business continuity.
- 5. **Ethics and Integrity in Audit and Governance**
 - **Goal:** Ensure the highest standards of ethics, integrity, and independence in audit functions.
 - **Learning Topics:**
 - **Ethics in Internal Audit:** Key ethical principles (e.g., independence, objectivity, integrity) and dealing with ethical dilemmas.
 - **Conflicts of Interest:** Identifying and mitigating conflicts of interest within the audit function and organization.
 - **Regulatory Compliance:** Staying informed on regulatory changes and ensuring compliance with relevant laws (e.g., **PIPEDA**, **Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)** in Ontario).
 - **Resources:**

- **Ethics training and professional development** programs (e.g., IIA's **Ethics Training**).
 - **IIA's Code of Ethics and International Standards for the Professional Practice of Internal Auditing**.
-

3. Action Plan

1. Short-Term (0–6 months)

- Attend a panel on **public sector risks** in 2025.
- Attend an **audit technology workshop** and online training for audit file management; the project enables and automated file workflow.
- Develop an **AI learning path** leveraging IIA-published learning routes and materials.
- Attend training on **enhanced tracking and reporting tools** to reduce effort of team members in tracking and reporting status/efforts.
- Attend a **Cybersecurity Update** session.

2. Medium-Term (6–12 months)

- Complete **AI learning plan** map.
- Attend a **Data Analytics** or **RPA training**.
- Develop and execute a plan to upskill **workflow management/file automation** in current tools.

3. Long-Term (12+ months)

- Seek a **mentorship** or **coaching** relationship with a senior CAE from a larger municipality or corporation.
 - Evaluate and implement advanced audit technologies (e.g., **AI for predictive analytics**).
-

4. Resources and Networks

- **Professional Networks:** Engage in organizations like the **Institute of Internal Auditors (IIA)**, **Risk Management Society (RIMS)**, and **Canadian Association of Municipal Administrators (CAMA)** for ongoing education and networking.
 - **Conferences and Workshops:** Participate in relevant conferences such as the **IIA International Conference**, **RiskMinds**, or **CIO/CISO summits** for insights on governance, technology, and risk.
 - **Peer Learning:** Participate in **peer exchange programs** or **mentoring initiatives** to collaborate with other CAEs and senior audit executives.
-

5. Evaluation and Continuous Improvement

- **Semi-annual Check-Ins:** Assess progress in learning areas and adjust the learning plan as needed based on emerging organizational priorities or risks.
 - **Feedback from Board and Senior Management:** Regularly seek feedback on leadership effectiveness, audit quality, and communication to identify areas for improvement.
 - **Self-Reflection and Goal Review:** Annually review and refine learning objectives based on performance, feedback, and external changes (e.g., new technologies, governance changes, risk trends).
-

Conclusion

An **Executive Learning Plan** for a Chief Audit Executive (CAE) is a critical tool for personal and professional growth, ensuring that the CAE can effectively lead the internal audit function, align with organizational priorities, and address the dynamic landscape of risks, technology, and governance challenges. This plan should be flexible, tailored to the individual's needs, and consistently reviewed to adapt to emerging trends and challenges in the audit and risk management fields.

Appendix A - Redlined Auditor General Charter

Auditor General - Summary Package

By virtue of the authority provided to a municipality in s. 223.19 of the *Municipal Act, 2001*, S.O. 2001, c. 25, (the "Act") The Corporation of the City of Windsor ("City of Windsor") appointed an auditor general (the "AG") on September 23, 2019 by Council Resolution CR485/2019.

The purpose, scope, authority, responsibilities and accountability of the AG for the City of Windsor are described in this Auditor General Charter (the "Charter").

This Charter shall be periodically reviewed and updated, in consultation with City Council.

OVERVIEW

The AG is responsible for assisting the City of Windsor in holding itself and its administrators accountable for the quality of stewardship over public funds and for the achievement of value for money in municipal operations. The AG will carry out its responsibilities by providing objective and independent assessment, advice and assurance with respect to governance, risk management, accountability, and performance. The role of the AG is not only to identify cost savings. When selecting audit projects, the AG attempts to balance audit work that will identify opportunities for cost reductions, loss avoidance, increased revenues, improved revenue collection, enhanced efficiency and effectiveness, and improvements to major control systems.

While cost savings may result from the work conducted by the AG, of equal importance is the work conducted to safeguard the City of Windsor resources and ensure proper use of public funds. Recommendations relating to the improvement of internal controls and the quality of stewardship over public funds are an important part of the AG's work but are not easily quantifiable. Reports which have no apparent immediate financial benefit may nevertheless have significant other long-term benefits to the City.

The AG also has the responsibility to oversee the Concerned Citizen and Employee Hotline in accordance with the Council-approved protocol.

Throughout this Charter, the term City Council is used. Should City Council at any point create an Audit Committee as a standing committee the Auditor General will report to City Council through said Committee, but the Auditor General retains the right of access to address City Council.

REPORTING

The AG for the City of Windsor shall report directly to City Council and will issue the annual plan reports and status updates to City Council.

Internal Audit personnel will report to and be overseen by the AG and support the AG in executing the mandates within this Charter, and shall be governed by it. Internal Audit personnel, and their efforts/hours will be directed by the AG. The AG has delegated the following powers conferred to him under the Act to the Internal Audit personnel who report to him or her, including all internal audit personnel: Scope, Duty to Furnish, Access to Records, Confidentiality and Testimony. (see Appendix A).

PURPOSE

The purpose of the AG is to provide independent, objective assurance and advice designed to add value and improve the City of Windsor's operations. Independence is mandated by the Act and carried out in accordance with professional standards. The AG will collaborate with the City of Windsor management and help the City of Windsor accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of governance, risk management, and control processes.

In addition to these primary services, the AG shall provide guidance to improve the effectiveness of controls, examine suspected fraudulent or irregular activities, and provide advisory services to assist with the improvement of operational activities.

Auditor General - Summary Package

SCOPE

The scope of the AG is defined annually through the approved **Work Plan** (“**Work Plan**”) and includes all audit activities to assist management in determining whether the City of Windsor’s network of governance, risk management, and control processes, are adequate and functioning in a manner to ensure:

- Risks are appropriately identified and managed.
- Interaction with the various governance groups occurs as needed.
- Significant financial, managerial, and operating information is accurate, reliable, and timely.
- Employees’ actions are in compliance with policies, standards, procedures, and applicable laws and regulations.
- Interactions and arrangements with third parties, including external parties, are in compliance with policies, standards, procedures, and applicable laws and regulations.
- Resources and assets are acquired economically, used efficiently, and adequately safeguarded.
- Operations and initiatives are conducted to deliver results that are consistent with established objectives and goals.
- Quality and continuous improvement are fostered in the City of Windsor’s control process.
- Legislative or regulatory compliance issues impacting the City of Windsor are recognized and addressed appropriately.

Opportunities for improving management control, financial and operating results, and the City of Windsor’s structure or performance may be identified during audits. To fulfill its objective of adding value and improving the City of Windsor’s operations, the AG will validate findings and recommendations with the appropriate level of management and obtain management responses and action plans to include in reports.

ACCOUNTABILITY

The AG, in the discharge of **his/her** duties, shall be accountable to the City of Windsor by reporting directly to City Council to:

- Provide coverage of the adequacy and effectiveness of the City of Windsor’s processes for controlling its activities and managing its risks.
- Report important issues related to the processes for managing risk and controlling the activities of the organization, including potential improvements to those processes, and provide information concerning such issues through resolution. This includes coverage of risk management and governance practices.
- Periodically provide information on the status and results of the annual Audit Plan and the sufficiency of department resources. This includes ensuring the resources are sufficient in amount and competency to cover the risks in the annual audit plan.
- Coordinate with and provide coverage of other control and monitoring functions (risk management, governance, compliance, security, legal, ethics, environmental).
- Coordinate with external audit.
- Along with management, establish a follow-up process to track and monitor the effective implementation of management actions related to important issues and recommendations.

AUTHORITY, ACCESS AND SUPPORT

The AG may exercise the powers and shall perform the duties with respect to the City of Windsor’s:

Auditor General - Summary Package

1. departments,
2. local boards,
3. controlled corporations, and
4. grant recipients (where the grant received is directly or indirectly from the municipality, a local board or a municipally-controlled corporation for grants received 2006 or later).

The responsibilities of the AG do not include those matters for which an auditor is responsible under 296(1) of the *Act*. The AG's responsibilities do not include annually auditing the accounts and transactions of the municipality and its local boards and expressing an opinion on the financial statements of these bodies based on the audit.

As per the *Act*, the AG does not have the right to limit the natural person powers bestowed upon a municipality nor does the AG have the right to limit municipal by-laws respecting the following matters:

1. Governance structure of the municipality and its local boards.
2. Accountability and transparency of the municipality and its operations and of its local boards and their operations.
3. Financial management of the municipality and its local boards.
4. Public asset of the municipality acquired for the purpose of exercising its authority under this or any other Act.
5. Economic, social and environmental well-being of the municipality, including respecting climate change.
6. Health, safety and well-being of persons.
7. Services and things that the municipality is authorized to provide under subsection 1 of the Municipal Act.
8. Protection of persons and property, including consumer protection.
9. Animals.
10. Structures, including fences and signs.
11. Business licensing.

As per the *Act*, the City of Windsor, its local boards and its municipally-controlled corporations and grant recipients shall give the AG, such information regarding their powers, duties, activities, organization, financial transactions and methods of business as the AG believes to be necessary to perform their duties.

As per the *Act*, the AG is entitled to have free access to all books, accounts, financial records, electronic data processing records, reports, files and all other papers, things or property belonging to or used by the municipality, its local boards, the municipally-controlled corporations or the grant recipient, as the case may be, that the AG believes to be necessary to perform their duties.

For the purpose of this Charter, affiliates of the City of Windsor include, but are not limited to, service providers, subcontractors, consultants or any other party performing work, whereby the City of Windsor has an oversight role.

The AG shall have access to any functions, meetings, records, physical property, and personnel required to carry out its responsibilities. The AG shall handle confidential information by adhering to the same restrictions that apply to the department that manages it.

The AG will have full and free access to the CSSC and City Council.

The Mayor and City Councillors, City of Windsor management and staff shall provide full cooperation, access to records, explanations, assistance, and general facilitation to complete audit endeavours.

Auditor General - Summary Package

The AG shall have the authority to stop, delay or postpone active/ongoing or planned work in order to redirect efforts to conduct projects and analysis when a complaint/allegation is lodged which may have merit. Any such changes will be reported to City Council for approval of the Audit Plan change or alternatively for allocation of additional resources to avoid such changes to the plan.

The CAO, or his or her designate, is authorized to:

- Coordinate with management to ensure the audit personnel have unrestricted access to all functions, meetings, records, physical property, and personnel required to carry out their responsibilities.
- Coordinate with management to allocate internal resources and/or seek from management the necessary assistance of personnel in departments of the City of Windsor or those contracting with the City of Windsor in order to accomplish audit objectives.
- As part of carrying out his or her responsibilities or at the request of management, provide advice to management on the audit process, as deemed appropriate.

ETHICAL CONSIDERATIONS

The AG, and the office (personnel) that he/she oversees:

- is required to perform their work with honesty, professional courage and integrity.
- Must understand, respect, meet and contribute to the legitimate and ethical expectations of the City of Windsor
- Must be able to recognize and report conduct that is contrary to the City of Windsor's legitimate and ethical considerations.
- Comply with professional designation ethical requirements and related ethics training.

RESPONSIBILITY

The AG's responsibilities and accountability are defined and approved by the City of Windsor through City Council as well as through the appointment of an Auditor General by the City of Windsor under the Act, which includes all activities that encompass:

- The examination and evaluation of the adequacy and effectiveness of the system of internal controls; and,
- The quality of performance in carrying out assigned responsibilities and operational activities.

The AG has responsibility to:

- Develop a rolling three-year Work Plan using an appropriate risk-based methodology, including any risks or control concerns identified by management, and submit that plan, as well as any recommendations regarding changes to the plan, if required, to the CSSC for review and approval.
- Implement each year's Work Plan, as approved, including as appropriate any special tasks or projects requested by Council.
- Propose, and make merited, amendments to the annual Work Plan and projects as per the provided powers and authority.
- Maintain professional resources with staff and, where appropriate, additional resources with sufficient knowledge, skills, experience, and professional certifications to meet the requirements of this Charter.
- Evaluate and assess important merging/consolidating functions and new or changing services, business units, processes, systems, operations, and control processes coincident with their development, implementation, and/or expansion.

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- Evaluate the reliability and integrity of operational and financial information and the means used to identify, measure, classify, and report such information.
- Evaluate the systems established to ensure compliance with policies, plans, procedures, laws, and regulations which could have a significant impact on the organization.
- Evaluate the means of safeguarding assets and, as appropriate, verify the existence of such assets.
- Evaluate the effectiveness and efficiency with which resources are employed.
- Evaluate operations or programs to ascertain whether results are consistent with established objectives and goals.
- Evaluate and report on risk management processes, significant risk exposures and control issues.
- Consider fraud risks during the planning of audits, alertness to process deficiencies or other red flags which indicate the possibility that fraud could or has occurred, the determination of whether further action is required, and the recommendation of investigations where appropriate.
- Assist as appropriate in the investigation of suspected fraudulent activities within the organization and notify management (where appropriate) and Council of the results.
- Issue periodic reports summarizing results of audit activities to the Executive Leadership Team and to Council.
- Keep Council informed of emerging trends and successful practices in internal auditing.
- Provide audit measurement goals and results to City Council.
- Coordinate its plans and efforts with those of the external auditors to avoid duplication of audit efforts and to optimize audit coverage.
- In discharging its responsibilities or at the request of management, as appropriate, provide advice to management that add value and improve an organization's governance, risk management, and control processes without the AG assuming management responsibility.
- Execute a quality assurance and improvement program to ensure effective operation of audit activities and annually report the results of the program to the CAO, or designate and Council in accordance with professional standards .

INDEPENDENCE AND OBJECTIVITY

The AG is required to perform his or her responsibilities in an independent manner. He or she is required to be objective in accordance with professional standards.

In order to ensure maintenance of its independence and objectivity, the AG will remain free from interference by any element in the City of Windsor, including matters of audit scope, procedures, frequency, timing, or report content.

To provide for the organizational independence of the audit function, the AG will report functionally to City Council with administrative coordination provided by the CAO, or designate, to support the AG role.

To ensure objectivity, the AG shall not implement procedures or controls, develop records, or engage in any activity that would impair their objectivity. To assist management in discharging their responsibilities, the AG office may advise management in the formulation of policies and procedures, or the development of new systems. However to remain independent and objective, it will be in an advisory capacity, with final decisions and implementation being the responsibility of the appropriate management.

The AG shall not have direct responsibility or authority over any activities which they review. The AG will attest to the organizational independence of the AG's and related staff/personnel audit activity and identify any unwarranted restrictions

Auditor General - Summary Package

on audit scope, communications, access, and resources, including personnel and externally contracted resources to Council, at least annually.

REPORTING AND MONITORING

The AG will submit to **Council**:

1. A rolling three year risk-based Audit Plan for approval by Council. Annual **Work** Plans will be developed based on a prioritization of the audit universe using a risk-based methodology, including input from the Mayor, Councillors, the City of Windsor Corporate Leadership Team, senior management and other identified City of Windsor staff. Any significant deviation from the approved **Work** Plan, including modifications made by the AG based on merit and the AG powers, will be communicated to **Council** through periodic updates.
2. A written report will be prepared and issued following the conclusion of each audit engagement and once discussed with management, will be distributed as appropriate, including **Council**. To ensure management feedback and to encourage management participation in the process, the audit report will include management's response and corrective action taken or to be taken in regard to the specific findings and recommendations, including timetable of anticipated completion.
3. A written report will be prepared based on validation of management's corrective action plan closure and summary status for all unresolved findings (those open as of the prior report as well as the new ones raised in the period).
4. An annual report on the audit activities conducted during the preceding year.
5. Immediate communication of any suspected or known instances of fraud to **Council**.

Based on the AG's judgement, the escalation process will be directed to City Council or the CAO. Any team member, or contractor, reporting up through the chain of command of the AG shall report any ethical concerns to the AG unless it regards the AG directly - such concern should be reported directly to the CAO for escalation. Escalation guidance is provided in the document "AG Summary of Escalation Criteria".

STANDARDS

The internal audit profession is covered by the International Professional Practices Framework of The Institute of Internal Auditors (IIA). This framework includes mandatory elements consisting of the Definition of Internal Auditing, the Code of Ethics, and the International Standards for the Professional Practice of Internal Auditing. As part of this standard the IIA has published "Unique Aspects of Internal Auditing in the Public Sector 2nd Edition - Global Practice Guide" which will also be leveraged as an interpretative and supporting standard reference.

The AG will meet the applicable mandatory requirements of the profession.

Where appropriate, performance audits (also known as value-for-money audits), may leverage the Generally Accepted Government Auditing Standards for Performance Audits or the Performance Audit Process as outlined by the Office of the Auditor General of Canada.

The AG shall employ established and proven frameworks and practices that are appropriate for the City and for the effective performance of AG responsibilities.

ENQUIRIES

Enquiries about this policy should be directed to the **AG**, or designate or the **CAO**.

APPROVAL

Modifications to the Auditor General Charter must be:

1. In compliance with the Act.
2. Based on the annual review and approved by the appointed AG.

3. Subsequent to **the** initial presentation, where modifications are identified through preceding items 1 and 2, such modifications will be presented to City Council for endorsement through a Council Resolution.

Auditor General - Summary Package

APPENDIX A: DELEGATION OF POWERS AND DUTIES TO INTERNAL AUDIT PERSONNEL

Under the Act, section 223.19 (5) the Auditor General has the ability to delegate powers and duties while also retaining those powers and duties (section 223.29 (6)). The Auditor General hereby delegates the following powers and duties conferred upon him through the Act and Charter to all Internal Audit personnel:

Duty to Furnish: 223.20 (1) The municipality, its local boards and the municipally-controlled corporations and grant recipients referred to in subsection 223.19(3) shall give the Auditor General such information regarding their powers, duties, activities, organization, financial transactions and methods of business as the Auditor General believes to be necessary to perform his or her duties under this Part. 2006, c. 32, Sched. A, s. 98.

Access to Records: 223.20 (2) The Auditor General is entitled to have free access to all books, accounts, financial records, electronic data processing records, reports, files and all other papers, things or property belonging to or used by the municipality, the local board, the municipally-controlled corporation or the grant recipient, as the case may be, that the Auditor General believes to be necessary to perform his or her duties under this Part. 2006, c. 32, Sched. A, s. 98.

Duty of Confidentiality: 223.22(1) The Auditor General and every person acting under the instructions of the Auditor General shall reserve secrecy with respect to all matters that come to his or her knowledge in the course of his or her duties under this Part. 2006, c. 32, Sched. A, s. 98.

Testimony: 223.23 Neither the Auditor General nor any person acting under the instructions of the Auditor General is a competent or compellable witness in a civil proceeding in connection with anything done under this Part. 2006, c. 32, Sched. A, s. 98.

Further, the Auditor General hereby delegates the powers and duties (specifically, scope, authority, access and support, independence & objectivity, reporting & monitoring and standards) outlined in the Auditor General Charter to all Internal Audit personnel such that those personnel support him in executing said Charter.

Auditor General for the Corporation of the City of Windsor

Date

JAN 31, 2025 Auditor General Work Plan Status

Report

04.02.2025

—



Office of the Municipal Auditor General,
The Corporation of the City of Windsor

Executive Summary

January 31, 2025

Completed in 2024:

- Procurement - Education Compliance
- Initial Gap Assessment & Resolution Plan - IIA International Professional Practices Revisions Roadmap and Alignment with Municipal Act (Auditor General Elements)
- Management Action Plan Validation as of December 31, 2023
- CCEP Hotline Revisions, Updates, Enhancement and Digital Enablement
- 2024 Concerned citizen and employee hotline administration - Year-end totals were: Hang-ups/spam (341), Routed to Management (16), Qualified for Investigation (12) and Other (15).
- Risk assessment refresh and 2025 Auditor General Work Plan (*under separate cover for Feb 27 Council Meeting*)
- Oversight, administration and reporting
- Auditor General functional activities

Completed in January 2025:

- Investigation - Data Integrity (reported separately on February 10, 2025)
- Final Update on Gap Resolution Plan - IIA International Professional Practices Revisions Roadmap and Alignment with Municipal Act (Auditor General Elements) (*See Appendix A*)
- Compiled Office of the Auditor General Guiding Practices Information - Summary Package for Council consideration (*under separate cover for Feb 27 Council Meeting*)

Ongoing activities in January

- Validated BIA findings with one BIA leadership team. Compared findings to trends in other testing and data requests. Shared initial draft report with specific BIA. Commenced review of initial BIA observations with City management.
- Completed research and testing on lien investigation; however, it was delayed as new evidence was provided during the month. Report expected in March.
- Commenced analysis and testing regarding conflict of interest complaint. Report expected in March.
- Completed tender investigation testing, however, the report was delayed as new evidence was provided in the month. Report expected in March.
- Facilitate initial conversations and reviews with the complainant regarding confidentiality investigation now expected to be withdrawn.
- Initiated discussions and engaged with a professional services firm to provide short-term support for investigations.
- Ongoing administration of the Concerned Citizen and Employee Hotline.
- Ongoing functional and reporting requirements for the Office of the Auditor General.

Concerned Citizen and Employee Hotline and Investigation Status

- In the first month of the year, inbound complaints are up in all categories.
- Inbound communications are currently 184% from the average in 2024.
- In January 2 allegations were qualified for investigation and a 3rd one is pending information in support of an investigation.
- Additional efforts (external resources) have been engaged to assist with conducting and closing the open investigations.
- One was reported at the February 10, 2025, Council meeting, and three more are expected to be reported in March.

Ethical Considerations Noted During the Period

Professional standards require internal auditors to report behaviour inconsistent with the organization's ethical expectations. During the period, we noted the following:

- No such behaviour or concerns were noted.

Direction Sought

Given the ever-increasing emphasis on independence, increasing inbound communications, allegation volume and complexity, additional efforts to comply with professional standards, the mandate of the Auditor General (AG) and the Office of the Auditor General (OAG) as well as a budget which has not been modified since 2013 the AG is recommending that the OAG research publicly available materials related to other municipal AG considering:

- Independence practices
- Professional standards alignment
- Budget
- Reporting structures

This research will be an integral part of, and be considered in, the 2025 Assessment and Reporting to Council and Management of Compliance with the Essential Conditions of the professional standards - the Institute of Internal Auditor's International Professional Practices Framework.

A summary report of the research findings, options analysis and recommendations for moving forward will be provided to Council for consideration.

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IIA International Professional Practices Revisions Roadmap and Alignment with Municipal Act (Auditor General Elements) - Summary of Resolution Actions	

Work Plan Progress

2025 Initiative Progress

Planned Project	Progress	Report Issued
Ford City BIA	86.5%	○ ¹
Walkerville BIA		
Pillette Village BIA		
Wyandotte Town Centre BIA		
Sandwich BIA		
Complete BIA Consolidated Work (Carryforward)		
IIA International Professional Practices Revisions Roadmap and Alignment with Municipal Act (Auditor General Elements) (Carryforward)	100%	✓ ✓
Investigations (see Investigation of Allegations - Status Overview section below for further details)	20%	○
Concerned citizen and employee hotline	9%	○○
Risk assessment refresh	0%	○
Annual quality self-assessment and reporting	0%	○
Execute management relationship management plan and performance reporting	1%	○
AG Executive Learning Plan	9%	○
AG function	10%	○
Unallocated/Potential Investigations	12%	○
Overall Plan Progress	33%	NA

Legend:

To be issued ○ Issued/Completed ✓ Cancelled ✕

¹As per the 2025 Auditor General Workplan the BIA efforts have been consolidated into a general report/lessons learned analysis given initial work conducted.

Investigation of Allegations - Status Overview

Planned Project	Progress Completed
Completed	
In Process	
Report Integrity Concerns	85%
Property Lein Issues	75%
Unfair Treatment of Service Provider	70%
Disclosure of Confidential Information	70%
Conflict of Interest	20%
Parking Ticket Practices	35%
BACKLOG	
Investment Practices	0%
Supported Care Home Treatment Concerns	5%
Treatment of Citizen	10%
Building Inspections	7.5%
Inappropriate Service and Treatment Regarding Social Support	7.5%
Hiring Practices	1%
Innapporaitte Compensation Practice	2%
Road/Citizen Saftey During Construction	1%

Appendix A - Reports issued in the period

An extract of the report's executive summary is included below, and the full report is attached in the appendix to this status report.

IIA International Professional Practices Revisions Roadmap and Alignment with Municipal Act (Auditor General Elements) - Summary of Resolution Actions

Context

On January 9, 2024, the Institute for Internal Auditors (IIA) Standards Board released the updated Global Internal Audit Standards (Standards), the main component of the International Professional Practices Framework (IPPF). The new guidance replaces the 2017 Standards and is effective January 9, 2025.

As per Council direction, SCM 218/2024, the Auditor General has completed the assessment of the gaps and the proposed resolution plans for conformance with the new IIA IPPF standards.

This report provides an update on the completion of the gap resolution actions.

Resolution Plan

The following activities were identified as key to enabling compliance for January 2025. These actions have been developed and implemented for operation:

1. Reviewed the Municipal Act and Current Auditor General Charter with new IIA IPPF elements in consideration and identified potential amendments.
2. Developed and implemented required elements for governance and supporting content/communication requirements.
3. Created and implemented formal ethics processes with the Office of the Auditor General and aligned with the broader City of Windsor elements.
4. Updated communication practices with Council as well as management to align to requirements.
5. Reviewed and enhanced security and information protection practices to demonstrate conformance with requirements.
6. Formalized key role competencies and support.
7. Created and deployed an inventory to track personnel, continuing education compliance (overall), accreditation requirements, certifications, experience, work history,

8. Created and implemented an annual formal quality assessment and improvement plan per requirements.
9. Enhanced the annual reporting template to incorporate any new requirements.
10. Reviewed and enhanced the internal audit methodology (s) by considering IPPF enhancements and new elements.
11. Updated working papers to support methodology enhancement and the capture of required conformance with IIA IPPF.
12. Reviewed and enhanced reporting requirements in conformance with standards.
13. Created and rolled out an end-of-project survey with assessment questions related to Honesty, Professional Courage, and Competency as perceived by management.
14. Finalized enhancements and modifications to the Auditor General Charter and communicated modification to Council consideration.
15. Reported on progress against plan to Council regarding the readiness for compliance with Global Internal Audit Standards (Standards) as of January 9, 2025.

Appendix B - Complaints & Investigation

Year	Checked within timeframe	Inbound	Pending Further Information from the Complainant	Hangups/Spam	Routed to Management	Other	Submitted for Qualification
2024	Yes	384	0	341	16	15	12
2025	Yes	59	1	50	0	6	2

Distribution of Qualified Investigation	Count
Investigations Completed	0
Investigations Withdrawn/ Routed Alternatively	1
Investigations Ongoing	6
Investigation Queue	8

Appendix C - Detailed Reports

**Office of the Municipal Auditor General,
The Corporation of the City of Windsor**

January 9, 2025

**IIA International Professional Practices Revisions
Roadmap and Alignment with Municipal Act (Auditor
General Elements)
Summary of Resolution Actions**

Overview

Executive Summary

Context

On January 9, 2024, the Institute for Internal Auditors (IIA) Standards Board released the updated Global Internal Audit Standards (Standards), the main component of the International Professional Practices Framework (IPPF). The new guidance replaces the 2017 Standards and is effective January 9, 2025.

As per Council direction, SCM 218/2024, the Auditor General has completed the assessment of the gaps and the proposed resolution plans for conformance with the new IIA IPPF standards.

This report provides an update on the completion of the gap resolution actions.

Overview of the New Standard & Changes

At the heart of the Standards are 15 principles comprised of five domains:

Domain I: Purpose of Internal Auditing – provides a unified description of the profession.

Domain II: Ethics and Professionalism – incorporates the profession's Code of Ethics and Standards on practitioner conduct, including Standards on due professional care (Principles 1-5).

Domain III: Governing the Internal Audit Function – clarifies the board's role and responsibilities in supporting an effective internal audit function and addresses how the chief audit executive (CAE) can support the board in carrying out its responsibilities (Principles 6-8).

Domain IV: Managing the Internal Audit Function – clarifies the CAE role and responsibilities for effectively managing an internal audit function (Principles 9-12).

Domain V: Performing Internal Audit Services – codifies requirements and considerations to help internal auditors perform internal audit engagements with consistency and quality (Principles 13-15).

Supplemental guidance

Global Guidance – supports the Standards by providing nonmandatory information, advice, and best practices. Global Practice Guides and Global Technology Audit Guides are included under this category, providing detailed approaches, step-by-step guidance, and examples on various subjects.

Key Differences From Previous IPPF Guidance

The new Standards differ from the 2017 guidance in several ways:

- *Emphasis on risk management alignment:* Internal audit activities are required to be aligned with the organization's risk management framework to ensure a comprehensive approach to risk management.
- *Formalized communication channels:* Clear and effective communication channels between internal auditors and stakeholders are mandated, promoting transparency and accountability.
- *Expanded scope of activities:* Governance, culture and cybersecurity are considered integral components of the audit scope, with increased integration between assurance and advisory projects for comprehensive coverage.
- *Focus on technology and data analytics:* Internal audit functions are encouraged to develop and implement plans for leveraging technology-driven tools to enhance audit efficiency and effectiveness.
- *Structural changes:* The overall makeup of the Standards has been simplified and integrated for easier understanding and implementation.

Summary of Gap Assessment

The Auditor General previously conducted a gap assessment using:

1. Attendance at a workshop/seminar on what has changed in the IIA IPPF.
2. Leveraging the IIA-published *Conformance Readiness Tool* to identify new areas to address.
3. A review of the IIA-published *Complete Global Internal Audit Standards*.

The *Conformance Readiness Tool* "identifies the significant changes between the requirements of the 2017 IPPF and those of the 2024 Standards to help chief audit executives and their teams implement the new Standards and prepare for quality assessments before the effective date of January 9, 2025." The document lists 27 new significant areas and reviews the *Complete Global Internal Audit Standards*, identifying two other elements and several areas for enhancement.

In several instances, the requirements are practices which were informally in place but now needed to be codified and have evidence routinely generated as a natural output to demonstrate sustained compliance with the professional standards. In other areas, the requirements and evidentiary elements were new.

Resolution Plan

The following activities were identified as key to enabling compliance for January 2025:

1. Review the Municipal Act and Current Auditor General Charter with new IIA IPPF elements in consideration and identify potential amendments or note exceptions.
2. Develop and implement required elements for governance and supporting content/communication requirements.
3. Create and implement formal ethics processes with the Office of the Auditor General and align/participate in the broader City of Windsor elements.
4. Update communication practices with Council as well as management to align to requirements.
5. Review and enhance security and information protection practices to demonstrate conformance with requirements.
6. Formalize key role competencies and support.
7. Create and deploy an inventory to track personnel, continuing education compliance (overall), accreditation requirements, certifications, experience, work history,
8. Create and implement an annual formal quality assessment and improvement plan per requirements.
9. Enhance the annual reporting template to incorporate any new requirements.
10. Review and enhance the internal audit methodology (s) by considering IPPF enhancements and new elements.
11. Update working papers to support methodology enhancement and the capture of required conformance with IIA IPPF.
12. Review and enhance reporting requirements in conformance with standards.
13. Create and roll out an end-of-project survey with assessment questions related to Honesty, Professional Courage, and Competency as perceived by management.
14. Finalize enhancements and modifications to the Auditor General Charter and communicate exceptions for Council consideration.
15. Report on progress against plan to Council regarding the readiness for compliance with Global Internal Audit Standards (Standards) as of January 9, 2025.

Summary of Actions Taken to Enable Conformance:

The following activities have been undertaken (and implemented for operation) so as enable compliance:

1. Review the Municipal Act and Current Auditor General Charter with new IIA IPPF elements in consideration and identify potential amendments or note exceptions.
 - a. Updated and submitted to City Council for acceptance. Included as a separate agenda item.
2. Develop and implement required elements for governance and supporting content/communication requirements.
 - a. This is contented in [Office of the Auditor General Guiding Practices Information Summary Package](#) (item 3), where each required element is outlined.
 - b. Attended training on new standards and governance elements.
 - c. Customized presentation materials for use in required communications.
 - d. Developed approach to engaging with Council and Management in the first half of 2025:
 - i. Communicate the Essential Conditions
 - ii. Document understanding of the current state
 - iii. Report on identified gaps and provide action plans
 - e. Updated internal planning and closing memos for required considerations.
 - f. Updated auditee planning memos for required considerations.
 - g. Updated reporting template for required considerations.
3. Create and implement formal ethics processes with the Office of the Auditor General and align/participate in the broader City of Windsor elements.
 - a. Considered and reviewed various City materials (policies, procedures, forms and training materials) related to ethics and behaviour to ensure alignment and consider training requirements. No additional requirements beyond annual compliance attestation and ethics training are required.
 - b. Included ethics considerations into work plans.
 - c. An ethics section was included as part of the regular status reporting considerations.
 - d. Updated planning and closing memo for ethics consideration.
4. Update communication practices with Council as well as management to align to requirements.
 - a. Status reports will be presented twice per annum, more if the Auditor General requires it or City Council requests it.
 - b. Items which the Auditor General is required to escalate to City Council in the normal course of audit operations are outlined in [Office of the Auditor General Guiding Practices Information Summary Package](#) (item 4).
 - c. Items requiring rapid escalation are outlined in [Office of the Auditor General Guiding Practices Information Summary Package](#) (item 5) and include the following (with guidance included) -
 - Significant Control Failures
 - Inability to Mitigate Fraud Risks

-
- Regulatory Non-Compliance
 - Potential Legal Liabilities
 - Material Financial Loss or Irregularities
 - Unusual or Unauthorized Transactions
 - Data Breaches or Cyberattacks
 - Failure to Protect Sensitive Data
 - Disruption of Essential Municipal Services
 - Significant Infrastructure Failure
 - Fraud, Bribery, or Corruption
 - Conflicts of Interest
 - Scandals or High-Profile Allegations
 - Severe Public Backlash
 - Impending Insolvency or Financial Distress
 - Material Overruns in Major Projects
 - Obstruction of Audit Process
 - Failure to Act on Critical Audit Recommendations
 - Governance Failures or Weak Oversight
5. Review and enhance security and information protection practices to demonstrate conformance with requirements.
- a. Updated Corporate Data Protection, Cybersecurity and Confidentiality policy and enabling systems.
 - b. Designed and implemented an annual attestation process for capturing evidence of security policy conformance.
6. Formalize key role competencies and support.
- a. A summary overview job description is documented; see [Office of the Auditor General Guiding Practices Information Summary Package \(item 1\)](#).
 - b. Enhanced and updated the Auditor General Charter in accordance with standards updates. [Office of the Auditor General Guiding Practices Information Summary Package \(item 2\)](#)
 - c. As part of communicating Essential Conditions, a review of other municipalities with Auditor General's in place and key variances will be provided in 2025. See item for direction.
7. Create and deploy an inventory to track personnel, continuing education compliance (overall), accreditation requirements, certifications, experience, work history,
- a. Developed a competency assessment framework aligned with a competency history tracker.
 - b. Incorporated placeholder to demonstrate file/work review in project files and an explicit final sign-off
 - c. Integrated considerations into project completion survey

-
8. Create and implement an annual formal quality assessment and improvement plan per requirements.
 - a. Attended training sessions on new standards and quality reviews.
 - b. Acquired and reviewed the IIA Quality Assurance Assessment Manual.
 - c. Developed Quality Assurance Self-Assessment tool based on the IIA Quality Assurance Assessment Manual.
 9. Enhance the annual reporting template to incorporate any new requirements.
 - a. Updated status report to incorporate new requirements or triggers for consideration.
 10. Review and enhance the internal audit methodology (s) by considering IPPF enhancements and new elements.
 - a. Researched considerations and options for approach.
 - b. Given the scale of the function, these have been incorporated into the Auditor General Charter and individual work plans. No significant changes noted.
 11. Update working papers to support methodology enhancement and the capture of required conformance with IIA IPPF.
 - a. Developed and documented new key elements to align to new formal requirements:
 - i. AG annual strategy
 - ii. Materiality perspective and modified report rating parameters to align with materiality. Confirmed non-financial considerations in ratings based on research.
 - iii. Technology and tools assessment and implementation strategy.
 - iv. Budget

[See these various items in the Office of the Auditor General Guiding Practices Information Summary Package.](#)
 - b. Updated planning memo for ethical considerations and due professional care requirements as items to prompt consideration in planning.
 - c. Updated closing working paper to consider the approach to evaluating and validating information gathered during an engagement.
 - d. Updated reporting template for required considerations.
 - e. Internal Wiki to share the above content and policies with team members.
 12. Review and enhance reporting requirements in conformance with standards.
 - a. Updated reporting template for required considerations.
 13. Create and roll out an end-of-project survey with assessment questions related to Honesty, Professional Courage, and Competency as perceived by management.
 - a. Developed survey for use using survey technology
 - b. Incorporated associated working paper into engagement file tool.
 14. Finalize enhancements and modifications to the Auditor General Charter and communicate exceptions for Council consideration.

- a. Enhanced and updated the Auditor General Charter in accordance with standards updates. [Office of the Auditor General Guiding Practices Information Summary Package \(item 2\)](#)
15. Report on progress against plan to Council regarding the readiness for compliance with Global Internal Audit Standards (Standards) as of January 9, 2025.
- a. Compliance framework in place key activities to occur in 2025 will include:
 - i. Initial communication of Essential Conditions with Council and Management
 - ii. Identification of gaps, if any, and action plans
 - iii. Consideration of Essential Considerations, Budget Impact, Concerned Citizen and Employee Hotline Administration and key insights from other municipalities with Auditor General's (based on publicly available information).
 - iv. Execution of Workplan

2025 Auditor General Work Plan

Report

02.04.2025



Office of the Municipal Auditor General,
The Corporation of the City of Windsor

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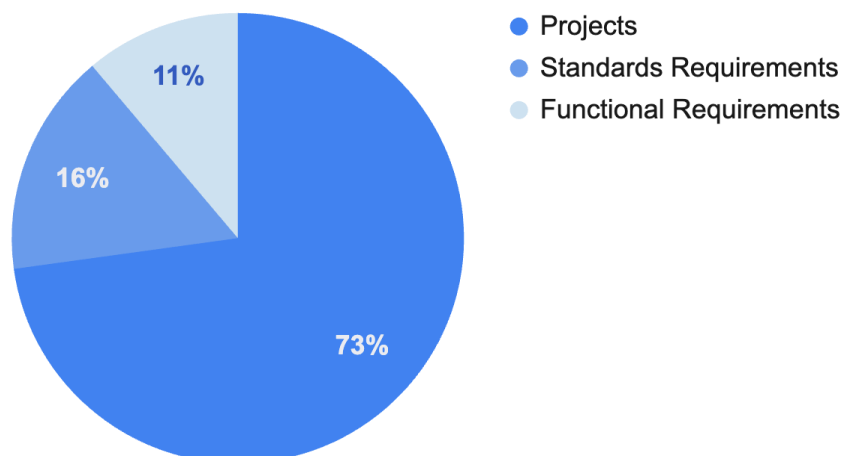
2025 Work Plan

Planned Projects	Plan Allocation
Project Initiatives	73%
Close Multi-Year BIA Reviews (under revised approach)	3%
Complete 2025 Professional Standards Alignment	6%
Administer and Oversee Concerned Citizen and Employee Hotline	13%
Conduct Management Action Plan Validation Review	0.0%
Continue Investigations of Inbound Qualified Complaints*	51%
Standards Requirement	16%
Stakeholder Engagement, Risk Assessment and Performance Reporting	10%
Conduct Quality Assurance Review (Self-Assessment)	6%
Undertake and Report on Executive Development of the Auditor General**	
Standards Requirement	11%
Execute the Auditor General Function	9%
Unallocated	2%

* An external professional services firm has been engaged to assist with investigations to bring them to a close. This accounts for 60% of the investigation's effort.

** Required reporting per the new standards will occur; however, the compliance efforts will not be part of the overall annual budget but will be provided by the Auditor General.

Break Out of Overall Efforts



N.B. Depending on inbound allegations, once Unallocated Efforts are used, any further allegations will require a plan revision and will result in a recommendation to either:

- Defer allegation investigation until 2026,
- Request City Council allocate additional funds to conduct the investigation, or
- Cancel a 2025 planned initiative and report non-compliance with professional standards.

Impacts to Work Plan

The work plan outlines the Office of the Auditor General's activities and projected efforts for 2025. It comprises more than 1,990 effort hours. The allocation is significantly influenced by the completion of compliance reviews of the various Business Improvement Areas across the City, the investigation of received allegations, and the updated recurring efforts to comply with current professional standards.

As part of this revised work plan, critical factors have an impact on the plan (each will be expanded upon below):

1. There has been no change in the departmental budget since 2013
2. BIA reviews
3. Sustained increase in Concerned Citizen and Employee Hotline inbound communications, complexity, and resultant investigations
4. Alignment to new professional standards as of January 9, 2025

Such impacts have resulted in a plan which will not be risk-based for 2025 but will focus on executing the necessary components to complete BIA work, administer and investigate qualified allegations, execute the function and comply with the new professional standards.

Additional information:

1. *No change in the departmental budget since 2013* - The departmental budget has not increased since it was set in 2013. Over the past 11 years, the previous service provider's contract reduced effort hours year over year to avoid budget increases - this was done by (1) decreasing the number of good practices applied and focusing on requirements only and (2) by reducing the scale and count of projects as well. Many good practices previously trimmed have become requirements under the new professional standards.
2. *BIA reviews*—The prior BIA review plan proposed a time-phased review of all 9 BIAs, limiting project time for other reviews.
3. *Sustained increase in Concerned Citizen and Employee Hotline inbound communications, complexity, and resultant investigations* - Inbound complaint numbers have continued with the higher numbers experienced last year. Further, the nature of many allegations has increased in complexity, resulting in more time capturing and qualifying/initially assessing inbound complaints. There are currently 12 active investigations, and external assistance from a professional services firm is being negotiated to investigate these open reviews this year.
4. *Alignment to new professional standards as of January 9, 2025* - Through 2024 and early 2025, the project "Professional Standards Assessment and Practice Revisions" was conducted to enable future alignment with the new professional standards. The impact of the new standards accounts for 19.8% of the 2025 and future plans, where the budget is similar. Of the 19.8% increase:
 - 8.8 points relate to re-incorporating the historical good practices previously eliminated to enable budget management.
 - 11 points relate directly to the application of the new standards, with some sample items being ongoing stakeholder engagement, quality assurance reviews and enhanced documentation standards.
5. *Additional Efforts*—The new professional standards also require development, high-level progress reporting, and a multi-year learning development plan for the Auditor General. Rather than using the available budget, the Auditor General will add this time to the annual plan at no additional cost, as it was generally already being incurred outside the budget.

Summary of Work Plan Activities

Wrap-Up Multi-Year BIA Reviews

Compliance reviews of how the nine BIAs comply with the City BIA Governance Bylaw were commenced in 2024 and were expected to span 3-4 years. Given the insights of two inflight reviews and initial conversations with other BIAs, the Auditor General recommends a change in approach to optimize the effort expended on BIAs. The revised approach is to complete the one inflight review which is substantially complete, to summarize key items noted so far in any other BIA work conducted to date and to close out the project files. The results of these reviews will be provided to the BIAs and City Council. Management should consider the findings reported as part of the planned Governance and Conflict of Interest training.

Three to five years after communicating the consolidated themes and completing the City Governance and Conflict of Interest training, a compliance review of two to three randomly selected BIAs is anticipated.

Complete 2025 Professional Standards Alignment

Complete residual activities to finalize the alignment to the new Institute of Internal Auditors International Professional Practice Framework to ensure requirements are executed in the year in conformance with the new standards. The Office of the Auditor General had previously completed the gap assessment and undertaken remedial activities to enable compliance throughout 2025.

Administer and Oversee Concerned Citizen and Employee Hotline

This is an additional non-audit responsibility of the Office of the Auditor General, which does not create conflicts of interest unless a complaint relates to the Office of the Auditor General. This process involves administering, capturing and assessing inbound communications from the City of Windsor' Concerned Citizen and Employee Hotline by the protocol approved by City Council. Inbound communications are captured, assessed and routed:

1. back to the complainant for additional information or for submission through an alternate contact point (where the complaint is not aligned with the Hotline scope)
2. to management for consideration
3. for further investigation.

Further, this project includes a small amount of time to assess, qualify, and interact with the complainants.

Continue Investigations of Inbound Qualified Complaints

Qualified complaints are assigned a portion of the effort to investigate each complaint further. Once a complaint is assessed as qualified, it will generate a report to Council indicating the nature of the complaint, the assessment undertaken, and the conclusions reached. There are currently 13 complaints in the investigation stage.

Stakeholder Engagement, Risk Assessment and Performance Reporting

This work plan activity encompasses three areas:

- **Relationship management**—As part of this activity, the Auditor General is expected to develop and execute an approach to building relationships and trust with key stakeholders. These stakeholders would include the City Council, senior management, operational management, regulators, internal and external assurance providers, and other consultants. Professional standards require the development,

execution, and evidentiary support of such a plan. This will entail a plan for engaging with over 80 specific stakeholders.

- **Risk Assessment and Annual Workplan**—The development of a risk-based work plan is temporarily on hold given the resource requirements for BIA reviews, Concerned Citizen and Employee Hotline administration and investigations, and activities related to functional and professional standards requirements. As a result, these efforts will relate to remaining abreast of current and emerging municipal issues and risks and adapting the plan for any additional investigations that may arise or projects requiring more attention.
- **Performance Reporting**—This work plan activity involves developing performance measurement criteria for the Office of the Auditor General, measuring and reporting on the attainment of those measures to the Council, and implementing those criteria.

Conduct Quality Assurance Review (Self-Assessment)

Conduct and develop a report for the council based on a process through which the Office of the Auditor General evaluates its conformance with professional standards, including the IIA's International Standards for the Professional Practice of Internal Auditing. This process involves self-reflection on processes, performance, and policy adherence, helping to identify areas for improvement, reinforce strengths, and ensure continuous alignment with best practices.

Execute the Auditor General Function

These efforts include overseeing operations, complying with standards, managing resources and budgets, preparing and presenting reports, coordinating with stakeholders, planning, providing ethical oversight, and engaging with the public.

Undertake and Report on Executive Development of the Auditor General

This work plan activity involves the development of a learning plan for the Auditor General and providing an annual update on its progress to Council.

Unallocated

Time or resources spent on tasks that do not directly contribute to specific audit objectives or engagements. These efforts may include administrative work, training, professional development, or other non-audit activities, which, while important, are not directly linked to the audit plan or deliverables. The AG may allocate time from this budget area to support other projects planned in the year or future investigations.

Planned for 2026

Conduct Management Action Plan Validation Review

To manage the available effort in any given year and comply with professional standards, the Management Action Plan Validation project will change to a bi-annual review. Therefore, the review will occur in 2026 rather than 2025. This project is a regular follow-up and report to City Council on the status and sufficiency of management's resolution of prior findings. The 2026 scope will consider the status of all unresolved findings as of December 31, 2023, and those findings reported to Council up to December 31, 2025.

Other projects on the horizon but not formally planned:

- Diversity, equity and inclusion
- Digital disruption and artificial intelligence in the municipality
- Single sourced procurement
- Emergency procurement
- Climate change adaptation plan
- Active transportation plan progress
- Pre-qualified procurement
- Stormwater management and flood prevention
- Public Service Delivery Performance Audit
- 2-3 randomly selected BIA compliance reviews
- The risk assessment framework used to evaluate potential risks before engaging in procurement activities.
- Grant review process

Appendix A - Wrap-Up Multi-Year BIA Reviews

Compliance reviews of how the nine BIAs comply with the City BIA Governance Bylaw were commenced in 2024 and were expected to span 3-4 years. Given the insights of one report in the management review stage, two inflight reviews and preliminary research on other BIAs the Auditor General recommends a change in approach to optimize the effort expended on BIAs. The revised approach is to complete the one BIA report in management review, which is substantially complete, summarize key items noted so far in any other BIA work conducted to date, and close out the project files. The summary results of the work to date will be provided to the BIAs, Administration and City Council. Management should consider the findings reported as part of the planned Governance and Conflict of Interest training.

Three to five years after communicating the consolidated themes and completing the City Governance and Conflict of Interest training, a compliance review of two to three randomly selected BIAs is anticipated.

This recommendation is based on the findings identified to date and that the City has not yet provided Governance and Conflict of Interest Training to the BIAs. The AG believes that such training will clarify many of the compliance elements, resolve the lack of evidentiary support and provide clarity for the BIAs. Then, once there has been a transition time (which requires at least one full financial year with stable controls implemented), conduct some random reviews in the future.

To provide some perspective, findings to date may be grouped into topics such as:

- Conversations indicate the control practices were conducted; however, evidence to substantiate this was not retained.
- Assessment of prior governance documents/policies as compared to the City Bylaw has not been thoroughly conducted to resolve any conflicts.
- Some requirements were not understood and have not yet been consistently complied with.
- Several instances have occurred where metrics, reporting parameters, and published materials requirements were implemented incompletely or in an unclear manner.

The results of the one substantially completed BIA have been discussed with the BIA. On January 22, 2025, high-level findings were verbally communicated to members of the Executive team. On Feb. 5/25, the initial findings were communicated to a working team from City Administration, where the AG discussed the various recommendations under consideration and to gather management insight on the original intent of some of the Bylaw sections. Based on these conversations, the AG has modified the recommendations and will communicate them back to the BIA. The BIA will then have a closing meeting by the end of February.

At the same time as the one report is issued, the Office of the Auditor General will close out the existing audit files and generate a high-level summary of findings from other BIA work, using the conclusions above from the one BIA report and appending any additional items noted elsewhere.



Committee Matters: SCM 51/2025

Subject: Report No. 56 of the International Relations Committee

REPORT NO. 56
of the
INTERNATIONAL RELATIONS COMMITTEE
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 Councillor Fred Francis, seconded by L.T. Zhao,

That the invitation from Mayor Zuk to Mayor Dilkens for a delegation to visit Lublin, Poland in June 2025 along with two (2) representatives from Windsor **BE ACCEPTED**; 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 cover the cost of flights, gift exchange and any other incidentals.

Carried.

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

BY-LAW NUMBER 29-2025

A BY-LAW TO AMEND BY-LAW 9361, BEING A BY-LAW TO CLOSE, STOP UP AND CONVEY PART OF THE EAST/WEST ALLEY NEXT SOUTH OF WYANDOTTE STREET EAST, EAST OF ROSSINI, R.P. 813

Passed the 24th day of February, 2025.

WHEREAS it is deemed expedient to amend By-law 9361 adopted on the 11th day of April, 1988, and registered on title on May 3, 1988, as Instrument No. R1044987 (the “By-law”);

THEREFORE the Council of the Corporation of the City of Windsor enacts as follows:

1. That Section 3 of the By-law shall be **DELETED** in its entirety and the following shall be **INSERTED** in its place:
 3. That the lands described in Schedule “A” hereto are subject to easements in favour of Bell Canada, Cogeco Connexion Inc., Managed Network System Inc. (MNSi) and The Corporation of the City of Windsor to entered upon the said lands so conveyed for the installation, repairs and maintenance of their facilities therein.
2. This by-law shall come into force and take effect on the day upon which it is registered in the Land Registry Office for the County of Essex (No.12).

DREW DILKENS, MAYOR

CITY CLERK

First Reading – February 24, 2025
Second Reading – February 24, 2025
Third Reading – February 24, 2025

SCHEDULE "A"
TO BY-LAW 29-2025

Alley Plan 813, Ford City, closed by R1044987, abutting Lot 39, Plan 813; s/t R1044987; Windsor

Being all of PIN 01097-0808 (LT)

City of Windsor
County of Essex

BY-LAW NUMBER 30-2025

A BY-LAW TO ASSUME FOR SUBSEQUENT CLOSURE THE 5.59 METRE EAST/WEST ALLEY EAST OF ALEXIS ROAD, SOUTH OF TECUMSEH ROAD EAST AND WEST OF CHANDLER ROAD, CITY OF WINDSOR

Passed the 24th day of February, 2025.

WHEREAS the 5.59 metre portion of the east/west alley east of Alexis Road, south of Tecumseh Road East and west of Chandler Road, City of Windsor, more particularly described in Schedule "A" hereto annexed, is assumed for subsequent closure;

THEREFORE the Council of the Corporation of the City of Windsor enacts as follows:

1. That the 5.59 metre portion of the east/west alley east of Alexis Road, south of Tecumseh Road East and west of Chandler Road, City of Windsor, more particularly described in Schedule "A" hereto annexed and forming part of this by-law, be and the same is hereby assumed for subsequent closure.
2. That this by-law shall come into force and take effect on the day of the final passing thereof.

DREW DILKENS, MAYOR

CITY CLERK

First Reading – February 24, 2025
Second Reading – February 24, 2025
Third Reading – February 24, 2025

SCHEDULE "A"
TO BY-LAW 30-2025

Alley Plan 1140, Sandwich East, abutting Lots 282 to 286, Plan 1140; Windsor
Being all of PIN 01354-0307 (LT)

City of Windsor
County of Essex

BY-LAW NUMBER 31-2025

A BY-LAW TO CLOSE, STOP UP AND CONVEY THE 5.59 METRE EAST/WEST ALLEY EAST OF ALEXIS ROAD, SOUTH OF TECUMSEH ROAD EAST AND WEST OF CHANDLER ROAD, CITY OF WINDSOR

Passed the 24th day of February, 2025.

WHEREAS it is deemed expedient to close, stop up and convey the 5.59 metre portion of the east/west alley east of Alexis Road, south of Tecumseh Road East and west of Chandler Road, City of Windsor, more particularly described in Schedule "A" attached hereto;

THEREFORE the Council of the Corporation of the City of Windsor enacts as follows:

1. That the 5.59 metre portion of the east/west alley east of Alexis Road, south of Tecumseh Road East and west of Chandler Road, City of Windsor, more particularly described in Schedule "A" attached hereto and forming part of this by-law, be and the same is hereby closed and stopped up.
2. That any required easements pursuant to Council Resolution CR466/2024, be registered prior to conveyance.
3. That the lands be conveyed in **as is condition** to the abutting owners, and that the conveyance cost be set as follows:
 - a) For alley conveyed to abutting lands zoned CD2.1, \$20.00 per square foot without easements plus HST (if applicable) and \$10.00 per square foot with easements plus HST (if applicable).
 - b) For alley conveyed to abutting lands zoned RD1.2, \$1.00 plus HST (if applicable) and deed preparation fee.
4. That the Chief Administrative Officer and City Clerk be authorized and directed to execute on behalf of The Corporation of the City of Windsor and to seal with the seal thereof, any and all documents necessary to implement the foregoing; and that the transaction be completed electronically, for property where it is available, pursuant to By-law Number 366-2003, as amended from time to time.

5. This by-law shall come into force and take effect the day upon which it is registered in the Land Registry Office for the County of Essex (No. 12).

DREW DILKENS, MAYOR

CITY CLERK

First Reading – February 24, 2025
Second Reading – February 24, 2025
Third Reading – February 24, 2025

SCHEDULE "A"
TO BY-LAW 31-2025

Alley Plan 1140, Sandwich East, abutting Lots 282 to 286, Plan 1140; Windsor
Being all of PIN 01354-0307 (LT)

City of Windsor
County of Essex

BY-LAW NUMBER 32-2025

A BY-LAW TO AMEND BY-LAW NUMBER 58-1999, BEING A BY-LAW TO CLOSE, STOP UP AND CONVEY THE NORTH/SOUTH ALLEY BETWEEN BRUCE AND SOUTH CAMERON, NORTH OF NORTHWOOD (formerly Pall Mall), AND THE NORTH/SOUTH AND EAST/WEST ALLEYS BETWEEN BRUCE AND CHURCH FROM PICADILLY TO NORTHWOOD (formerly Pall Mall), IN THE CITY OF WINDSOR

Passed the 24th day of February, 2025.

WHEREAS it is deemed expedient to amend By-law number 58-1999, adopted on the 1st day of March, 1999, and registered on title on March 8, 1999, as Instrument No. R1455116 (the "By-law");

THEREFORE the Council of the Corporation of the City of Windsor enacts as follows:

1. THAT the reference to "\$2.50 per square foot" in Section 2 of the By-law shall be **DELETED** and the following shall be **INSERTED** in its place:

"\$8.03 per square foot plus HST (if applicable) for abutting lands zoned MD1.4, being Parts 1 and 2 on Plan 12R-16877; and \$10.33 per square foot without easements plus HST (if applicable) for abutting land zoned MD1.4, being Parts 3 and 4 on Plan 12R-16877, and \$5.17 per square foot with easements plus HST (if applicable) for abutting lands zoned MD1.4, being Part 5 on Plan 12R-16877"

2. This by-law shall come into force and take effect on the day upon which it is registered in the Land Registry Office for the County of Essex (No.12).

DREW DILKENS, MAYOR

CITY CLERK

First Reading – February 24, 2025
Second Reading – February 24, 2025
Third Reading – February 24, 2025

SCHEDULE "A"
TO BY-LAW 32-2025

Alley Plan 1358, Sandwich West, closed by R1455116, abutting Lots 129 to 144,
Plan 1358, except Part 2, Plan 12R2767; Windsor

Being all of PIN 01313-1658 (LT)

City of Windsor
County of Essex

Alley Plan 1358, Sandwich West, closed by R1455116, abutting Lots 145 to 155
and 117 to 128; Windsor

Being all of PIN 01312-0840 (LT)

City of Windsor
County of Essex

BY-LAW NUMBER 33-2025

A BY-LAW TO AMEND BY-LAW NUMBER
133-2018 BEING A BY-LAW TO ESTABLISH A MUNICIPAL
ACCOMMODATION TAX IN THE CITY OF WINDSOR

Passed the 24th day of February, 2025.

WHEREAS it is deemed expedient to amend By-Law Number 133-2018 passed the 17th day of September, 2018, being a by-law to establish a municipal accommodation tax in the City of Windsor (the "**By-law**").

THEREFORE the Council of the Corporation of the City of Windsor enacts as follows:

1. That effective as of April 1, 2025, the By-law is hereby amended by deleting the reference to "four percent (4%)" in section 4 and replacing it with "six percent (6%)".
2. That this by-law shall come into force and take effect on the day of the final passing thereof.

DREW DILKENS, MAYOR

CITY CLERK

First Reading – February 24, 2025
Second Reading – February 24, 2025
Third Reading – February 24, 2025

BY-LAW NUMBER 34-2025

A BY-LAW TO AMEND BY-LAW NO. 2667, BEING A BY-LAW TO AUTHORIZE THE SALE OF THAT PORTION OF THE ALLEY SHOWN ON R.P. 1173, LYING BETWEEN THE EASTERLY LIMIT OF THE SAID PLAN AND THE EASTERLY LIMITS OF LOTS 7 TO 17 INCLUSIVE, BOUNDED ON THE SOUTH BY THE NORTHERLY LIMIT OF ONTARIO STREET AND ON THE NORTH BY THE EASTERLY PRODUCTION OF THE NORTHERLY LIMIT OF SAID LOT 7, IN THE CITY OF WINDSOR

Passed the 24th day of February, 2025.

WHEREAS it is deemed expedient to amend By-law No. 2667, adopted on the 19th day of November, 1962, and registered on title on July 19, 1974, as Instrument No. R607241 (the “By-law”);

THEREFORE the Council of the Corporation of the City of Windsor enacts as follows:

1. THAT Sections 1, 2 and 3 of the By-law shall be **DELETED** in their entirety and the following shall be **INSERTED** in their place:

1. THAT the alley **BE CONVEYED** in as is condition to the abutting property owners, and as necessary, in a manner deemed appropriate by the City Planner, subject to the following:

i. Easements, subject to being accepted in the City’s standard form and in accordance with the City’s standard practice, being granted to Bell Canada, Cogeco Connexion Inc., ENWIN Utilities Ltd., and Managed Network System Inc. (MNSi) for the installation, repairs and maintenance of their facilities therein.

2. THAT Conveyance Cost **BE SET** as follows:

i. For alley conveyed to abutting lands zoned RD1.2, \$1.00 plus HST (if applicable), deed preparation fee and a proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.

3. THAT Schedule “A” shall be **DELETED** in its entirety.

2. This by-law shall come into force and take effect on the day upon which it is registered in the Land Registry Office for the County of Essex (No.12).

DREW DILKENS, MAYOR

CITY CLERK

First Reading – February 24, 2025
Second Reading – February 24, 2025
Third Reading – February 24, 2025

SCHEDULE "A"
TO BY-LAW 34-2025

Part Alley Plan 1173, (closed by R269871) abutting Lot 7 and Part Lot 8, Plan 1173; Windsor

Being all of PIN 01084-0806 (LT)

City of Windsor
County of Essex

BY-LAW NUMBER 35-2025

A BY-LAW TO ASSUME FOR SUBSEQUENT CLOSURE THE 5.48 METRE NORTH/SOUTH ALLEY NORTH OF LAFORET STREET, EAST OF BABY STREET, CITY OF WINDSOR

Passed the 24th day of February, 2025.

WHEREAS the 5.48 metre portion of the north/south alley north of Laforet Street, east of Baby Street, City of Windsor, more particularly described in Schedule "A" hereto annexed, is assumed for subsequent closure;

THEREFORE the Council of the Corporation of the City of Windsor enacts as follows:

1. That the 5.48 metre portion of the north/south alley north of Laforet Street, east of Baby Street, City of Windsor, more particularly described in Schedule "A" hereto annexed and forming part of this by-law, be and the same is hereby assumed for subsequent closure.
2. That this by-law shall come into force and take effect on the day of the final passing thereof.

DREW DILKENS, MAYOR

CITY CLERK

First Reading – February 24, 2025
Second Reading – February 24, 2025
Third Reading – February 24, 2025

SCHEDULE "A"
TO BY-LAW 35-2025

Part Lot Q, Plan 43, Town of Sandwich; Part Lot R, Plan 43, Town of Sandwich
being a forced Lane, designated as Parts 1 to 8, Plan 12R30006; City of Windsor

Being all of PIN 01252-0427 (LT)

City of Windsor
County of Essex

BY-LAW NUMBER 36-2025

A BY-LAW TO CLOSE, STOP UP AND CONVEY THE 5.48 METRE NORTH/SOUTH ALLEY NORTH OF LAFORET STREET, EAST OF BABY STREET, CITY OF WINDSOR

Passed the 24th day of February, 2025.

WHEREAS it is deemed expedient to close, stop up and convey the 5.48 metre portion of the north/south alley north of Laforet Street, east of Baby Street, City of Windsor, more particularly described in Schedule "A" attached hereto;

THEREFORE the Council of the Corporation of the City of Windsor enacts as follows:

1. That the 5.48 metre portion of the north/south alley north of Laforet Street, east of Baby Street, City of Windsor, more particularly described in Schedule "A" attached hereto and forming part of this by-law, be and the same is hereby closed and stopped up.
2. That any required easements pursuant to Council Resolution CR373/2023, be registered prior to conveyance.
3. That the lands be conveyed to the abutting owners, and that the conveyance cost be set as follows:
 - a) For alley conveyed to abutting lands zoned RD3.1, \$193.75 per square metre (\$18.00 per square foot) without easements plus HST (if applicable), or \$96.87 per square metre (\$9.00 per square foot) with easements plus HST (if applicable). Survey cost and deed preparation fee included.
 - b) For alley conveyed to abutting lands zoned RD2.2, \$1.00 plus HST (if applicable), deed preparation fee and proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.
4. That the Chief Administrative Officer and City Clerk be authorized and directed to execute on behalf of The Corporation of the City of Windsor and to seal with the seal thereof, any and all documents necessary to implement the foregoing; and that the transaction be completed electronically, for property where it is available, pursuant to By-law Number 366-2003, as amended from time to time.

5. This by-law shall come into force and take effect the day upon which it is registered in the Land Registry Office for the County of Essex (No. 12).

DREW DILKENS, MAYOR

CITY CLERK

First Reading – February 24, 2025
Second Reading – February 24, 2025
Third Reading – February 24, 2025

SCHEDULE "A"
TO BY-LAW 36-2025

Part Lot Q, Plan 43, Town of Sandwich; Part Lot R, Plan 43, Town of Sandwich
being a forced Lane, designated as Parts 1 to8, Plan 12R30006; City of Windsor

Being all of PIN 01252-0427 (LT)

City of Windsor
County of Essex

BY-LAW NUMBER 37-2025

A BY-LAW TO ADOPT AMENDMENT NO. 192
TO THE OFFICIAL PLAN OF THE CITY OF
WINDSOR

Passed the 24th day of February, 2025.

WHEREAS pursuant to the provisions of Section 17(1) of the *Planning Act*, R.S.O. 1990, c. P.13 as amended, the Minister of Municipal Affairs and Housing (Minister) is the approval authority in respect of the approval of a plan as an official plan.

AND WHEREAS Section 17(9) of the said *Planning Act* provides that the Minister may by order exempt a proposed official plan amendment from his approval under Section 17(1) of the said Act.

AND WHEREAS pursuant to the provisions of Ontario Regulation 525/97 most amendments to the official plan of the City of Windsor commenced after January 19, 1998 are exempt from the approval of the said Minister.

THEREFORE the Council of the Corporation of the City of Windsor in accordance with the provisions of the said *Planning Act* hereby enacts as follows:

1. That Amendment No. **192** to the Official Plan of the City of Windsor, attached hereto, is hereby adopted.

DREW DILKENS, MAYOR

CITY CLERK

First Reading – February 24, 2025
Second Reading – February 24, 2025
Third Reading – February 24, 2025

BY-LAW NUMBER 38-2025

A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW"

Passed the 24th day of February, 2025.

WHEREAS it is deemed expedient to further amend By-law Number 8600 of the Council of The Corporation of the City of Windsor, cited as the "City of Windsor Zoning By-law" passed the 31st day of March, 1986, as heretofore amended:

THEREFORE the Council of the Corporation of the City of Windsor enacts as follows:

1. By-law Number 8600 is further amended by changing the Zoning District Maps or parts thereof referred to in Section 1, of the by-law and made part thereof, so that the zoning district symbol of the lands described in Column 3 shall be changed from that shown in Column 5 to that shown in Column 6:

1. Item Number	2. Zoning District Map	3. Lands Affected	4. Official Plan Amendment Number	5. Zoning Symbol	6. New Zoning Symbol
1	10,11	Part of Lots 119, 120, 121 & 122, Concession 1, designated as Parts 7, 8, 13, 14 and Part of Part 15, all on Plan 12R-26172 (North side of Catherine Street between Jefferson Boulevard and Lauzon Parkway; known municipally as 6412 & 6560 Tecumseh Road East, 0 Catherine Street; Roll No. 070-680-00700, 070-680-00900, 070-680-01110, 070-680-01510)	192	HMD1.4	CD2.1

2. That subsection 1 of Section 20, of said by-law, is amended by adding the following paragraph:

523. **NORTH SIDE OF CATHERINE STREET BETWEEN JEFFERSON BOULEVARD AND LAUZON PARKWAY**

For the lands consisting of Part of Lots 119, 120, 121 & 122, Concession 1, designated as Parts 7, 8, 13, 14 and Part of Part 15, all on Plan 12R-26172, the following additional provisions shall apply:

a) Additional Permitted *Main Uses*:

Ambulance Service

Food Catering Service

Food Packaging Facility

Manufacturing Facility

Medical Appliance Facility

Research and Development Facility

Stormwater Management Facility

Warehouse

b) Prohibited Uses:

Child Care Centre

Tourist Home

(ZDM 10,11; ZNG/7264)

3. The said by-law is further amended by changing the Zoning District Maps or parts thereof referred to in Section 1, of said by-law and made part thereof, so that the lands described in Column 3 are delineated by a broken line and further identified by the zoning symbol shown in Column 5:

1. Item Number	2. Zoning District Map	3. Lands Affected	4. Official Plan Amendment Number	5. Zoning Symbol
1	10,11	Part of Lots 119, 120, 121 & 122, Concession 1, designated as Parts 7, 8, 13, 14 and Part of Part 15, all on Plan 12R- 26172 (North side of Catherine Street between Jefferson Boulevard and Lauzon Parkway; known municipally as 6412 & 6560 Tecumseh Road East, 0 Catherine Street; Roll No. 070-680-00700, 070-680-00900, 070-680-01110, 070-680-01510)	192	S.20(1)523

DREW DILKENS, MAYOR

CITY CLERK

First Reading – February 24, 2025
 Second Reading – February 24, 2025
 Third Reading – February 24, 2025

BY-LAW NUMBER 39-2025

A BY-LAW TO ASSUME FOR SUBSEQUENT CLOSURE THE 4.27 METRE NORTH/SOUTH ALLEY NORTH OF YPRES AVENUE, EAST OF CHRYSLER CENTRE, SOUTH OF VIMY AVENUE AND WEST OF CADILLAC STREET, CITY OF WINDSOR

Passed the 24th day of February, 2025.

WHEREAS the 4.27 metre portion of the north/south alley north of Ypres Avenue, east of Chrysler Centre, south of Vimy Avenue and west of Cadillac Street, City of Windsor, more particularly described in Schedule "A" hereto annexed, is assumed for subsequent closure;

THEREFORE the Council of the Corporation of the City of Windsor enacts as follows:

1. That the 4.27 metre portion of the north/south alley north of Ypres Avenue, east of Chrysler Centre, south of Vimy Avenue and west of Cadillac Street, City of Windsor, more particularly described in Schedule "A" hereto annexed and forming part of this by-law, be and the same is hereby assumed for subsequent closure.
2. That this by-law shall come into force and take effect on the day of the final passing thereof.

DREW DILKENS, MAYOR

CITY CLERK

First Reading – February 24, 2025
Second Reading – February 24, 2025
Third Reading – February 24, 2025

SCHEDULE "A"
TO BY-LAW 39-2025

Alley Plan 1356, Sandwich East, designated as Parts 1 to 32, inclusive, Plan 12R30008; Windsor

Being all of PIN 01354-0324 (LT)

City of Windsor
County of Essex

BY-LAW NUMBER 40-2025

A BY-LAW TO CLOSE, STOP UP AND CONVEY THE 4.27 METRE NORTH/SOUTH ALLEY NORTH OF YPRES AVENUE, EAST OF CHRYSLER CENTRE, SOUTH OF VIMY AVENUE AND WEST OF CADILLAC STREET, CITY OF WINDSOR

Passed the 24th day of February, 2025.

WHEREAS it is deemed expedient to close, stop up and convey the 4.27 metre portion of the north/south alley north of Ypres Avenue, east of Chrysler Centre, south of Vimy Avenue and west of Cadillac Street, City of Windsor, more particularly described in Schedule "A" attached hereto;

THEREFORE the Council of the Corporation of the City of Windsor enacts as follows:

1. That the 4.27 metre portion of the north/south alley north of Ypres Avenue, east of Chrysler Centre, south of Vimy Avenue and west of Cadillac Street, City of Windsor, more particularly described in Schedule "A" attached hereto and forming part of this by-law, be and the same is hereby closed and stopped up.
2. That any required easements pursuant to Council Resolution CR223/2024, be registered prior to conveyance.
3. That the lands be conveyed to the abutting owners, and that the conveyance cost be set as follows:
 - a) For alley conveyed to abutting lands zoned CD1.7, \$15.00 per square foot without easements plus HST (if applicable) and proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor, and \$7.50 per square foot with easements plus HST (if applicable) and proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.
 - b) For alley conveyed to abutting lands zoned RD1.2, \$1.00 plus HST (if applicable), deed preparation fee and proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.
4. That the Chief Administrative Officer and City Clerk be authorized and directed to execute on behalf of The Corporation of the City of Windsor and to seal with the seal thereof, any and all documents necessary to implement the foregoing; and that the transaction be completed electronically, for property where it is available, pursuant to By-law Number 366-2003, as amended from time to time.

5. This by-law shall come into force and take effect the day upon which it is registered in the Land Registry Office for the County of Essex (No. 12).

DREW DILKENS, MAYOR

CITY CLERK

First Reading – February 24, 2025
Second Reading – February 24, 2025
Third Reading – February 24, 2025

SCHEDULE "A"
TO BY-LAW 40-2025

Alley Plan 1356, Sandwich East, designated as Parts 1 to 32, inclusive, Plan 12R30008; Windsor

Being all of PIN 01354-0324 (LT)

City of Windsor
County of Essex

BY-LAW NUMBER 41-2025

A BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE 24TH DAY OF FEBRUARY, 2025

Passed the 24th day of February, 2025.

WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Windsor at this meeting be confirmed and adopted by by-law;

THEREFORE the Council of the Corporation of the City of Windsor enacts as follows:

1. The action of the Council of The Corporation of the City of Windsor in respect to each recommendation contained in the Report/Reports of the Committees and the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of The City of Windsor at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this by-law.
2. The Mayor and the proper officials of The Corporation of the City of Windsor are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Windsor referred to in the preceding section hereof.
3. The Mayor and the City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Windsor.

This by-law shall come into force and take effect on the day of the final passing thereof.

DREW DILKENS, MAYOR

CITY CLERK

First Reading – February 24, 2025
Second Reading – February 24, 2025
Third Reading – February 24, 2025
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