

## City Council Meeting Agenda

**Date:** Tuesday, September 5, 2023

**Time:** 4:00 o'clock p.m.

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

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

**MEMBERS:**

Mayor Drew Dilkens

Ward 1 – Councillor Fred Francis

Ward 2 – Councillor Fabio Costante

Ward 3 – Councillor Renaldo Agostino

Ward 4 – Councillor Mark McKenzie

Ward 5 – Councillor Ed Sleiman

Ward 6 – Councillor Jo-Anne Gignac

Ward 7 – Councillor Angelo Marignani

Ward 8 – Councillor Gary Kaschak

Ward 9 – Councillor Kieran McKenzie

Ward 10 - Councillor Jim Morrison



## **ORDER OF BUSINESS**

<b>Item #</b>	<b>Item Description</b>
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1.	<b>ORDER OF BUSINESS</b>
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2.	<b>CALL TO ORDER</b> - Playing of the National Anthem
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**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.	<b>DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF</b>
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4.	<b>ADOPTION OF THE MINUTES</b>
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5.	<b>NOTICE OF PROCLAMATIONS</b>
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**Proclamations**

“Suicide Awareness Month” – September 2023

**Flag Raising Ceremony**

“Independence of Mexico” – September 14, 2023 – September 19, 2023

**Illumination**

“World Suicide Awareness Day” – September 18, 2023 – September 22, 2023

“Independence of Mexico” – September 26, 2023 – September 27, 2023

“Prostate Cancer Awareness Month” – September 8, 2023 – September 15, 2023

6.	<b>COMMITTEE OF THE WHOLE</b>
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7.	<b>COMMUNICATIONS INFORMATION PACKAGE</b> (This includes both Correspondence and Communication Reports)
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- 7.2. 2024 Budget Process Update - City Wide (**C 124/2023**)
- 7.3. Your Quick Gateway (Windsor) Inc. (YQG) - 2022 Financial Statements (Q2, Q3, Q4) and 2023 Financial Statements (Q1) - City Wide (**C 126/2023**)

8. **CONSENT AGENDA**

- 8.1. Municipal Capital Facility at 4000 County Road 42, Windsor – Ward 9 (**C 127/2023**)
- 8.2. Your Quick Gateway (Windsor) Inc. – Annual General Meeting of Shareholder – City Wide (**C 129/2023**)
- 8.3. Traffic Modifications - Traffic By-law 9148 –One Way Street- St. Rose Avenue from Wyandotte St. E to Riverside Dr. E North-bound Ward: 6 (**C 121/2023**)  
**Clerk's Note:** P & C Memo for Mayor & Members of Council only (provided under separate cover)
- 8.4. Frequency of Garbage Collection - City Wide (**C 120/2023**)

**CONSENT COMMITTEE REPORTS**

- 8.5. Minutes of the Essex-Windsor Solid Waste Authority Regular Board Meeting held Tuesday, May 2, 2023 (**SCM 209/2023**) & (**SCM 200/2023**)
- 8.6. Essex Windsor Solid Waste Authority (EWSWA) Annual Report - Essex-Windsor Residential Waste Diversion 2022 (**SCM 210/2023**) & (**SCM 201/2023**)
- 8.7. Test Pilot of Garbage Relocation in Ward 3 - City Wide (**SCM 211/2023**) & (**S 82/2023**)  
and Move Residential Alley Garbage Collection to Curbside - City Wide (**C 69/2023**)  
**Clerk's Note:** Administration provides an Additional Information Memo re: S 82/2023 Test Pilot of Garbage Relocation in Ward 3 - City Wide and C 69/2023 Move Residential Alley Collection to Curbside- City Wide (**AI 12/2023**)
- 8.8. Response to CQ27-2021 - All-Way Stop Warrant - City Wide (**SCM 212/2023**) & (**S 70/2023**)
- 8.9. Alley Maintenance Standards - City Wide (**SCM 213/2023**) & (**C 106/2023**)
- 8.10. Temporary Traffic Calming Measures For Class I Collector Roadways (CQ16-2023) - City Wide (**SCM 214/2023**) & (**S 83/2023**)
- 8.11. Update: Amendment to Sign By-law 250-04 related to Billboards and Electronic Billboards - City Wide (**SCM 216/2023**) & (**CM 7/2023**)
- 8.12. 546 and 548-550 Devonshire Road, Semi-Detached Houses - Heritage Permits & Community Heritage Fund Requests (Ward 4) (**SCM 217/2023**) & (**S 86/2023**)



- 8.13. 160 Askin Avenue – Request for Partial Demolition of a Heritage Listed Property (Ward 2) **(SCM 218/2013) & (S 87/2023)**
- 8.14. Windsor Municipal Heritage Register: Strategies in Response to Provincial Bill 23 (City-wide) **(SCM 219/2023) & (S 88/2023)**
- 8.15. 1646 Alexis Road, Former Gordon McGregor School – Heritage Designation Report **(SCM 220/2023) & (S 89/2023)**
- 8.16. Zoning By-law Amendment Application for the property at 3841 -3847 Howard Avenue; Applicant: Dior Homes; File No. Z-040/2022, ZNG/6903; Ward 9 **(SCM 221/2023) & (S 91/2023)**
- 8.17. Rezoning – 5050542 Ontario Inc. – 3623, 3631 & 3637 Howard Avenue – Z-003/23 ZNG/6949 - Ward 9 **(SCM 222/2023) & (S 92/2023)**
- 8.18. Zoning By-law Amendment Application for 0 & 1466 St. Patrick Avenue, Z-037/22 [ZNG-6899], Ward 10 **(SCM 223/2023) & (S 56/2023)**
- 8.19. Closure of north/south alley located between Alexandra Avenue and Labelle Street, Ward 10 **(SCM 224/2023) & (S 81/2023)**
- 8.20. Closure of north/south alley located between Algonquin Street and 1429 Randolph Avenue, Ward 10 **(SCM 225/2023) & (S 57/2023)**
- 8.21. Closure of north/south alley located between Laforet Street and 3217 Baby Street, Ward 2 **(SCM 226/2023) & (S 71/2023)**
- 8.22. Brownfield Redevelopment Community Improvement Plan (CIP) application submitted by Habitat for Humanity Windsor-Essex for 1067 Henry Ford Centre Drive (Ward 5) **(SCM 227/2023) & (S 84/2023)**
- 8.23. Brownfield Redevelopment Community Improvement Plan (CIP) application submitted by Investrade Developments (Ontario) Limited for 240 Albert Road (Ward 5) **(SCM 228/2023) & (S 85/2023)**
- 8.24. Brownfield Redevelopment Community Improvement Plan (CIP) application submitted by 2821383 Ontario Inc, for 75 Mill Street (Ward 2) **(SCM 229/2023) & (S 80/2023)**

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



10. **PRESENTATIONS AND DELEGATIONS**

**PRESENTATION** (5-minutes)

- 10.1. Windsor Symphony Orchestra

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

- 11.1. Declaration of a Vacant Parcel of Land Municipally Known as 542 Dougall Avenue Surplus and Authority to Offer Same for Sale – Ward 3 **(C 125/2023)**
- 11.2. Renovation and Addition to the Administration Building of the Little River Pollution Control Plant- CITY WIDE **(C 109/2023)**
- 11.3. A By-law to authorize special charges being imposed on lots abutting the local improvement work completed under By-law 71-2021 on Randolph Avenue from Cleary Street to Northwood Street - Ward 10 **(C 103/2023)**
- 11.4. A By-law to authorize special charges being imposed on lots abutting the local improvement work completed under By-law 68-2021 on Mark Avenue from Campbell Avenue to Algonquin Street - Ward 10 **(C 104/2023)**
- 11.5. A By-law to authorize special charges being imposed on lots abutting the local improvement work completed under By-law 44-2023 on Curry Avenue from Norfolk Street to Richardie Boulevard - Ward 1 **(C 105/2023)**

12. **CONSIDERATION OF COMMITTEE REPORTS**

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

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

14. **MOVE BACK INTO FORMAL SESSION**

15. **NOTICES OF MOTION**

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



17. **PETITIONS**

18. **QUESTION PERIOD**

19. **STATEMENTS BY MEMBERS**

20. **UPCOMING MEETINGS**

Community Services Standing Committee  
Wednesday, September 6, 2023  
9:00 a.m., Council Chambers

Development & Heritage Standing Committee  
Monday, September 11, 2023  
4:30 p.m., Council Chambers

21. **ADJOURNMENT**





**Subject: 2024 Budget Process Update - City Wide**

**Reference:**

Date to Council: September 5, 2023

Author: David Soave

Manager, Operating Budget Development & Control

519-255-6100 Ext. 1911

dsoave@citywindsor.ca

Financial Planning

Report Date: August 15, 2023

Clerk's File #: AF/14585

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

**Recommendation:**

THAT the report of the Chief Financial Officer & City Treasurer dated September 5, 2023 regarding the 2024 Budget Process Update **BE RECEIVED** for information.

**Executive Summary:**

N/A

**Background:**

At its Council meeting held June 12, 2023, through CR252/2023, City Council approved the following motions:

*That the report from the Office of the Chief Financial Officer & City Treasurer dated June 12, 2023 regarding the 2024 Proposed Budget Process & Timeline **BE RECEIVED** for information; and,*

*That Council **APPROVE** the Operating & Capital Budget timelines for the development of the 2024 Operating & Capital budgets as outlined in Table A (Operating & Capital Budget Timeline) of this report; and,*

*That Administration **BE DIRECTED** to bring forward a 2024 Operating Budget that provides options to mitigate a potential property tax levy increases through departmental reduction options totalling 5% of their prior year's net operating budget; and,*



*That City Council **CONFIRMS** that Administration is to develop the 2024 10-year Capital Budget based on current funding level projections, inclusive of the operational (tax levy based) transfers to capital being maintained at current 2023 levels; and,*

*That City Council **APPROVE** the renewal of the subscription for Balancing Act Software Solution to be used as a public engagement budget tool in advance of the 2024 budget and that it be funded by one-time dollars already approved in the 2023 operating budget.*

Also at the the June 12, 2023 Council meeting, through CR267/2023, City Council approved the following motion:

*That an Operating Budget Review Committee **BE ESTABLISHED** for the 2024 budget review process similar to the Committee for the 2023 budget process.*

### **Strong Mayor Powers Legislation**

On Friday, June 16, 2023, the Provincial Government announced Strong Mayors, Building Homes Act, 2022, (*Strong Mayor Powers*) which granted special powers and duties to heads of council to 26 additional municipalities across Ontario, including Windsor.

In accordance with this new legislation and as it relates to municipal budgets the head of council must propose a municipal budget prior to February 1 of the year to which the budget relates. As such, the proposed timelines previously identified are required to be amended.

This report serves as an update to City Council on the impacts to the budget process and amended timeline as it relates to the approval and finalization of the 2024 budget.

### **Discussion:**

The 2024 budget development process for both operating and capital have been well under way since June of this year. The 2024 budget development milestones completed to date are as follows:

#### **Operating Budget**

- *Development of departmental detailed salary & wage budget.*
- *Development of detailed budget pressure issues.*
- *Development of detailed budget reduction options.*

#### **Capital Budget**

- *Review of departmental capital budget requests for 2024 – 2032.*



- *Identification and development of priority projects currently not included in the existing 10-year plan.*
- *Development of departmental capital budget for 2033 funding year.*
- *Administrative balancing of funding to expenditures.*

Further to this, and as directed by City Council, Administration has gathered information from departments that provides options to mitigate any potential property tax levy increases, through either expenditure reductions and/or revenue opportunity options totalling 5% of their prior year's net operating budget. Administration is also developing the 2024 10-year Capital Budget based on current funding level projections, inclusive of the operational (tax levy based) transfers to capital being maintained at current 2023 levels.

### **Proposed Timeline Moving Forward**

As indicated above, the 2024 Budget must be tabled by the head of council by February 1, 2024. As such, Administration has amended the proposed timeline for the tabling and review of the 2024 Budget which is presented below (Table A: Operating and Table B: Capital).

**Table A: 2024 Operating Budget Development Timeline**

Description	Target Completion Date	Current Status
1. Salary Budget Development	July 7, 2023	Complete
2. Budget Issues Development	September 1, 2023	On target
3. Budget Issues Review and Categorization (Financial Planning)	September 29, 2023	In Progress
4. Administrative Review (CLT)	October 2, 2023 to October 20, 2023	Not Yet Started
5. Mayor's Review	October 23, 2023 to November 24, 2023	Not Yet Started
6. Documents Development	November 27, 2023 to December 22, 2023	Not Yet Started
7. Budget Tabling	January 8, 2024 to January 26, 2024	Not Yet Started
8. Budget Deliberations	January 29, 2024	Not Yet Started



**Table B: 2024 Capital Budget Development Timeline**

Description	Target Completion Date	Status
1. Capital Budget Development	July 28, 2023	Complete
2. Administrative Balancing Funding to Expenditures	August 4, 2023	Complete
3. Department Review	August 11, 2023	Complete
4. Administrative Balancing w/ Departments	September 1, 2023	On target
5. Administrative Review	September 18, 2023 to October 20, 2023	Not Yet Started
6. Mayor's Review	October 23, 2023 to November 24, 2023	Not Yet Started
7. Documents Development	November 27, 2023 to December 22, 2023	Not Yet Started
8. Budget Tabling	January 8, 2024 to January 26, 2024	Not Yet Started
9. Budget Deliberations	January 29, 2024	Not Yet Started

It should be noted that a finalized budget will be tabled early in the new year and must be open for a period of no more than 30 days. During this 30-day period, public meetings with City Council will be scheduled to allow for discussion and debate of the proposed budget. These meetings can be structured in a manner that resembles past Operating Budget Reviews. Should City Council wish to amend the proposed budget, a resolution would need to be passed prior to the expiry of the 30-day period. Based upon the proposed Council meeting schedule for 2024, Administration is recommending that any amendment to the 2024 Budget be presented at the meeting of January 29, 2024 (a period of 21 days). If a resolution by City Council to amend the budget is not passed within the 30-day period, the budget is considered to be adopted as presented.

Under the new legislation, within 10 days after a resolution of City Council, the head of council can veto the amendments made by City Council or adopt the budget as amended. City Council then has 15 days in which to override the head of council's veto with support of two thirds of the members of Council, the head of council holding a vote.

### **Public Engagement and Other Inputs into the Annual Budget Process**

As indicated above, City Council approved the renewal of the subscription for Balancing Act Software Solution to be used as a public engagement budget tool in advance of the 2024 budget. Administration will be making this tool available through the on-line platform "Let's Talk". In addition, Administration will be setting up tables and providing tablets at each of the Ward meetings. Staff will be on hand to walk residents through the various aspects of the tool and answer any questions that they may have.



Residents will be provided with a scanable code (QR code) that will also allow a direct link to the site should they want to complete it at a later date.

### **Approvals of Rates and Other Budgetary Impact Report**

The extension of power to the head of council with regards to budget development generally includes amounts sufficient to pay all debts, amounts required to be raised for sinking funds and the estimated revenues to be raised through property taxation. As Council will recall, there are additional directions and decisions with regards to revenues of the Corporation which inform the budget development. Examples include user fees and sewer surcharge rates. Administration will in conjunction with the 2024 Budget, seeking City Council's direction on these matters. The timing of when these reports will be brought forward has not yet been determined.

### **Various Service Delivery Review Initiatives Undertaken**

At the June 12<sup>th</sup> meeting, Council raised the issue of incorporating service delivery review as part of the budget development process. In response, it is noted that the Corporation undertakes service delivery reviews on an ongoing basis across multiple areas of the city's operations. The results of the reviews, which are brought forward in the form of council reports, assist in informing the annual budgetary process. Some examples of service delivery review initiatives conducted in recent years include the following service areas:

1. Planning Department Realignment
2. Building Department Realignment
3. Human Resources Review
4. Information Technology Review
5. City Fleet Service Reviews
6. Establishment of the Economic Development Area
7. Engineering and Parks & Facility Realignment
8. Transportation Planning Realignment to Public Works Operations
9. Transit Windsor Streamlining & Refocusing of Service
10. Examples of Alternative Service Delivery Include:
  - a. Locates in Public Works Operations
  - b. Streetlight Maintenance
  - c. Grass Cutting on E.C. Row Expressway
  - d. Caretaking Services at Huron Lodge & City Hall Campus

It is important to note however that many of these ongoing and complex reviews are not necessarily solely initiated and completed during the annual budget review process. Such reviews are undertaken on an ongoing and continuous basis throughout the year often culminating in council reports and recommendations from administration that can be actioned in future and upcoming budgets.



## **Risk Analysis:**

There is limited risk associated with the amended timelines. The 2024 budget must be tabled by no later than February 1, 2024 after which there will be a 30-day period of time for review by City Council and members of the public.

## **Climate Change Risks**

### **Climate Change Mitigation:**

N/A

### **Climate Change Adaptation:**

N/A

## **Financial Matters:**

Financial matters are discussed throughout the report.

## **Consultations:**

## **Conclusion:**

This report provides an update by Administration to City Council as it relates to a revised 2024 budget process and timelines driven by the new legislation.

## **Planning Act Matters:**

N/A

## **Approvals:**

<b>Name</b>	<b>Title</b>
David Soave	Manager, Operating Budget Development & Control
Tony Ardovini	Deputy Treasurer - Financial Planning
Natasha Gabbana	Senior Manager of Asset Planning
Janice Guthrie	Commissioner Corporate Services, CFO/ City Treasurer
Joe Mancina	Chief Administrative Officer



**Notifications:**

<b>Name</b>	<b>Address</b>	<b>Email</b>

**Appendices:**



**Subject: Your Quick Gateway (Windsor) Inc. (YQG) - 2022 Financial Statements (Q2, Q3, Q4) and 2023 Financial Statements (Q1) - City Wide**

**Reference:**

Date to Council: September 5, 2023

Author: Dan Seguin

Deputy Treasurer - Financial Accounting & Corporate Controls

519-255-6100 Ext. 1663

dseguin@citywindsor.ca

Financial Accounting

Report Date: 8/17/2023

Clerk's File #: AF/14399

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

**Recommendation:**

THAT City Council **RECEIVE FOR INFORMATION** Quarter 2, 3, 4 Variance and Performance Analysis for Your Quick Gateway (Windsor) Inc.; and further,

THAT City Council **RECEIVE FOR INFORMATION** the 2023 Quarter 1 Variance and Performance Analysis for Your Quick Gateway (Windsor) Inc.

**Executive Summary:**

N/A

**Background:**

The Windsor Airport Management Agreement requires that Quarterly Financial Statements be provided to City Council.

**Discussion:**

In compliance with this requirement, Your Quick Gateway (Windsor) Inc. (YQG) has provided Quarter 2, 3, 4 Variance and Performance Analysis. The completed audited financial statements for the 2022 year end are presented in a separate report (C129/2023). The 2022 financial results of YQG were included in the City's consolidated financial statements previously presented to City Council.

In addition, the 2023 Quarter 1 Variance and Performance Analysis is provided for information. Revenues are trending close to budget for the 1<sup>st</sup> Quarter, however the air sector is still in recovery mode with some uncertainty as to flight capacities. Expenses are trending largely on budget with some minor variations. The variance analysis shows a projected year-end surplus of \$400,850 based upon net income of \$1.14 million.



Given the fluidity of the airline environment, this projected surplus could change. Quarterly reports will be presented to City Council as they are made available.

**Risk Analysis:**

N/A

**Climate Change Risks**

**Climate Change Mitigation:**

N/A

**Climate Change Adaptation:**

N/A

**Financial Matters:**

See attached Appendices which include:

- Appendix A - 2022 2<sup>nd</sup> Quarter Variance & Performance Analysis
- Appendix B - 2022 3<sup>rd</sup> Quarter Variance & Performance Analysis
- Appendix C – 2022 4<sup>th</sup> Quarter Variance & Performance Analysis
- Appendix D – 2023 1<sup>st</sup> Quarter Variance & Performance Analysis

**Consultations:**

N/A

**Conclusion:**

Information is submitted to City Council in compliance with the requirements of the Windsor Airport Management Agreement.

**Planning Act Matters:**

N/A

**Approvals:**

Name	Title
Dan Seguin	Deputy Treasurer-Financial Accounting & Corporate Controls
Janice Guthrie	Commissioner, Corporate Services Chief Financial Officer & City Treasurer
Joe Mancina	Chief Administrative Officer



**Notifications:**

<b>Name</b>	<b>Address</b>	<b>Email</b>
Mark Galvin	3200 County Rd. 42, Unit 200, Windsor, ON, N8V 0A1	mgalvin@yqg.ca

**Appendices:**

- 1 Appendix A - 2022 2nd Quarter Variance & Performance Analysis
- 2 Appendix B - 2022 3rd Quarter Variance & Performance Analysis
- 3 Appendix C - 2022 4th Quarter Variance & Performance Analysis
- 4 Appendix D - 2023 1st Quarter Variance & Performance Analysis



**APPENDIX A**

**YQG 2022 Q2 Variance and Performance Analysis**

				<b>Variance</b>		<b>Projection</b>	
		<b>Board Approved COVID Budget</b>	<b>Q2 Actuals</b>	<b>Q2 Variance to Covid Budget</b>		<b>Projected Year End Balance</b>	<b>Projected Variance to COVID Budget</b>
		<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>F</b>
		<b>2022 Covid Budget</b>	<b>2022 Q1 Actuals 6/30/2022 (50%)</b>	<b>YTD Variance</b>	<b>% Committed (B/A)</b>	<b>2022 Projection</b>	<b>\$ Change / Variance</b>
<b>Income</b>							
1	Passenger Facility Fees	562,733	251,826	(310,907)	45%	1,023,976	461,243
2	Terminal and Landing Fees	573,404	425,684	(147,720)	74%	722,425	149,021
3	Ground Handling	150,000	134,710	(15,290)	90%	322,291	172,291
4	Leases	1,043,143	571,546	(471,597)	55%	1,143,092	99,949
5	Miscellaneous	50,000	364,714	314,714	729%	618,714	568,714
6	Parking Revenue	145,000	175,534	30,534	121%	351,069	206,069
7	Café-Lounge Sales	-	-	-	0%	-	-
8	Fuel Sales	96,000	59,417	(36,583)	62%	118,835	22,835
9	Licensing (Other)	50,000	29,094	(20,906)	58%	58,188	8,188
10	Property Taxes	846,600	409,396	(437,204)	48%	846,600	-
11	Interest	15,000	1,920	(13,080)	13%	31,840	16,840
<b>Total Income</b>		<b>3,531,880</b>	<b>2,423,842</b>	<b>(1,108,038)</b>	<b>69%</b>	<b>5,237,030</b>	<b>1,705,150</b>
<b>Expenses</b>							
20	Salaries and Benefits	1,602,003	761,086	840,917	48%	1,645,194	(43,191)
21	Repairs and Maintenance	730,000	777,516	(47,516)	107%	1,333,380	(603,380)
22	Safety and Security	425,000	185,396	239,604	44%	405,000	20,000
23	Sales and Marketing (Incl. Café)	31,200	54,829	(23,629)	176%	192,558	(161,358)
24	Office	51,660	51,303	357	99%	89,302	(37,642)
25	Utilities	301,476	125,940	175,536	42%	336,054	(34,578)
26	Insurance	54,468	15,405	39,063	28%	54,468	-
27	Professional Fees	121,885	33,663	88,222	28%	121,885	-
28	Depreciation	100,120	47,346	52,774	47%	100,120	-
29	Property Taxes	846,600	413,204	433,396	49%	846,600	-
<b>Total Expenses</b>		<b>4,264,412</b>	<b>2,465,687</b>	<b>1,798,725</b>	<b>58%</b>	<b>5,124,561</b>	<b>(860,149)</b>
<b>Net Income</b>		<b>(732,532)</b>	<b>(41,845)</b>	<b>690,687</b>	<b>6%</b>	<b>112,468</b>	<b>845,000</b>



**APPENDIX B**

**YQG 2022 Q3 Variance and Performance Analysis**

				<b>Variance</b>		<b>Projection</b>	
		<b>2022 Approved Budget</b>	<b>Q3 Actuals</b>	<b>Q3 Actual Variance</b>		<b>Projected Year End Actuals</b>	<b>Projected Year End Variance</b>
		<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>F</b>
		<b>2022 Covid Budget</b>	<b>2022 Q1 Actuals 9/30/2022 (50%)</b>	<b>YTD Variance</b>	<b>% Committed (B/A)</b>	<b>2022 Projection</b>	<b>\$ Change / Variance</b>
<b>Income</b>							
1	Passenger Facility Fees	562,733	664,164	101,431	118%	1,055,685	492,952
2	Terminal and Landing Fees	573,404	626,048	52,644	109%	816,191	242,787
3	Ground Handling	150,000	180,055	30,055	120%	207,266	57,266
4	Leases	1,043,143	908,917	(134,226)	87%	1,211,890	168,747
5	Miscellaneous	50,000	381,025	331,025	762%	635,025	585,025
6	Parking Revenue	145,000	304,374	159,374	210%	408,545	263,545
7	Café-Lounge Sales	-	-	-	0%	-	-
8	Fuel Sales	96,000	104,357	8,357	109%	139,142	43,142
9	Licensing (Other)	50,000	41,450	(8,550)	83%	55,267	5,267
10	Property Taxes	846,600	516,312	(330,288)	61%	840,521	(6,079)
11	Interest	15,000	22,565	7,565	150%	58,086	43,086
<b>Total Income</b>		<b>3,531,880</b>	<b>3,749,267</b>	<b>217,387</b>	<b>106%</b>	<b>5,427,618</b>	<b>1,895,738</b>
<b>Expenses</b>							
20	Salaries and Benefits	1,602,003	1,183,108	418,895	74%	1,588,961	13,042
21	Repairs and Maintenance	730,000	970,812	(240,812)	133%	1,210,126	(480,126)
22	Safety and Security	425,000	299,074	125,926	70%	385,326	39,674
23	Sales and Marketing	31,200	56,158	(24,958)	180%	151,772	(120,572)
24	Office	51,660	57,010	(5,350)	110%	70,000	(18,340)
25	Utilities	301,476	282,569	18,907	94%	395,018	(93,542)
26	Insurance	54,468	49,961	4,507	92%	76,401	(21,933)
27	Professional Fees	121,885	47,272	74,613	39%	60,772	61,113
28	Depreciation	100,120	71,019	29,101	71%	86,244	13,876
29	Property Taxes	846,600	413,204	433,396	49%	840,521	6,079
<b>Total Expenses</b>		<b>4,264,412</b>	<b>3,430,187</b>	<b>834,225</b>	<b>80%</b>	<b>4,865,141</b>	<b>(600,729)</b>
<b>Net Income</b>		<b>(732,532)</b>	<b>319,080</b>	<b>1,051,612</b>	<b>-44%</b>	<b>562,477</b>	<b>1,295,009</b>



**YQG 2022 Q4 Variance and Performance Analysis**

				Variance		Projection	
		2022 Approved Budget	Q4 Actuals Dec 31, 2022	Q4 Variance Dec 31, 2022	% Committed (B/A)	Projected Year End Actuals	Projected Year End Variance
		A	B	C	D	E	F
<b>Income</b>							
1	Passenger Facility Fees	562,733	1,037,984	475,251	184%	1,037,984	475,251
2	Terminal and Landing Fees	573,404	929,585	356,181	162%	929,585	356,181
3	Ground Handling	150,000	216,202	66,202	144%	216,202	66,202
4	Leases	1,043,143	1,525,364	482,221	146%	1,525,364	482,221
5	Miscellaneous	50,000	100,566	50,566	201%	100,566	50,566
6	Parking Revenue	145,000	414,421	269,421	286%	414,421	269,421
7	Fuel Sales	96,000	149,299	53,299	156%	149,299	53,299
8	Licensing (Other)	50,000	52,889	2,889	106%	52,889	2,889
9	Property Taxes	846,600	854,122	7,522	101%	854,122	7,522
10	Interest	15,000	102,834	87,834	686%	102,834	87,834
Total Income		3,531,880	5,383,268	1,851,388	152%	5,383,268	1,851,388
<b>Expenses</b>							
11	Salaries and Benefits	1,602,003	1,669,673	(67,670)	104%	1,669,673	(67,670)
12	Repairs and Maintenance	730,000	869,880	(139,880)	119%	869,880	(139,880)
13	Safety and Security	425,000	427,777	(2,777)	101%	427,777	(2,777)
14	Sales and Marketing	31,200	1,150,151	(1,118,951)	3686%	1,150,151	(1,118,951)
15	Office	51,660	75,873	(24,213)	147%	75,873	(24,213)
16	Utilities	301,476	410,982	(109,506)	136%	410,982	(109,506)
17	Insurance	54,468	64,463	(9,995)	118%	64,463	(9,995)
18	Professional Fees	121,885	58,301	63,584	48%	58,301	63,584
19	Depreciation	100,120	86,901	13,219	87%	86,901	13,219
20	Property Taxes	846,600	840,521	6,079	99%	840,521	6,079
Total Expenses		4,264,412	5,654,521	(1,390,109)	133%	5,654,521	(1,390,109)
Net Income		(732,532)	(271,253)	461,279	37%	(271,253)	461,279



**YQG 2023 Q1 Variance and Performance Analysis**

				Variance		Projection	
		2023 Approved Budget	Q1 Actuals Mar 31, 2023	Q1 Variance Mar 31, 2023	% Committed (B/A)	Projected Year End Actuals	Projected Year End Variance
		A	B	C	D	E	F
<b>Income</b>							
1	Passenger Facility Fees	2,080,985	289,446	(1,791,539)	14%	2,080,985	-
2	Terminal and Landing Fees	1,383,754	417,558	(966,196)	30%	1,383,754	-
3	Ground Handling	180,000	38,173	(141,828)	21%	150,000	(30,000)
4	Leases	1,410,176	426,245	(983,931)	30%	1,440,000	29,824
5	Parking Revenue	450,000	134,558	(315,442)	30%	448,527	(1,473)
6	Fuel Sales	150,000	65,584	(84,416)	44%	150,000	-
7	Miscellaneous	80,000	47,056	(32,944)	59%	80,000	-
8	Interest	80,000	30,736	(49,264)		244,000	164,000
9	Licensing/Advertising	55,000	16,116	(38,884)	29%	97,000	42,000
10	Food Services	50,000	815	(49,185)		50,000	-
11	Property Taxes	880,000	108,970	(771,030)	12%	880,000	-
Total Income		6,799,915	1,575,257	(5,224,658)	23%	7,004,266	204,351
<b>Expenses</b>							
20	Salaries and Benefits	2,185,790	442,694	1,743,096	20%	1,964,290	221,500
21	Repairs and Maintenance	900,000	223,213	676,787	25%	900,000	-
22	Safety and Security	425,000	117,246	307,754	28%	450,000	(25,000)
23	Sales and Marketing	100,000	50,492	49,508	50%	100,000	-
24	Business Development	825,000	-	825,000	0%	825,000	-
25	Office	70,000	19,403	50,597	28%	70,000	-
26	Utilities and Communication	425,000	85,989	339,011	20%	425,000	-
27	Insurance	70,000	15,557	54,443	22%	70,000	-
28	Professional Fees	130,000	24,987	105,013	19%	130,000	-
29	Depreciation	46,110	11,721	34,389	25%	46,110	-
30	Property Taxes	880,000	-	880,000	0%	880,000	-
Total Expenses		6,056,900	991,302	5,065,598	16%	5,860,400	196,500
Net Income		743,015	583,954	(159,061)	79%	1,143,865	400,850





**Subject: Municipal Capital Facility at 4000 County Road 42, Windsor  
– Ward 9**

**Reference:**

Date to Council: September 5, 2023  
Author: Kate Tracey  
Senior Legal Counsel  
(519) 255-6100 x 1774  
ktracey@citywindsor.ca  
Legal Services, Real Estate & Risk Management  
Report Date: August 17, 2023  
Clerk's File #: APM2023

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

**Recommendation:**

- I. THAT City Council **DECLARE** the Leased Lands at 4000 County Road 42 a Municipal Capital Facility ("**MCF**") for the purposes of the municipality and for public use; and,
- II. THAT the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to execute a MCF agreement with AAR Aircraft Services - Windsor ULC, to be satisfactory in form to the City Solicitor and satisfactory in financial content to the City Treasurer; and,
- III. THAT the City Solicitor **BE DIRECTED** to prepare the necessary By-Law.

**Executive Summary:**

N/A

**Background:**

By CR 339/2023 a lease to AAR Aircraft Services - Windsor ULC ("**AAR**") for a part of the Windsor Airport Lands known municipally as 4000 County Road 42, as shown on an aerial diagram attached as Appendix A (the "**Leased Lands**"), was approved by City Council. In accordance with such approval, AAR as tenant is to be responsible for land taxes. The report and approval noted that such taxes would be exempt subject to the parties entering into a MCF Agreement.



## **Discussion:**

Properties owned and used by a municipality for municipal purposes are generally classified as exempt for property tax purposes. Where a municipality enters into a lease with a tenant for the provision of services that are not considered to be a municipal service, that portion of the facility becomes taxable as commercial. In such situations, the municipality must then collect and remit property taxes.

Under section 110 of the *Municipal Act, 2001*, municipalities are able to enter into an agreement to designate certain classes of facilities being leased to another person as municipal capital facilities. The agreement may provide various financial incentives, including an exemption from taxes levied for municipal and school purposes.

When a tenant will be providing certain municipal services as set forth in section 2(1) of *Ontario Regulation 603/06*, it is desirable for the City to provide relief from taxation to such tenant in exchange for the benefit of the tenant providing such municipal services.

One class of facility eligible for tax exemption under the Regulation is a facility related to the provision of telecommunications, transit and transportation services. The facility operated by AAR on the Leased Lands qualifies as a facility providing such services.

The Leased Lands were previously designated as a municipal capital facility by By-law Number 157-2012. The related MCF Agreement was signed with Premier Aviation Windsor Inc. ("**Premier**"), in accordance with the terms of a former service agreement for the Leased Lands. Upon AAR acquiring shares in Premier in 2017, amendments to a) the Municipal Capital Facility Agreement with Premier, and b) By-law 157-2012, were approved by CR522/2017 and CR523/2017 but never papered. Upon the expiration of the service agreement in 2022, the MCF by-law was deemed to be repealed, and the MCF agreement terminated.

Should the recommendations herein be approved, the City will pass a new by-law designating the Leased Lands as a municipal capital facility and AAR will enter into an agreement with the City, which will exempt the Leased Lands from taxation for municipal and school purposes, as a municipal facility related to the provision of telecommunications, transit and transportation systems (O.Reg 603/06, S.2(1)(5)). By completing the necessary by-law and MCF agreement, any risk that the Leased Lands will attract property taxes will be mitigated.

## **Risk Analysis:**

While risk is always possible, risk is mitigated by having the Leased Lands being declared a Municipal Capital Facility by passing a City by-law, and by subsequently entering into a Municipal Capital Facility agreement with AAR relative to the exempt taxes.



## **Climate Change Risks**

### **Climate Change Mitigation:**

N/A

### **Climate Change Adaptation:**

N/A

### **Financial Matters:**

The leased lands have been subject to a property tax exemption as a result of the MCF designation. The continuation of this designation has no additional financial implications and reflects the nature of operations on behalf of the City and as it relates to airport operations.

### **Consultations:**

Rosa Maria Scalia, Financial Planning Administrator  
Carolyn Nelson, Manager, Property Valuations & Administration  
Mark Galvin, President & CEO, YQG  
Rosanna Pellerito, Director of Corporate Services / CFO, YQG  
Denise Wright, Manager of Real Estate Services

### **Conclusion:**

Should the recommendations set out above be approved, the City will pass a by-law declaring the Leased Lands as a Municipal Capital Facility, following which the City will enter into a Municipal Capital Facility Agreement with AAR.

### **Planning Act Matters:**

N/A

### **Approvals:**

<b>Name</b>	<b>Title</b>
Kate Tracey	Senior Legal Counsel
Shelby Askin Hager	Commissioner, Legal & Legislative Services
Janice Guthrie	Commissioner, Corporate Services CFO/City Treasurer
Joe Mancina	Chief Administrative Officer



**Notifications:**

Name	Address	Email

**Appendices:**

- 1 Appendix "A" Leased Lands



## APPENDIX 'A'

### Leased Lands







**Subject: Your Quick Gateway (Windsor) Inc. – Annual General Meeting of Shareholder – City Wide**

**Reference:**

Date to Council: September 5, 2023  
Author: Steve Vlachodimos  
City Clerk/Licence Commissioner  
519-255-6100 ext 6488  
svlachodimos@citywindsor.ca  
Council Services  
Report Date: August 18, 2023  
Clerk's File #: AL/14399

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

**Recommendation:**

- I. That Council, acting as the shareholder for Your Quick Gateway (Windsor) Inc. ("YQG") **APPROVE** the resolutions presented by YQG; and,
- II. That the Chief Administrative Officer (CAO) and the City Clerk/Licence Commissioner **BE AUTHORIZED** to execute the shareholder's resolutions on behalf of The Corporation of the City of Windsor, in accordance with Council direction, with respect to all matters presented herein by YQG for the year 2022.

**Executive Summary:**

N/A

**Background:**

As a corporation subject to the *Canada Business Corporations Act* ("CBCA"), YQG is required to obtain certain shareholder resolutions from the City on an annual basis. This can be done by way of meeting, or in writing.

As the shareholder, the City (represented by City Council) must appoint someone to execute the resolutions in accordance with its direction. Therefore, this report seeks that Council approve the resolutions presented by YQG, and further that it appoints the CAO and the City Clerk to execute the resolutions on behalf of the City.

**Discussion:**

The resolutions to be presented on an annual basis are prescribed by the legislation and are limited to:

- (a) Approval of minutes of prior AGMs (if any);



- (b) Receipt of financial statements;
- (c) Appointment of directors;
- (d) Appointment of auditors.

These resolutions are essentially annual housekeeping, and it is Administration's opinion that it is appropriate to approve the resolutions presented.

### **Risk Analysis:**

As the sole shareholder of YQG, the City must fulfill its obligations under the CBCA and address the resolutions presented by YQG.

Approval of the resolutions pose little to no risk to the City as the City remains involved and aware with respect to the operations of YQG.

### **Climate Change Risks**

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

N/A

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

N/A

### **Financial Matters:**

There are no financial ramifications to accepting the resolutions presented by YQG.

### **Consultations:**

N/A

### **Conclusion:**

The resolutions presented by YQG are essentially corporate housekeeping and it is appropriate to approve them. It is necessary to appoint a signatory to represent the City for that purpose.

### **Planning Act Matters:**

N/A

### **Approvals:**

<b>Name</b>	<b>Title</b>
Steve Vlachodimos	City Clerk/Licence Commissioner
Shelby Askin Hager	Commissioner, Legal & Legislative



Name	Title
	Services
Tony Ardovini	On behalf of Commissioner, Corporate Services CFO/City Treasurer
Joe Mancina	Chief Administrative Officer

**Notifications:**

Name	Address	Email
Mark Galvin, Chief Executive Officer, YQQ		<a href="mailto:mgalvin@yqq.ca">mgalvin@yqq.ca</a>

**Appendices:**

- 1 YQG Annual Meeting of Shareholder- Memo to City - May 2023.pdf



## **MEMORANDUM**

April 26, 2023

**To:** Corporation of the City of Windsor as sole shareholder of Your Quick Gateway (Windsor) Inc. ('YQG')

**From:** Mark Galvin, Chief Executive Officer, YQG

**RE:** Your Quick Gateway (Windsor) Inc. Annual Meeting of Shareholder

---

### **Background**

Windsor City Council adopted the following resolution (M318-2013) at its meeting held on August 26<sup>th</sup>, 2013:

*BE IT RESOLVED that the Chief Administrative Officer and the City Clerk are hereby authorized to execute written annual and ancillary procedural resolutions of The Corporation of the City of Windsor, in its capacity as sole shareholder of Your Quick Gateway (Windsor) Inc., in form and content satisfactory to the Chief Administrative Officer, as permitted by Section 142 of the Canada Business Corporations Act (Canada).*

In accordance with the Airport Management Agreement between YQG and the Corporation of the City of Windsor ('Windsor'), an annual audit is required, performed by the auditor so appointed by the sole shareholder. Once the YQG Board has approved the audited financial statements they are then 'placed before' Windsor City Council. City of Windsor administration, as per the resolution above, then approves the YQG annual resolutions on behalf of the sole shareholder. Once approved, those resolutions fulfil the role of an annual meeting of the shareholder as per the *Canada Business Corporations Act* ('CBCA').

### **Audited Financial Statements**

KPMG is the appointed the auditor of YQG. KPMG'S audited financial statements for the financial year ended December 31, 2022, are annexed hereto.

*The YQG Board of Directors approved the financial statements at their meeting held on April 19, 2023.*



## **Election of Directors**

YQG's by-laws provide that its board of directors shall consist of between 3 and 12 directors. No resignations have been received and all Directors consent to continuing as members of the YQG Board. It is recommended that Windsor elect the following directors to hold office until the next annual meeting of directors or until their successors are elected or appointed:

- Mayor Drew Dilkens
- Councillor Kieran McKenzie
- Councillor Renaldo Agostino
- Councillor Angelo Marignani
- Renato J. Discenza
- John Chisholm
- Kulveer Virk
- Daniel Ableser
- Keith Gordon Andrews
- Diletta Bello Casey

## **Appointment of Auditor**

KPMG is Windsor's auditor and it served as auditor of YQG for its last financial year. The sole shareholder may fix remuneration, however, it is common practice for the Directors of YQG to approve remuneration for the auditor.

## **Confirmation of Acts**

It is the usual practice for the shareholder(s) to pass a resolution confirming the actions of the directors and officers of a Corporation taking in the financial year covered by the financial statements. It is considered appropriate to pass such resolution and it is recommended accordingly.

## **Recommendation**

That Windsor, the sole shareholder of YQG **APPROVE** the attached shareholder's resolutions in accordance with City of Windsor Council resolution M318-2013, authorizing the Chief Administrative Officer and City Clerk to execute said resolution on behalf of Windsor.

**Appendix A** contains the Audited Financial Statements for the year ended December 31, 2022, as prepared by KPMG, and approved by the YQG Board of Directors.

**Appendix B** is the Shareholder's Resolution as described herein.





Mark W. Galvin  
CEO, YQG

*On behalf of the YQG Board of Directors.*





## APPENDIX A

### Audited Financial Statements for the year ended December 31, 2022



Financial Statements of

**YOUR QUICK GATEWAY  
(WINDSOR) INC.**

And Independent Auditor's Report thereon

Year ended December 31, 2022





KPMG LLP  
618 Greenwood Centre  
3200 Deziel Drive  
Windsor ON N8W 5K8  
Canada  
Tel 519-251-3500  
Fax 519-251-3530

## INDEPENDENT AUDITOR'S REPORT

To the Shareholders of Your Quick Gateway (Windsor) Inc.

### *Opinion*

We have audited the financial statements of Your Quick Gateway (Windsor) Inc. (the Corporation), which comprise:

- the statement of financial position as at December 31, 2022
- the statement of comprehensive loss for the year then ended
- the statement of changes in equity for the year then ended
- the statement of cash flows for the year then ended
- and notes to the financial statements, including a summary of significant accounting policies

(Hereinafter referred to as the "financial statements").

In our opinion, the accompanying financial statements present fairly, in all material respects, the financial position of the Corporation as at December 31, 2022, and its financial performance and its cash flows for the year then ended in accordance with International Financial Reporting Standards.

### *Basis for Opinion*

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibilities under those standards are further described in the "**Auditor's Responsibilities for the Audit of the Financial Statements**" section of our auditor's report.

We are independent of the Corporation in accordance with the ethical requirements that are relevant to our audit of the financial statements in Canada and we have fulfilled our other ethical responsibilities in accordance with these requirements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

KPMG LLP, an Ontario limited liability partnership and member firm of the KPMG global organization of independent member firms affiliated with KPMG International Limited, a private English company limited by guarantee. KPMG Canada provides services to KPMG LLP.





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### ***Responsibilities of Management and Those Charged with Governance for the Financial Statements***

Management is responsible for the preparation and fair presentation of the financial statements in accordance with International Financial Reporting Standards (IFRS), and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is responsible for assessing the Corporation's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the Corporation or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Corporation's financial reporting process.

### ***Auditor's Responsibilities for the Audit of the Financial Statements***

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion.

Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with International Financial Reporting Standards will always detect a material misstatement when it exists.

Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the financial statements.

As part of an audit in accordance with International Financial Reporting Standards, we exercise professional judgment and maintain professional skepticism throughout the audit.

We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion.





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The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.

- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Corporation's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Corporation's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Corporation to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.
- Communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

*KPMG LLP*

Chartered Professional Accountants, Licensed Public Accountants

Windsor, Canada  
April 19, 2023



# YOUR QUICK GATEWAY (WINDSOR) INC.

## Statement of Financial Position

Year ended December 31, 2022, with comparative information for 2021

	Notes	2022	2021
<b>Assets</b>			
<b>Current assets:</b>			
Cash	4	\$ 8,113,505	\$ 7,623,933
Accounts receivable	5	830,192	594,721
Grants receivable	13	71,775	115,374
Prepaid expenses and deposits		44,297	27,549
Inventories		57,815	34,232
<b>Total current assets</b>		<b>9,117,584</b>	<b>8,395,809</b>
Accounts receivable - long-term	5	3,835	112,954
Furniture, fixtures and equipment	6	103,461	181,856
<b>Total assets</b>		<b>\$ 9,224,880</b>	<b>\$ 8,690,619</b>

## Liabilities and Shareholder's Equity

<b>Current liabilities:</b>			
Accounts payable and accrued liabilities	9	\$ 1,356,064	\$ 369,223
Accrued payroll expenses		255,976	269,511
Due to City of Windsor	11	44,399	279,043
Deferred revenue		66,852	-
<b>Total current liabilities</b>		<b>1,723,291</b>	<b>917,777</b>
<b>Shareholder's equity:</b>			
Share capital	8	100	100
Retained earnings		7,501,489	7,772,742
<b>Total shareholder's equity</b>		<b>7,501,589</b>	<b>7,772,842</b>
<b>Contingencies</b>	12		
<b>Total liabilities and shareholder's equity</b>		<b>\$ 9,224,880</b>	<b>\$ 8,690,619</b>

The accompanying notes are an integral part of the financial statements.



# YOUR QUICK GATEWAY (WINDSOR) INC.

## Statement of Comprehensive Loss

Year ended December 31, 2022, with comparative information for 2021

	Notes	2022	2021
<b>Revenue:</b>			
Passenger facility fees		\$ 1,037,984	\$ 465,733
Terminal and landing fees		929,585	653,252
Leases	7	1,525,364	1,153,649
Ground handling		216,202	159,604
Miscellaneous		100,583	121,410
Parking revenue		414,421	155,796
Fuel sales		149,299	133,745
Licensing		52,889	38,890
Interest		102,834	12,382
Grants	13	13,586	73,661
		<u>4,542,747</u>	<u>2,968,122</u>
<b>Expenses and other items:</b>			
Salaries and benefits		1,669,673	1,509,388
Safety and security		427,777	424,248
Repairs and maintenance		869,880	768,216
Sales and marketing		1,150,151	92,567
Office		75,873	78,963
Utilities		410,982	284,688
Insurance		64,463	60,015
Professional fees		58,300	77,420
Depreciation		86,901	100,889
		<u>4,814,000</u>	<u>3,396,394</u>
<b>Net loss representing total comprehensive loss</b>			
<b>for the period</b>		<b>\$ (271,253)</b>	<b>\$ (428,272)</b>

The accompanying notes are an integral part of the financial statements.



## YOUR QUICK GATEWAY (WINDSOR) INC.

### Statement of Changes in Equity

Year ended December 31, 2022, with comparative information for 2021

		Share Capital		Retained Earnings		Total Equity
Balance - January 1, 2021	\$	100	\$	8,201,014	\$	8,201,114
Net loss for the year		-		(428,272)		(428,272)
<b>Balance - December 31, 2021</b>	<b>\$</b>	<b>100</b>	<b>\$</b>	<b>7,772,742</b>	<b>\$</b>	<b>7,772,842</b>
Balance - January 1, 2022	\$	100	\$	7,772,742	\$	7,772,842
Net income for the year		-		(271,253)		(271,253)
<b>Balance - December 31, 2022</b>	<b>\$</b>	<b>100</b>	<b>\$</b>	<b>7,501,489</b>	<b>\$</b>	<b>7,501,589</b>

The accompanying notes are an integral part of the financial statements.



# YOUR QUICK GATEWAY (WINDSOR) INC.

## Statement of Cash Flows

Year ended December 31, 2022 with comparative information for 2021

	2022	2021
<b>Cash flows from operating activities:</b>		
Net income (loss) for the period	\$ (271,253)	\$ (428,272)
Adjustments for:		
Depreciation	86,901	100,889
Change in non-cash operating working capital:		
(Increase) decrease in accounts receivable	(126,352)	50,593
Decrease in grant receivable	43,599	3,062,626
(Increase) decrease in inventories	(23,583)	984
(Increase) decrease in prepaid expenses and deposits	(16,748)	3,300
Increase in accounts payable and accrued liabilities	986,841	58,143
(Decrease) increase in accrued payroll expenses	(13,535)	82,523
Decrease in due to City of Windsor	(234,644)	(343,586)
Increase in deferred revenue	66,852	-
<b>Net cash generated from operating activities</b>	<b>498,078</b>	<b>2,587,200</b>
<b>Cash flows from investing activities:</b>		
Purchase of equipment	(8,506)	(46,120)
Disposal of equipment	-	-
Decrease in short-term deposits	-	-
<b>Net cash used in investing activities</b>	<b>(8,506)</b>	<b>(46,120)</b>
<b>Increase in cash for the period</b>	<b>489,572</b>	<b>2,541,080</b>
Cash as at January 1	7,623,933	5,082,853
<b>Cash as at December 31</b>	<b>\$ 8,113,505</b>	<b>\$ 7,623,933</b>

The accompanying notes are an integral part of the financial statements.



# YOUR QUICK GATEWAY (WINDSOR) INC.

## Notes to Financial Statements

Year ended December 31, 2022

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### 1. Reporting Entity:

Your Quick Gateway (Windsor) Inc. (the "Corporation") is incorporated under the Canada Business Corporations Act. The Corporation provides management consulting and support services for the Windsor International Airport (the "Airport") to the Corporation of the City of Windsor (the "City"), its parent company.

On July 1, 2007, the Corporation entered into an operating agreement with the City whereby the City retains ownership of certain property and assets of the Windsor International Airport and the Corporation operates and manages the Airport.

The address of the Corporation is Unit #200, 3200 County Road 42, Windsor, Ontario, Canada.

### 2. Basis of preparation:

#### (a) Statement of compliance:

The Corporation's financial statements have been prepared in accordance with International Financial Reporting Standards (IFRS).

The financial statements were authorized for issue by the Board of Directors on April 19, 2023.

#### (b) Basis of measurement:

The financial statements have been prepared on the historical cost basis.

#### (c) Functional and presentation currency:

These financial statements are presented in Canadian dollars, which is the Corporation's functional currency.

#### (d) Use of estimates and judgments:

The preparation of the financial statements in conformity with IFRS requires management to make judgements, estimates and assumptions that affect the application of accounting policies and the reported amounts of assets, liabilities, income and expenses. Actual results may differ from these estimates.

Estimates and underlying assumptions are reviewed on an ongoing basis. Revisions to accounting estimates are recognized in the period in which the estimates are revised and in any future periods affected.

Information about assumptions and estimation uncertainties that have the most significant effect on the amounts recognized in these financial statements, include:

- (i) Note 5 – accounts receivable: valuation of accounts receivable
- (ii) Note 6 – furniture, fixtures and equipment: estimate of useful lives of assets



# YOUR QUICK GATEWAY (WINDSOR) INC.

Notes to Financial Statements

Year ended December 31, 2022

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### 3. Significant accounting policies:

The accounting policies set out below have been applied consistently to all periods presented in these financial statements.

#### (a) Revenue recognition:

Passenger facility fees are recognized as income in the period that passengers depart from the Airport. Terminal and landing fees are generated from scheduled airlines and non-scheduled commercial aviation and are recognized when the airport facilities are utilized. Revenue from leases are recognized on a straight-line basis based on lease contract terms.

Licensing revenue is recognized during the period in which the related services are delivered or performed.

#### (b) Deferred revenue:

Revenues relating to lease contracts are accounted for as deferred revenue when monies are received in advance for the leases. These amounts are amortized into income on a straight-line basis over the life of the lease.

#### (c) Financial instruments:

##### (i) Financial assets:

The Corporation initially recognizes financial assets on the date that they are originated. All other financial assets are recognized initially on the trade date at which the Corporation becomes a party to the contractual provisions of the instrument.

The Corporation's financial assets are comprised of loans and receivables.

##### *Loans and receivables*

Loans and receivables are financial assets with fixed or determinable payments that are not quoted in an active market. Such assets are recognized initially at fair value plus any directly attributable transaction costs. Subsequent to initial recognition loans and receivables are measured at amortized cost using the effective interest method, less any impairment losses.

Loans and receivables comprise cash, trade and other receivables and due from the City. Cash comprises of bank balances.



# YOUR QUICK GATEWAY (WINDSOR) INC.

Notes to Financial Statements (continued)

Year ended December 31, 2022

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## 3. Significant accounting policies (continued):

### (c) Financial instruments (continued):

#### (ii) Financial liabilities:

The Corporation initially recognizes financial liabilities on the trade date at which the Corporation becomes a party to the contractual provisions of the instrument.

The Corporation derecognizes a financial liability when its contractual obligations are discharged, cancelled or expire.

The Corporation has the following financial liabilities: accounts payable and accrued liabilities, accrued payroll expenses, and due to City of Windsor.

Such financial liabilities are recognized initially at fair value plus any directly attributable transaction costs. Subsequent to initial recognition these financial liabilities are measured at amortized cost using the effective interest method.

#### (iii) Share capital:

##### *Common shares*

Common shares are classified as equity. Incremental costs directly attributable to the issue of common shares are recognized as a deduction from equity.

### (d) Impairment:

#### (i) Financial assets:

Financial assets impairment follows the "expected credit loss" ("ECL") model. The impairment model applies to financial assets measured at amortized cost.

All impairment losses are recognized in profit or loss. An impairment loss is reversed if the reversal can be related objectively to an event occurring after the impairment loss was recognized. For financial assets measured at amortized cost the reversal is recognized in profit or loss.

#### (ii) Non-financial assets

At each reporting date, the Corporation reviews the carrying amounts of its non-financial assets to determine whether there is any indication of impairment. If any such indication exists, then the asset's recoverable amount is estimated. Where the carrying value of an asset exceeds its recoverable amount, which is the higher of value in use and fair value less costs to sell, the asset is written down accordingly.

Impairment losses are recognized in profit or loss.



# YOUR QUICK GATEWAY (WINDSOR) INC.

Notes to Financial Statements (continued)

Year ended December 31, 2022

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### 3. Significant accounting policies (continued):

(e) Furniture, fixtures and equipment:

Furniture, fixtures and equipment are stated at cost less accumulated depreciation and accumulated impairment losses. Depreciation is provided on the straight-line basis over the estimated useful lives of the assets (5 years).

Depreciation methods, useful lives and residual values are reviewed annually and adjusted if necessary.

(f) Defined benefit plans:

The Corporation's employees participate in a multi-employer plan under which the Corporation is required to make contributions. Obligations for contributions are recognized as an employee benefit in profit or loss in the periods during which services are rendered by employees. Prepaid contributions are recognized as an asset to the extent that a cash refund or reduction in future payments is available.

(g) Finance income and finance costs:

Finance income is recognized as it accrues in profit or loss, using the effective interest method.

Finance costs comprise interest expense on borrowings, and the unwinding of the discount on provisions.

(h) Foreign currency transactions:

Transactions in foreign currencies are comprised of sales to foreign customers and purchases from foreign suppliers. These transactions are translated using the functional currency of the Corporation at exchange rates at the dates of the transactions. The related receivables and payables denominated in foreign currencies at the reporting date are translated to the functional currency at the exchange rates at that date. The resulting foreign currency gains or losses are recognized on a net basis within finance income and finance costs in profit or loss.

(i) Set-off and reporting on a net basis:

Assets and liabilities and income and expenses are not offset and reported on a net basis unless required or permitted by IFRS. For financial assets and financial liabilities, offsetting is permitted when, and only when, the Corporation has a legally enforceable right to set-off and intends either to settle on a net basis, or to realize the asset and settle the liability simultaneously.



# YOUR QUICK GATEWAY (WINDSOR) INC.

Notes to Financial Statements (continued)

Year ended December 31, 2022

## 4. Cash:

	2022	2021
Bank balances	\$ 8,113,505	\$ 7,623,933
Cash	\$ 8,113,505	\$ 7,623,933

## 5. Accounts receivable and accounts receivable – long-term:

	2022	2021
Accounts receivable	\$ 830,192	\$ 594,721
Accounts receivable – long-term	3,835	112,954
	\$ 834,027	\$ 707,675

	2022	2021
Not past due	\$ 645,595	\$ 367,720
Past due 0 – 30 days	19,061	144,962
Past due 31 – 90 days	119,580	135,695
More than 90 days	56,360	76,720
Allowance for doubtful accounts	(10,404)	(17,422)
	\$ 830,192	\$ 707,675

Included in the amounts above is an allowance of \$10,404 as at December 31, 2022 (2021 - \$17,422). The allowance as at December 31, 2022 is based on an account-by-account analysis of the amounts that management feels may not be collectible. The Corporation believes that the unimpaired amounts that are past due by more than 30 days are still collectible, based on historic trends in receipts.

The allowance accounts with respect to receivables are used to record impairment losses unless the Corporation is satisfied that no recovery of the amount owing is possible; at which point the amounts are considered irrecoverable and are written off against the financial asset directly.



# YOUR QUICK GATEWAY (WINDSOR) INC.

Notes to Financial Statements (continued)

Year ended December 31, 2022

## 6. Furniture, fixtures and equipment:

	Cost	Accumulated depreciation	Carrying amount
Balance at January 1, 2021	\$ 823,185	\$ (586,560)	\$ 236,625
Additions	46,120	—	46,120
Depreciation	—	(100,889)	(100,889)
Balance at December 31, 2021	\$ 869,305	\$ (687,449)	\$ 181,856
Balance at January 1, 2022	\$ 869,305	\$ (687,449)	\$ 181,856
Additions	8,505	—	8,505
Depreciation	—	(86,900)	(86,900)
Balance at December 31, 2022	\$ 877,810	\$ (774,349)	\$ 103,461

## 7. Leases:

The Corporation leases out its land and building for varying purposes under operating lease agreements. The future minimum lease payments to be received under non-cancellable leases are as follows:

	2022	2021
Less than 1 year	\$ 864,651	\$ 849,518
Between 1 and 5 years	2,249,392	2,202,643
More than 5 years	4,959,323	4,952,258
	\$ 8,073,366	\$ 8,004,419

During the year ended December 31, 2022, contingent rent recognized as revenue amounted to \$318,193 (2021 - \$126,702).



# YOUR QUICK GATEWAY (WINDSOR) INC.

Notes to Financial Statements (continued)

Year ended December 31, 2022

## 8. Share capital:

	2022	2021
Authorized:		
Unlimited common shares		
Unlimited Class A shares, 999 non-voting, redeemable, retractable and non-participating, non-cumulative dividends		
Unlimited Class B shares, non-voting, redeemable, retractable, and non-participating non-cumulative dividends		
Issued:		
100 common shares	\$ 100	\$ 100

## 9. Accounts payable and accrued liabilities:

Accounts payable and accrued liabilities consist of the following:

	2022	2021
Trade payables	\$ 250,959	\$ 264,767
Security deposits payable	40,500	40,500
Accrued liabilities	1,064,605	63,956
Total accounts payable and accrued liabilities	\$ 1,356,064	\$ 369,223



# YOUR QUICK GATEWAY (WINDSOR) INC.

Notes to Financial Statements (continued)

Year ended December 31, 2022

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## 10. Financial instruments and risk management:

The carrying values of cash, accounts receivable, accounts receivable – long-term, accounts payable and accrued liabilities, accrued payroll expenses and due to the City approximate fair values because of the short maturity of these instruments.

The Corporation's activities provide for a variety of financial risks, particularly credit risk, market risk and liquidity risk.

### (i) Credit risk:

Financial assets carry credit risk that a counter-party will fail to discharge an obligation which would result in a financial loss. Financial assets held by the Corporation, such as cash, short-term deposits and accounts receivable, expose it to credit risk. The Corporation earns its revenue mainly from tenants and various airlines.

The Corporation's maximum credit exposure is equal to the carrying amount of its financial assets.

The carrying amount of accounts receivable is reduced through the use of an allowance for impairment and the amount of the related impairment loss is recognized in the statement of comprehensive income (loss). Subsequent recoveries of receivables previously provisioned are credited to the statement of comprehensive income (loss). The balance of the allowance for impairment at December 31, 2022 is \$10,404 (2021 - \$17,442).

The Corporation's credit risk associated with accounts receivable is primarily related to payments from customers for services. As at December 31, 2022, \$ 56,360 (2021 - \$76,720) is considered in excess of 90 days past due. Management is actively seeking to resolve these disputes.

Cash is in excess of federally insured limits and is held with a large Canadian financial institution.

### (ii) Liquidity risk:

The Corporation monitors its liquidity resources to ensure it has access to sufficient funds to meet operational and investing requirements. The Corporation's objective is to ensure that sufficient liquidity is on hand to meet obligations as they fall due while minimizing interest expense. The Corporation monitors cash balances to ensure that sufficient levels of liquidity are on hand to meet financial commitments as they come due.

The Corporation's financial liabilities all have contractual maturities of less than one year.

### (iii) Currency risk:

The Corporation has no significant exposure to currency risk.

### (iv) Interest rate risk:

The Corporation has no significant exposure to interest rate risk.



# YOUR QUICK GATEWAY (WINDSOR) INC.

Notes to Financial Statements (continued)

Year ended December 31, 2022

## 10. Financial instruments and risk management (continued):

### (v) Capital management:

The Corporation is 100% owned by the City and manages Windsor International Airport on behalf of the City.

The Board's target is to maintain a sufficiently strong capital base to allow the Corporation to properly meet its operational and financial objectives as set out in the Amended and Restated Windsor Airport Management Agreement between the Corporation and the City.

## 11. Related party transactions:

### (a) Parent and ultimate controlling party:

The parent is the Corporation of the City of Windsor. The City produces financial statements that are available for public use.

### (b) Key management personnel:

The key management personnel of the Corporation have been defined as members of its board of directors and executive management team members.

Key management compensation:

	2022	2021
Salaries and benefits	\$ 611,907	\$ 505,213
Pension contributions	64,837	51,755
Total	\$ 666,744	\$ 556,968

### (c) Transactions with parent:

The amount due to the City of Windsor in 2022 is \$44,399 (2021 - \$279,043). The City of Windsor has advanced funding to the Corporation against their capital expenditures, creating a payable to the City.



# YOUR QUICK GATEWAY (WINDSOR) INC.

Notes to Financial Statements (continued)

Year ended December 31, 2022

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## 12. Contingencies:

From time to time, the Corporation is involved in various litigation matters arising in the ordinary course of its business. The Corporation has no reason to believe that the disposition of any such current matter could reasonably be expected to have a materially adverse impact on the Corporation's financial position, results of operations or its ability to carry on any of its business activities.

## 13. Grants receivable:

In 2020, the City has provided the Corporation with \$3,178,000 in subsidy funding in response to COVID-19 related operating pressures through the Safe Restart Grant. The grant provides financial relief for losses incurred in 2020 and is included in grant receivable at December 31, 2020. This grant was received in 2021.

In 2021, the Corporation was approved for a grant of \$1,020,600 from Federal Economic Development Agency of Ontario under the Regional Air Transportation Initiative ("RATI") for costs incurred in 2021 and 2022. At December 31, 2022 total funds received and receivable for RATI were \$749,944, of which \$312,000 were payable to the City for airport capital expenditures owned by the City. \$437,944 was recorded as income in the Corporation. As costs are incurred, the Corporation will file claims for additional monies that have been approved.

## 14. Impact of COVID 19:

In March 2020, the COVID-19 outbreak was declared a pandemic by the World Health Organization. This has resulted in governments worldwide, including the Canadian and Ontario governments, enacting emergency measures to combat the spread of the virus. These measures, which include the implementation of travel bans, self-imposed quarantine periods and social distancing, have caused disruption to businesses globally and in Ontario resulting in an economic slowdown. Governments and central banks have reacted with significant monetary and fiscal interventions designed to stabilize economic conditions however the success of these interventions is not currently determinable. As a result, the Corporation cannot reasonably estimate the length or severity of the COVID-19 pandemic, or the extent to which the disruption caused by the pandemic may materially impact its operations and financial results in year 2023.

## 15. Comparative information:

Certain reclassifications have been made to the prior year's financial statements to enhance comparability with current year's financial statements. As a result, certain line items have been amended in the statement of financial position, statement of comprehensive income (loss), statement of changes in equity, and statement of cash flow and related notes to the financial statements. There was no impact on current or prior year's net income (loss). Comparative information have been adjusted to conform to the current year's presentation.





## APPENDIX B

### Shareholder's Resolution



**Your Quick Gateway (Windsor) Inc.**  
**(the "Corporation")**

**SHAREHOLDERS RESOLUTION**

**FINANCIAL STATEMENTS**

**WHEREAS**, the directors of the Corporation have submitted to the shareholders of the Corporation the financial statements of the Corporation for the financial period ended on the 31st day of December 2022 thereon.

NOW THEREFORE BE IT RESOLVED that the said financial statements of the Corporation be and the same are hereby approved and adopted.

**CONFIRMATION OF ACTS**

RESOLVED that all the acts, proceedings, contracts, special by-laws, by-laws, resolutions, appointments, elections and payments enacted, made, done and taken by the directors and officers of the Corporation since the last shareholders resolution of this nature was passed, as recorded in the books and records of the Corporation, be and the same are hereby approved, ratified and confirmed.

**ELECTION OF BOARD  
OF DIRECTORS**

RESOLVED that the following be and they are hereby duly elected directors of the Corporation to hold office until the next election of the board or until a successor or successors are elected or appointed subject to the provisions of the Corporation's by-laws:

Mayor Drew Dilkens  
Councillor Kieran McKenzie  
Councillor Renaldo Agostino  
Councillor Angelo Marignani  
Renato J. Discenza  
John Chisholm  
Kulveer Virk  
Daniel Ableser  
Keith Gordon Andrews  
Diletta Bello Casey



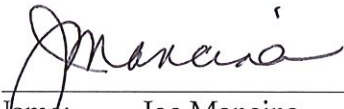
**APPOINTMENT OF  
AUDITORS**


RESOLVED that KPMG LLP, be and they are hereby appointed as auditor of the Corporation at a remuneration to be fixed by the directors of the Corporation, the directors being hereby authorized to fix such remuneration.

The undersigned, being the sole shareholder of the Corporation, hereby signs the foregoing resolution pursuant to the provisions of the Canada Business Corporations Act, R.S.C. 1985, c. C-44.

DATED this 15<sup>th</sup> day of May, 2023.

The Corporation of the City of Windsor

By:   
Name: Joe Mancina  
Title: Chief Administrative Officer

By:   
Name: Steve Vlachodimos  
Title: City Clerk

We have the authority to bind the Corporation





**Subject: Traffic Modifications - Traffic By-law 9148 –One Way Street- St. Rose Avenue from Wyandotte St. E to Riverside Dr. E North-bound  
Ward: 6**

**Reference:**

Date to Council: September 5, 2023  
Author: Author: Ian Day  
Senior Manager Traffic and Parking (A)  
519-255-6247 x 6053  
iday@citywindsor.ca

Public Works - Operations  
Report Date: August 11, 2023  
Clerk's File #: ST2023

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

**Recommendation:**

THAT City Council **APPROVE** that Traffic By-law 9148 be **AMENDED** as listed and attached in Appendix "A" of this report; and,

That the City Solicitor **BE DIRECTED** to prepare the necessary documents to amend the by-law

**Executive Summary:**

N/A

**Background:**

A request was made by residents to change the direction of travel on St. Rose Ave from Wyandotte Street East to Riverside Drive East, from a two-way street to a one-way street heading northbound.

The residents subsequently completed a petition, succeeding in obtaining the minimum 60% approval rating as required. However, there were concerns raised by the businesses on Wyandotte Street East.

A previous Council Report, C 208/2022 came to Council in January 2023 but was deferred to allow Administration an opportunity to communicate with and attempt to develop a solution that would work for both the residents and the business owners.



## Discussion:

There is no existing policy with respect to how residents can request changes to the Traffic Bylaw. Therefore, when requests are made for changes to things like one-way streets to two-way streets (or opposite), Traffic Operations defaults to a process that is similar to both the Parking Change Policy and the Traffic Calming Policy. The process includes an initial investigation of the request, and then a petition process in which minimum approvals are required. The initial investigation is completed to identify whether or not the requested change would affect safety of the area or the surrounding areas, and if there are no concerns identified, the resident is allowed to proceed with a petition.

In this specific case, a resident in the area requested to change St. Rose Ave from a two-way street to a one-way street heading northbound between Wyandotte Street East and Riverside Drive East. The initial investigation identified that St. Rose Ave, south of Wyandotte was already a one-way road heading northbound and there have been previously reported incidents related to driver confusion at the intersection of St. Rose and Wyandotte Street. Drivers were attempting to drive southbound through the Wyandotte Street intersection and/or attempting to turn left or right from Wyandotte Street to the south. The volume of traffic traveling southbound from Riverside Drive was not significant and therefore the change was not likely to have a negative affect in the area.

Similar to the Traffic Calming Policy, for the street surveyed, there are two components to the approval threshold. To be approved, both criteria must be met:

- Response rate: votes are received from at least 50% of households and commercial properties in the survey area.
  - City-owned and vacant properties are ignored for this calculation.
- Level of Support: 60% of the votes received are in favour.

The survey results are provided in Table 1.

**Table 1: Resident Approval Survey Results**

Street	Response Rate		Level of Support		Overall Result
	Required	Actual	Required	Actual	
St. Rose Avenue – Riverside Drive to Wyandotte Street	50%  (8 of 15 households or commercial properties)	60%  (9 of 15 households or commercial properties)	60%  (9 of 15 households or commercial properties)	60%  (9 of 15 households or commercial properties)	<b>Passes</b>



Based on the above, the petition was successful. However, during the petition process, concerns were raised by businesses on the northeast and northwest corners of the St. Rose and Wyandotte Street intersection. Both have driveways accessing St. Rose and Wyandotte, and felt that this change would affect the ability of patrons to access their site. While Administration recognizes that there may be challenges, the safety of the residents and the area is important.

The business on the northwest corner has vehicular access on Wyandotte and the parking lot is configured such that all traffic accessing the site may enter and exit through that entrance and / or use the northbound access on St. Rose.

The business on the northeast corner receives fuel deliveries from larger tanker trucks. During discussions with the owner, Administration understands that currently the deliveries enter the property from westbound on Wyandotte Street East, they exit the property onto St. Rose and travel southbound to the intersection of St. Rose and Wyandotte Street and then proceed westbound on Wyandotte Street. They are unable to enter the site from St. Rose because of the configuration of the canopy. They could potentially leave the site and travel northbound on St. Rose however neither St. Rose nor Riverside Drive East in this area are truck routes and therefore the trucks could be ticketed for being on a non-truck route.

After discussing this with the owner of the business and discussions with the applicants to better understand their concerns, a number of potential options were presented to the applicants for the one-way including;

- Continue with transitioning the road to a one way street but allow for trucks to access the signals from the gas station for the short section and exit southbound onto Wyandotte Street,
- Do not continue with the one way change and add no truck signs on St. Rose, north of the gas station,
- Do not continue with the one way change and re-arrange the signal controller box at the intersection of St. Rose and Wyandotte to eliminate a perceived sight line concern,
- Do not continue with the one way change and eliminate the signals completely at St. Rose and Wyandotte Street East as they are not warranted, and install a signalized pedestrian crossing on the west side of the intersection,
- Do not continue with the one way change and residents can complete a survey for speed humps as this section was not eligible for full traffic calming but may be eligible for speed humps.

Based on the feedback from the applicant, the residents wished to proceed with the one way street.

As noted, the owner of the gas station has notified Administration that the current configuration for access is the only way they are able to receive deliveries. As such the only configuration that allows for the one way and for site access to be maintained, is to



change the street to a one way but allow trucks to exit the gas station southbound towards Wyandotte Street. This would require the SB signals to remain in place in order to provide safe exit onto Wyandotte Street. Signs would be placed at the exit to the gas station notifying drivers that the road is a one way road northbound, but that trucks only may exit to Wyandotte Street. Administration would be required to work with Windsor Police Services (WPS) to have targeted enforcement to ensure compliance as all customers at the gas station may feel they can also leave the gas station southbound.

There are a number of risks with the proposed layout, most of which can be mitigated, including;

- Driver confusion which can be mitigated with additional signage,
- Trucks may block the intersection for northbound travel until such time they are able to merge / turn onto Wyandotte which can be mitigated in part by calling the southbound phase of green signals for the trucks before calling the northbound phase,

While this is an unusual configuration, the City has other locations where a one way street has random two way traffic; Gladstone Avenue between the offset intersections of Assumption Street.

### **Risk Analysis:**

Turning St. Rose into a one way northbound would have no impact on both Transit and school busses. Emergency services and Fire both expect very little impact to their response time.

By changing St. Rose into a one-way, this may increase traffic speeds because the road will have less traffic and feel wider for vehicles traveling through the corridor. There is parking on street in this area which is a tool in the toolbox for traffic calming, however usually utilized with other traffic calming tools. There was a traffic calming request made for this section of St. Rose in 2021 that failed at the warrant stage. Should residents feel this is a concern after the change is made, they may submit a new traffic calming request. This location was reviewed prior to the introduction of the Speed Hump portion of the traffic calming process and therefore residents may choose to apply for this option as well.

The proposed amendments will update Schedule "E" One Way Streets of By-law 9148. If the amendments to By-law 9148 are not implemented, By-law 9148 will remain enforceable; however, the sections contained within By-law 9148 may not be applicable to the appropriate road segments intended.

Additional risks are described in the Private and Confidential Memo accompanying this report.



## Climate Change Risks

### Climate Change Mitigation:

N/A

### Climate Change Adaptation:

N/A

## Financial Matters:

**Table 2: Cost Estimate – St Rose Avenue To One Way North Bound**

Item	Unit	Cost per Unit		Quantity	Total Cost	
		Initial Installation	Annual Maintenance		Initial Installation	Annual Maintenance
Removal of Left Turn lane and Repaint with hatching Markings West bound Riverside Drive	Each	\$1000	\$500	1	\$1000	\$500
Removal of Stop Bar and Yellow line St Rose at Wyandotte	Each	\$1000	N/A	1	\$1000	N/A
Reversal of No Parking Signs west side of St Rose	Each	\$60	N/A	5	\$300	N/A
Addition of 2 Do Not Enter Signs and Trucks Only signs on St. Rose at the Exit to the gas station	Each	\$1500	\$10	6	\$1500	\$60
Addition of 2 Do Not Enter and 4 One Way signs on Riverside Drive	Each	\$1500	\$10	6	\$1500	\$60
<b>Grand Total</b>					<b>\$5,300</b>	<b>\$620 per year</b>



The initial implementation cost will be \$5,300. Traffic Operations can fund the implementation costs from their operating budgets related to signage, signals, and pavement markings as required. The ongoing annual maintenance cost estimated at \$620 per year can also be absorbed by the annual operating budget for Traffic Operations.

### **Consultations:**

Ward 6 Councilor, Jo-Anne Gignac

Aaron Farough, Senior Legal Counsel

### **Conclusion:**

There are only two options that would be appropriate in this case;

Option 1 – St. Rose remains as a two-way street.

Option 2 – St. Rose becomes a one way street from Wyandotte Street East to Riverside Drive East, with trucks only being allowed to proceed southbound from the gas station to access Wyandotte Street East.

Administration recommends the modification of St. Rose Avenue to a one-way northbound from Wyandotte to Riverside Drive allowing trucks only to exit from the gas station southbound to Wyandotte Street East.

### **Planning Act Matters:**

N/A

### **Approvals:**

<b>Name</b>	<b>Title</b>
Cindy Becker	Financial Planning Administrator
Shawna Boakes	Executive Director Operations
Chris Nepszy	Commissioner, Infrastructure Services
Tony Ardovini for Janice Guthrie	Commissioner, Corporate Services/Chief Financial Officer & City Treasurer
Wira Vendrasco	Deputy City Solicitor – Legal & Real Estate Services
Shelby Askin Hager	Commissioner, Legal & Legislative Services
Joe Mancina	Chief Administrative Officer



**Notifications:**

<b>Name</b>	<b>Address</b>	<b>Email</b>
Councillor Gignac		
Area residents and project notification list (list provided to clerks)		

**Appendices:**

Appendix A - Traffic By-Law 9148 Amendments



**APPENDIX “A”**

<i>AMENDMENTS TO TRAFFIC BY-LAW 9148</i>					
ITEM	REGULATION	STREET	BETWEEN	DESCRIPTION	REASON
1	Schedule “E” One Way Streets <b>DELETE</b>	St. Rose Avenue	Virginia Ave to Wyandotte St. E.	Westbound and northbound traffic only from Virginia Avenue to Wyandotte Street.	Successful Petition
2	Schedule “E” One Way Streets <b>ADD</b>	St. Rose Avenue	Virginia Ave to Riverside Dr. E.	Westbound and northbound traffic only from Virginia Avenue to Riverside Drive East	Successful Petition





**Subject: Frequency of Garbage Collection - City Wide**

**Reference:**

Date to Council: September 5, 2023

Author: Anne-Marie Albidone

Manager, Environmental Services

aalbidone@citywindsor.ca

519-974-2277 ext.3123

Public Works - Operations

Report Date: August 9, 2023

Clerk's File #: E/14640

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

**Recommendation:**

THAT Council **APPROVE** bi-weekly garbage collection, weekly organic collection, and bi-weekly leaf and yard waste collection from April until November, and that this service level **BE IMPLEMENTED** with the next waste collection contract expected to begin in 2025; and,

THAT Administration **BE DIRECTED** to report back to Council the results of the collection tender(s) and any additional costs related to the new SSO program, once available.

**Executive Summary:**

N/A

**Background:**

The current waste collection contract stipulates that garbage collection occurs weekly and leaf and yard waste collection occurs thirteen (13) times a year. This includes three (3) leaf and yard waste collections in the spring, four (4) collections in the summer, five (5) collections in the fall and one (1) collection in the winter.

The current collection contract expires March 31, 2025. A new waste collection RFP must be issued in the fall of 2023 in order to allow the successful bidder sufficient time to obtain equipment. Council is reminded that curbside collection of source separated food and organic waste (SSO) is legislated to also begin in 2025. Therefore, the new



RFP for waste collection will include three (3) waste services: garbage, food and organic waste and leaf and yard waste.

The City of Windsor is participating in a regional food and organics waste program that will be managed by the Essex Windsor Solid Waste Authority (Authority), in a similar fashion to the current recycling program. The Authority has entered into an agreement with Seaciff Energy in Leamington to process all SSO from the region. Under the current Agreement forming the Authority, the City of Windsor remains responsible for the management of collection services. In an effort to maximize economies of scale, City Administration and Authority Administration are coordinating collection services wherever possible.

### **Discussion:**

The Essex Windsor Solid Waste Authority recently engaged EXP Consulting to review best options for the various waste collection services in the region. The conclusions and recommendation of the report are as follows:

#### *Conclusions*

- a) The municipal experience in Ontario and elsewhere indicates Every Other Week (EWO) garbage collection is a best practice waste management policy that supports effective waste diversion behaviours, especially in SSO programs.*
- b) EOW garbage collection may provide potential garbage collection cost savings.*
- c) Bag limits are not an effective means of encouraging the diversion of SSO from garbage unless the bag limits are extremely low. However, this can lead to complaints of discrimination from households that legitimately generate garbage that cannot be otherwise diverted (e.g., multi-generational households, households that use diapers).*
- d) Clear bags garbage policies have been shown to be effective at diverting SSO and Blue Box material from the garbage stream and is becoming increasingly common across Ontario municipalities.*
- e) Concerns about clear bag programs are well understood and can be managed through careful program design, implementation, and communications. Implementation of clear bag policies require the updating of municipal waste management by-laws to ensure applicability and enforceability.*

#### *Recommendations*

- a) Implementation of Essex-Windsor's future SSO program should be done so through both urban and rural areas. This approach will provide equitable service delivery and better position Essex-Windsor for when the proposed provincial landfill ban on SSO is implemented.*
- b) EOW garbage collection should be implemented concurrently in areas where weekly curbside SSO collection is introduced.*



- c) *Clear bags for garbage should be adopted to motivate residents to only throw garbage in these bags and not SSO or recyclables.*
- d) *A by-law review should be undertaken once curbside collection programs and policies are confirmed that by-laws support new programming.*

It was strongly recommended by EXP that garbage collection be bi-weekly while SSO collection be weekly. This would allow for the greatest opportunity for diversion of organic waste and is a well-established best practice throughout Ontario. Although some municipalities introduced SSO collection while maintaining weekly garbage collection, most of those municipalities have moved to bi-weekly garbage collection due to very low diversion rates of SSO.

It is important to note that the change to bi-weekly garbage is not a reduction in service. Currently all garbage (including food and organic waste) is collected weekly. The recommendation in this report suggests keeping weekly collection for the food and organic waste, but add a bi-weekly collection of the inorganic waste (garbage). Council is also reminded of the Organic Survey that was conducted in 2022 by the EWSWA, the City of Windsor and the County of Essex to receive public feedback on key aspects of the program. One question asked residents if they would support an alternative garbage collection frequency if the organic collection remained weekly. The results are as follows:

- 42% - Would not support an alternative collection
- 41% - Would support an alternative collection (e.g. every other week)
- 29% - Would support an alternative collection if additional collections were offered following statutory holidays
- 12% - Do not know/no opinion.

The entire survey results can be viewed in the Organic Survey Update report presented to the EWSWA Board, at the September 14, 2022 meeting (attached).

The EXP report also recommends, as a best practice, to require garbage be placed in clear bags for collection. Clear bags allow collectors to refuse collection of bags if they are able to see a significant amount of organic waste. Administration does not recommend this approach at the onset of the program. The introduction of SSO collection separate from garbage (inorganic waste) will require extensive education. Residents will need to learn what goes in their SSO, what remains in garbage, how to properly prepare them, and when each are collected. Requiring clear bags for inorganic waste would be an additional change requiring even more education. Minimizing the amount of changes will ensure the success of the program implementation. Furthermore, consideration should be given to either allow or require automated collection by contracted forces. Automated collection vehicles are commonly used in contracts with source separated organics. These collection vehicles do not require the operator to exit the vehicle for collection; rather the waste is collected by an automated arm. These vehicles are highly efficient and minimize WSIB costs; however, they



cannot be used for collecting loose bags. Finally, the current By-law 2-2006 *A By-Law to Establish and Maintain a System for the Collection and Disposal of Waste in the City of Windsor*, requires all waste be placed in hard-sided containers. This would make a requirement for clear bags ineffective. Should Council wish to implement clear bags for garbage collection, the contractor would not be able to use automated collection vehicles for garbage collection, resulting in increased costs due to increased labour requirements. Once the SSO program is established, and if diversion targets are not being met, reconsideration of a clear bag requirement can be reconsidered during the development of the next RFP.

Leaf and Yard Waste collection is currently offered thirteen (13) times per year. Each year administration attempts to determine the best weeks to provide collection based on previous years tonnage rates. However, this has often been challenging, as tonnages are influenced by the weather. There have been years where the collection schedule did not coincide with the highest growth, or fall, of yard waste. Administration has received complaints each year regarding the need for more consistent and regular yard waste collections. Offering bi-weekly leaf and yard waste collection (opposite weeks to garbage collection) during the months of April to November will provide an enhanced service level to the residents, while utilising existing fleet, thereby minimizing costs. This level of service aligns with the service levels offered in all other municipalities in Essex County. It is anticipated that a bi-weekly collection schedule would result in sixteen (16) to eighteen (18) collections per year compared to the current thirteen (13) collections per year. It is also important to note that leaf and yard waste will not be accepted in the food and organic stream as they are not a desired product by the processor engaged by the EWSWA, therefore increased collection of this stream will help reduce any contamination of the SSO stream. Finally, the increased collection of leaf and yard waste could also assist in any storm clean up without incurring costs, as a special collection would likely not be needed.

Since the service is contracted under an RFP, the frequency of collection must be clearly outlined at the time of tender, and can thereafter only be changed under a change order, which would be subject to significant, additional charges. There is currently a delay in obtaining new vehicles for collection of any waste stream. In order to allow bidders time to obtain the necessary equipment for collection, the collection RFP needs to be issued this fall.

### **Risk Analysis:**

Failure to change garbage collection frequency to bi-weekly at the introduction of SSO collection will result in a significant financial cost. Collecting both garbage and SSO weekly will require additional trucks and additional staffing. The cost implication for the garbage collection portion would be double that of a bi-weekly collection service.

There is a moderate risk of public disapproval by changing garbage frequency to bi-weekly. This risk will be mitigated by an extensive education campaign outlining that service levels as a whole are not being reduced, simply offered in a different format.

The established thirteen (13) yard waste collections are infrequent and among the lowest service levels offered in Essex County, and much of Ontario. Failure to increase the collection frequency will maintain the current low risk of not providing the service at



the optimum time. Furthermore, there would be significant risk that residents will attempt to place leaf and yard waste in their SSO bin, which could result in rejected loads or penalties from the organic processor.

## **Climate Change Risks**

### **Climate Change Mitigation:**

Changing garbage collection frequency to bi-weekly will encourage the appropriate use of SSO and yard waste collections. Organic waste and yard waste collected through the weekly garbage collection are landfilled, where these materials break down and generate methane gas. Methane gas is an important contributor to climate change and has a global warming potential 28 times that of carbon dioxide over 100 years. Collecting and treating yard waste and organics through other means (composting, anaerobic digestion with energy recovery), can significantly reduce the amount of greenhouse gas emissions

### **Climate Change Adaptation:**

Windsor's climate is changing; warmer spring temperatures are leading to earlier plant emergence for some species, while more frequent extreme weather events are leading to damages to trees, bushes, etc. A more consistent yard waste collection schedule will facilitate the collection of these materials in a timelier manner, reducing the amount of yard waste disposed of inappropriately.

### **Financial Matters:**

The current budget for garbage and leaf/yard waste collection is \$4,543,940. It is anticipated that at the end of the existing contract (March 2025) the budget will be closer to \$6,326,775 based on average tonnages and the extended service collection rate. Below are the actual tonnages collected over the last 5-years:

<b>Year</b>	<b>Garbage Tonnes</b>	<b>Leaf and Yard Waste Tonnes</b>	<b>Total Overall Tonnes</b>
2022	48,203	6,281	54,484
2021	49,920	6,841	56,761
2020	49,469	6,150	55,619
2019	45,525	6,708	52,233
2018	44,713	6,565	51,278
<i>Average</i>	<i>47,566</i>	<i>6,509</i>	<i>54,075</i>

It is anticipated that overall tonnages will remain close to 2022 levels, however, the actual tonnage experienced in 2025 is difficult to predict and may fluctuate. Tonnages



have now normalized post pandemic. The pandemic is no longer considered a factor in budget estimate calculations.

Tonnages for SSO will be difficult to estimate. Although it is generally accepted that 40% of garbage is organic waste, tonnages captured in a SSO system are highly dependent on participation. It is common that participation at the beginning of an SSO program is quite low, but then increases steadily over time. Because of the unpredictability of the tonnages captured, it is common to request per household costing instead of per tonne costing.

The latest MBNCanada data indicates the number of households in the City of Windsor is 99,803. At the estimated budget in 2025 of \$6,326,775, we can anticipate a per household cost of \$63.39 for the current waste collection model.

Administration cautions that this is a high-level overview of possible costs related to collection only to provide an order of magnitude. Actual bids received during the collection tender process will be dependent on many factors such as equipment costs, frequency of collection and service locations (i.e. alleys) and delivery location (i.e. location of a transfer station). Other costs associated with the SSO program will be brought forward to Council at a later date. This will include things such as bin costs and delivery costs, transfer station costs, and promotion and education costs as well as processing costs.

Further reports will be brought forward to City Council once the result of the tenders area available and when SSO program detailed costs have been determined. Additionally, as per normal practice, annual CPI adjustments based the agreed upon contractual terms and any volume budget adjustments required for garbage, organic (SSO), and leaf and yard waste collection will be brought forward for Council's consideration as part of the annual budget process.

### **Consultations:**

Karina Richters, Supervisor of Environmental Sustainability and Climate Change

### **Conclusion:**

The most successful, well-established, SSO collection programs in Ontario all offer weekly SSO collection coupled with bi-weekly garbage collection. A decision from Council on service level frequency is required at this time in order to accurately develop an RFP for collection services.

### **Planning Act Matters:**

N/A

### **Approvals:**

<b>Name</b>	<b>Title</b>
Cindy Becker	Financial Planning Administrator – Public Works



<b>Name</b>	<b>Title</b>
Shawna Boakes	Executive Director of Operations
Chris Nepszy	Commissioner, Infrastructure Services
Janice Guthrie	Commissioner, Corporate Services/Chief Financial Officer & City Treasurer
Joe Mancina	Chief Administrative Officer

**Notifications:**

<b>Name</b>	<b>Address</b>	<b>Email</b>

**Appendices:**

Appendix A – Organics Survey Update Report





# **Essex-Windsor Solid Waste Authority**

## **Administrative Report**

**September 6, 2022**

**To: The Chair and Board of the Essex-Windsor Solid Waste Authority**

**From: Catharine Copot-Nepszy, Manager of Waste Diversion**

**Meeting Date: Wednesday, September 14, 2022**

**Subject: Organics Survey Update**

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### **Purpose**

To present the findings from the Organics Survey (Survey) that was issued in spring 2022.

### **Background**

To comply with Ontario's Food and Organic Waste Policy Statement, which will require some municipalities in Essex-Windsor to achieve specific reduction and recovery target rates by 2025, the Region will be implementing a food and organic waste program that would divert organic waste away from our greatest asset, the Essex-Windsor Regional Landfill.

At the May 3, 2022 Board meeting, Administration shared that a public Survey was initiated by the Authority, the City of Windsor (City) and the County of Essex (County) to strategically receive public feedback and interest levels on key aspects of an organics program.

### **Discussion**

The Survey launched on April 18, 2022 through Windsor's SurveyMonkey account, and closed on May 31, 2022. This Survey was launched just in time for the local Earth Day event to capitalize on high attendance numbers that are historically present at this annual event. It was promoted by all partners, as well as through the Authority's: EWSWA.org, e-newsletter, intranet to staff, and social



media accounts like Twitter, Facebook and Instagram. The Authority also shared the Survey with all of its municipal partners with the intention to reach more local residents through their municipal connections. Other organizations like Devonshire Mall, Essex-Windsor Conservation Authority (ERCA) and YQG Green also promoted this Survey. Finally, paid advertising through Facebook was done to boost overall participation.

The Survey was provided to participants at multiple green events such as: Earth Day, on-line Earth Day scavenger hunt via the Goose Chase App, Devonshire Mall clean-up day, and ERCA's tree planting event. Administration were pleased by the participation at the Authority tent at the Earth Day event, as well as, the interest from the public on what a new curbside organics program would look like. Specifically, there was much dialog around odour and collection frequency, and many discussions around 'why are you waiting so long to launch the organics program?'.

## **Results**

### Demographics

The Survey consisted of nine questions and attracted 2,534 residents (n=2,534 where n=number of participants) from across Essex-Windsor who gave their feedback on an organics program. Approximately 43% were residents of the County and 57% were residents of the City. From a County standpoint, participation among individual municipalities was quite evenly dispersed (an average of 5% participation by municipality).

The Survey attracted mainly residents who lived in a single-detached home (86%) and had one to three people that live in their household for at least six months of the year (67%).

### Participation and Barriers

Over 75% of residents answered "yes" that they would participate in a curbside organics collection program and another 12% answered "maybe"; whereas, 10% responded with a "no" to participation. It's important to note that responses from all individual municipalities had 70% to 84% of residents state that they would "yes", participate in an organics program.

Of the 22% (n=540) that answered "maybe" or "no" to participating in an organics program, they identified these concerns as potential barriers to participation:



- 56% - It will smell
- 51% - Other (explained below)
- 36% - I have no space for another bin
- 35% - It will be inconvenient to separate the food waste
- 24% - I'm worried it will affect my taxes
- 14% - It will be confusing

Of the 273 respondents that answered “*Other*”, they were given the opportunity to explain this further. As there were many responses on this open-ended question, the Authority staff sorted data into the following major categories:

- 39% - Already compost/manage food waste already (n=106)
- 38% - Attracts wildlife, rodents, rats, maggots
- 7% - Cost of the program to the resident (bins, taxes, liners)
- 4% - Don't have that much food
- 4% - Waste of time/don't care

Some other less reported concerns raised through the Survey were: not happy with current waste services, don't have the space (inside and out), don't have the time, concerned with collection frequency, the "yuck" factor, live in multi-residential and not sure how it would work.

### Collection Strategies

Residents were asked if they would support any alternative garbage collection frequency (other than their current weekly collection) with a new organics program and the following feedback was received (n=2475):

- 42% - Would not support alternative garbage collection frequencies,
- 41% - Would support alternative garbage collection frequency (e.g., bi-weekly),
- 29% - Would like extra garbage collection following holidays, and
- 12% - Don't know/no opinion.

### Values

When asked to rank by order of importance, the following six aspects of an organic program: *cost, convenience, diversion, energy, compost, and odour*, this is what residents said:

- 28% ranked diverting waste from the landfill and extending the life of the landfill as their first rank. The other top, first rank aspects of



- an organics program that were important were convenience(24%) and cost(18%).
- Program convenience (23%) and diversion (17%) were also second highest rank priorities along with the production of compost (19%).
- Finally, the top, lowest rank priorities (6<sup>th</sup>) were: energy production (25%), cost (24%) and odour (19%).

It is worth noting that through the Survey, many positive comments were received such as:

- "Let's finally do this!"
- "Thrilled to hear something is in the works."
- "About time; it is way overdue."
- "Implement as soon as possible."
- "Please don't delay. It is paramount to reduce waste from landfills."

### Recommendations

The Authority administration is thankful to all those who supported this Survey. Administration now has representative data to inform the development of the organics and food waste program that is driven by the feedback and values of Essex-Windsor residents. Some items the program should consider is: to address barriers and concerns noted, look for solutions for multi-residential homes, consider continuing the sale of compost to residents, minimize participant costs, and consider collection frequency concerns.

### **Financial Implications**

There are no financial implications at this time.

### **Recommendation**

THAT the Board receive this report as information.

### **Submitted By**



Catharine Copot-Nepszy, Manager of Waste Diversion


Attachments:



**Organics Survey**


Did you know that more than 40% of what we put in the garbage is food waste? Rotting food in landfills produces methane, a greenhouse gas even more potent than carbon dioxide. That is why the Essex Windsor Solid Waste Authority is preparing for a food and organic waste diversion program by the year 2025. Help contribute to the planning process by completing this survey.

*The information on this form is collected under the authority of section 10, Municipal Act. The information will only be used to improve the City of Windsor's commitment to customer service and is subject to the provisions of the Municipal Freedom of Information and Protection of Privacy Act, 1990. Questions about this collection may be made to Anne Marie Albidone, Manager Environmental Services at [aaibidone@citywindsor.ca](mailto:aaibidone@citywindsor.ca)*




Next

Figure 1. Screen image of the on-line Organics Survey



**Do you know that more than 40% of what we put in the garbage is food waste, which produces methane a greenhouse gas when it is landfilled?**

**Please contribute to the new 2025 Food and Organics Waste program by completing this survey:**



**[www.surveymonkey.com/r/CoWOrganicsSurvey](http://www.surveymonkey.com/r/CoWOrganicsSurvey)**

\* There is a 'clickable' link on the front page of the EWSWA website to the survey: [ewswa.org](http://ewswa.org)

**Survey closes May 31, 2022.**

**ESSEX-WINDSOR SOLID WASTE AUTHORITY / EWSWA.ORG**

Space provided through a partnership between industry and Ontario municipalities to support waste diversion programs.

Figure 2. Ad that was posted on Facebook to promote the Organics Survey.





**Committee Matters: SCM 209/2023**

**Subject: Minutes of the Essex-Windsor Solid Waste Authority Regular Board Meeting held Tuesday, May 2, 2023**

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

Decision Number: **ETPS 948**

THAT the Minutes of the Essex-Windsor Solid Waste Authority Regular Board meeting held May 24, 2023 **BE RECEIVED.**

Carried.

Report Number: SCM 200/2023  
Clerk's File:MB2023

**Clerk's Note:**

1. Please refer to Item 7.1 from the Environment, Transportation & Public Safety Standing Committee held on July 26, 2023.

2. To view the stream of this Standing Committee meeting, please refer to:

<http://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20230726/-1/9420>





## **Committee Matters: SCM 200/2023**

**Subject: Minutes of the Essex-Windsor Solid Waste Authority Regular Board Meeting held Tuesday, May 2, 2023**





## Essex-Windsor Solid Waste Authority Regular Board Meeting MINUTES

**Meeting Date:** Tuesday, May 2, 2023

**Time:** 4:00 PM

**Location:** Council Chambers  
Essex County Civic & Education Centre  
360 Fairview Ave. West  
Essex, Ontario

### Attendance

#### Board Members:

Gary McNamara - Chair	County of Essex
Hilda MacDonald	County of Essex
Rob Shepley	County of Essex
Gary Kaschak – Vice Chair	City of Windsor
Kieran McKenzie	City of Windsor
Jim Morrison	City of Windsor

#### EWSWA Staff:

Michelle Bishop	General Manager
Steffan Brisebois	Manager of Finance & Administration
Cathy Copot-Nepszy	Manager of Waste Diversion
Tom Marentette	Manager of Waste Disposal
Teresa Policella	Executive Assistant

#### City of Windsor Staff:

Anne Marie Albidone	Manager of Environmental Services
Tony Ardovini	Deputy Treasurer Financial Planning
Shawna Boakes	Executive Director of Operations
Mark Spizzirri	Manager of Performance Management and Business Case Development

#### County of Essex Staff:

Sandra Zwiers	Director of Financial Services/Treasurer
Kate Hebert	Manager Records and Accessibility/Deputy Clerk

#### Absent:

Drew Dilkens	City of Windsor (Ex-Officio)
Michael Akpata	County of Essex
Kirk Walstedt	County of Essex
Mark McKenzie	City of Windsor
Mary Birch	Interim CAO and Director of Council & Community Services/Clerk



## **1. Call to Order**

Chair McNamara called the Regular meeting to order at 4:02PM.

## **2. Declaration of Pecuniary Interest**

The Chair called for any declarations of pecuniary interest and none were noted. He further expressed that should a conflict of a pecuniary nature or other arise at any time during the course of the meeting that it would be noted at that time

## **3. Closed Meeting**

Moved by Kieran McKenzie

Seconded by Gary Kaschak

THAT the Board move into a closed meeting pursuant to Section 239 (2) (i) of the Municipal Act, 2001, as amended for the following reason:

- (i) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly with the contractual or other negotiations of a person, group of persons, or organization.

**21-2023  
Carried**

Moved by Hilda MacDonald

Seconded by Kieran McKenzie

THAT the EWSWA Board rise from the Closed Meeting at 4:55PM.

**24-2023  
Carried**

## **4. Approval of the Minutes**

Moved by Kieran McKenzie

Seconded by Jim Morrison

**THAT** the minutes from the Essex-Windsor Solid Waste Authority Regular Meeting, dated March 7, 2023, be approved and adopted.

**25-2023  
Carried**

## **5. Business Arising from the Minutes**

There were no items raised for discussion.



## **6. Correspondence**

There were no items for discussion.

## **7. Delegations**

There were no delegations for May 2, 2023.

## **8. Waste Diversion**

### **A. Blue Box Collection Services Post Transition to Extended Producer Responsibility**

The General Manager stated that the purpose of the report was to recommend to the Board that the Authority opt-out as a service provider for Blue Box Collection Services and not pursue Circular Materials Ontario's Interim Collection Offer to perform residence and eligible source collection from August 28, 2024 to December 31, 2025. The General Manager provided an update regarding the Blue Box collection transition to Extended Producer Responsibility (EPR) and summarized the background information on pages 8-10 of the agenda package.

The General Manager provided a summary of information included in the report's Discussion section. She noted that there is no obligation for the Authority to continue providing blue box collection and that CMO's payment collection model does not compensate the Authority for 100% of the residential blue box program even though the Regulation assigns 100% of these costs to Producers. The Authority has to respond to CMO by June 30, 2023, whether the Authority will opt-in or opt-out of providing blue box collection services.

The General Manager summarized significant risks with the terms of the Interim Collection Offer that had been identified by the Technical Staff Committee and included on page 12 of the report.

The General Manager identified Service Level Impacts included in the report and summarized options regarding the collection of non-eligible sources. One option would be to contact the successful residential service provider to determine if they would be willing to enter into a contract to collect non-eligible sources. Option 2 would be to contract for non-eligible source collection as a separate collection as this will be required as of January 1, 2026. The General Manager noted they will continue to monitor what other municipalities are doing. Some municipalities have introduced by-laws to enforce recycling but the Authority does not have the ability to issue such by-laws.

The General Manager stated that Administration has outlined a transition plan if the Authority were to opt-out of CMO's offer. Administration will focus on the development and implementation of a Blue Box transition plan that prepares



stakeholders, staff, assets, municipal partners, customers and operations for the changes that will occur.

The Authority is forecasted to generate savings of approximately \$2-4.6 million per year as the blue box collection and processing transitions to Producers. A portion of these savings will be required to continue the collection of blue box material from non-eligible sources.

The Chair asked if there were any questions.

Mr. Kieran McKenzie stated that in terms of the offer, there is 100% responsibility of Producers to provide collection but the offer does not cover 100% of the cost. If that continues to be the case and the Producers are not paying the full cost, when does the Province step in and to what extent is the Province monitoring the situation or strengthening the Regulation.

The General Manager stated that the Province has identified that it is not the responsibility of the municipalities to bear the cost of the program. Further, they released the Regulation and perhaps did not put their minds into every aspect of the program in particular the non-eligible sources. Ontario Municipalities have voiced their concerns through AMO and other groups to the Province. Unfortunately, there have been no changes made to the Regulation. The Authority has a vested interest in the success of this transition because we own our landfill and do not want residents and non-eligible sources to simply put the material in the garbage.

The General Manager stated that the Authority will continue to play a role in the recycling program through its Waste Diversion programs for a number of reasons but specifically because of the obligation under our Environmental Compliance Approval (ECA) at the Regional Landfill. A condition of that ECA is that we have waste diversion programs to ensure not just blue box materials do not end up in the landfill but also hazardous waste, electronics and tires.

Mr. Kieran McKenzie asked if there could be more advocacy from AMO.

Chair McNamara stated that the AMO task force has been heavily involved and they do have a strong voice. In the last two to three years, they have had a senior policy advisor and Board member MacDonald also sits on the task force.

Mr. Kieran McKenzie asked if non-eligible sources that are currently receiving collection are aware of the upcoming changes and the level of risks to them.

The General Manager stated that the Authority is in the process of identifying all non-eligible sources. Further, the Manager of Waste of Diversion stated that a consultant has also been contracted to conduct an audit of the non-eligible sources throughout the region and identify all the non-eligible stops, addresses, and names. There are approximately 3,000 non-eligible sources that are currently receiving the collection. At some point, once we identify how we are



going to service these sources, the Authority will communicate to those affected.

Mr. Kieran McKenzie stated that he has a motion at the appropriate time.

Mr. Kaschak asked what items are considered contamination.

The Manager of Waste Diversion stated that anything not accepted in the program is considered contamination. She also noted that mixing fibre material with plastics is also considered contamination.

Mr. Kaschak asked how the contaminants are managed in the facility.

The Manager of Waste Diversion stated that the contaminants are pulled off the line immediately and put in the appropriate areas but there is a cost to do this as there are steps involved.

Mr. Kaschak stated that he will support the motion when appropriate.

The Chair asked if there were any other questions.

Mr. Kieran McKenzie commended Administration on a job well done. He remains concerned with the system administrator and hopefully, the government is listening.

Moved by Kieran McKenzie

Seconded by Gary Kaschak

**THAT** the Board receive the report as information.

**THAT** the Board direct the General Manager to communicate with Circular Materials Ontario that the Essex-Windsor Solid Waste Authority does not intend to pursue Circular Materials Ontario's current Interim Collection Offer to perform residence and facility collection of Blue Box Materials on Circular Materials Ontario's behalf from August 24, 2024 to December 31, 2025.

**26-2023  
Carried**

## B. Screening of Organics Tender

The Manager of Waste Diversion provided the results of the tender for the provision of equipment and labour for the screening of organic material at Authority facilities in Essex County and recommended award to Frank Dupuis Landscaping and Trucking Ltd. (Dupuis).

She stated that only one bid was received and further that Dupuis had met all the requirements of the tender. The price included in the bid document was \$3.24 per yard, excluding tax. She noted that Dupuis successfully held the



previous contract that ended in May 2023. As a result of the procurement process and the specialization of work and the past work of Dupuis, Authority Administration recommends awarding the contract to Dupuis.

As part of the budget process, the Authority uses historical data to estimate the numbers of yards of compost that will require screening to calculate a budget figure. As a result of the new bid price, there may be an unfavourable variance of approximately \$8,000 to the 2023 budget based on the previous three-year average.

The Manager of Waste Diversion asked if there were any questions. No questions were asked.

Moved by Jim Morrison

Seconded by Rob Shepley

**THAT** the Board award the tender for the provision of equipment and labour for screening of organic waste at Essex-Windsor Solid Waste Authority facilities in Essex County to Frank Dupuis Landscaping and Trucking Ltd. as per their tender submission dated April 27, 2023 for the term May 8, 2023 – May 8, 2026. The contract term is for a three (3) year period from May 8, 2023 – May 8, 2026, where the Authority has the option to extend the contract for three (3) additional, one-year extensions or portions of a year thereof at the absolute unfettered discretion of the Authority under the same terms and conditions as contained in the executed contract.

**27-2023**  
**Carried**

#### C. FoodCycler Organics Pilot Program

The Manager of Waste Diversion provided details on a new Waste Diversion pilot program that the Authority will be offering to support the diversion of food waste from the landfill and provided a summary of the background information included in the report regarding the Ontario Food and Organic Waste Policy Statement and results of the Food and Organic waste survey that was done in 2022.

In 2022, Food Cycle Science (FCS), a social purpose organization, met with the Authority to discuss their FoodCycler product. The FoodCycler was identified as a potential solution for multi-residential buildings or for residents that may not have access to municipal diversion programs. The Manager of Waste Diversion explained the FoodCycler is a countertop food digester that dehydrates and processes food waste into a tenth of its original volume. She noted that there are two models and explained the differences between each unit. FCS was a finalist in the Government of Canada's Impact Canada's Food Waste Reduction Challenge and was awarded a \$400,000 grant. The grant is being distributed to municipalities that participate in the program. FCS has offered a partnership



with the Authority. After a review of FCS, the FoodCycler and other municipal programs, the Authority included funding in the 2023 budget.

The Manager of Waste Diversion explained that through the FoodCycler Organics Pilot Program (FOPP), FCS has allocated 250 FoodCyclers for the Authority that will be made available to Essex-Windsor residents at a subsidized rate. She explained that residents will have to register and complete an online survey. Some of the criteria that will be used to determine the allocation of the FCS units will include municipality, type of household, and number of residents. This will provide a good cross-section of households in Essex-Windsor that are able to participate in the pilot program. The residents that purchase the FoodCycler will participate in a 12-week program and track information to provide waste diversion data.

The Manager of Waste Diversion noted that \$25,000 has been included in the 2023 budget for the pilot program through the Waste Diversion reserve. This represents a subsidy of \$100 per unit. She referred to the funding model on page 24 of the agenda package which compares the cost of the two units available.

The Manager of Waste Diversion asked if there were any questions.

Mr. Kaschak noted that he saw the units that were on display at the Earth Day event and hopes that this will get residents excited about this and get people on board before the launch of the Source Separated Organics program in 2025.

Mr. Kieran McKenzie stated that he loves the program and asked how the units will be purchased by residents.

The Manager of Waste Diversion stated that residents purchase the unit up front and keep it after the pilot program ends.

Mr. Kieran McKenzie asked if some of the units could be made available at no cost.

Mr. Kieran McKenzie does not know if there is a correlation between income levels and waste diversion rates. He does not want to slow down the program that is already in motion but possibly look at other options for lower income households.

Mr. Morrison likes the spirit of Mr. McKenzie's idea but stated that it should not be up to the Authority to determine and analyze household income levels. He stated that maybe the Authority should consider if there may be a group that would like to contribute and subsidize the cost of the unit and then potentially make them available at no cost.

Mrs. MacDonald asked if residents would be charged the retail price and hope that they will follow through with the data that is being requested from them.



The Manager of Waste Diversion stated residents would be charged the reduced rate when accepted into the pilot program and sign a document stating that they will participate.

In regards to Mr. Kieran McKenzie and Mr. Morrison's comments, the General Manager stated that the Authority has three (3) units that were purchased at a reduced rate from FSC. She noted that the units were used as a trial by staff and some Board members to ensure their quality. Once Administration is finished with those units they could be donated to a group.

Mr. McNamara stated that the unit is incredible and he has not put any organics in regular waste since using the unit.

**THAT** the Board receive the report as information.

Moved by Rob Shepley

Seconded by Gary Kaschak

**28-2023**  
**Carried**

## **9. Waste Disposal**

### **A. Regional Landfill Leachate Management**

The Manager of Waste Disposal provided an update regarding the management of leachate at the Regional Landfill and summarized information that had previously been reported to the Board regarding leachate management at the Regional Landfill and the increasing volumes and intensification of leachate requiring trucking and treatment representing a significant financial burden on the Authority.

The Manager of Waste Disposal provided an overview of events that have taken place since the September 14, 2022 Board meeting including meetings with the City of Windsor (City) regarding the increase in leachate quantity and intensification and the impact on operations at the pollution control plant.

The Manager of Waste Disposal explained that the City had requested a temporary suspension of the delivery of leachate at the pollution control plant so they could assess their system and operations. The Authority suspended leachate hauling from November 25, 2022, until January 16, 2023. Following the resumption of leachate hauling, the City has been restricting the number of loads delivered. The City and the Authority have been meeting bi-weekly and continue to test and monitor the leachate. The Authority has also met with other municipalities in the area to discuss contingency plans for the delivery of leachate.



The Manager of Waste Disposal described operational changes being implemented at the Regional Landfill to improve the leachate quality including the purchase and installation of additional pond aerators.

The Manager of Waste Disposal stated the Ministry of the Environment, Conservation and Parks (MECP) visited the Regional Landfill and discussions took place regarding the management of leachate and the procedures that need to be followed in the event that the Authority needs to suspend leachate hauling.

The Manager of Waste Disposal stated that Stantec will conduct a feasibility study to assess the Town of Essex Pollution Plant's ability to receive some of the leachate from the Regional Landfill. He explained some of the key findings from the Stantec report. Essex would need some form of pre-treatment of the leachate. The Town of Essex is not interested in receiving any untreated leachate.

On April 19, 2023, the Authority expanded the scope of the Stantec engagement to include the preparation of a report regarding options for the on-site treatment of leachate at the landfill. The Stantec report will be made available to the Board when completed.

The Manager of Disposal explained the long-term capacity constraints. He noted that leachate has increased due to landfill expansion and will continue with the expansion of additional cells and increased greenhouse waste due to high moisture content. The original Regional Landfill design included a requirement for leachate treatment.

The Manager of Waste Disposal stated that the Authority staff have been working with Stantec to identify potential options for leachate treatment. He explained the pros and cons of the following three options:

1. Option 1 – Status quo – trucking and treatment at pollution control plant.
2. Option 2 - Installation of an on-site, pre-treatment solution and truck or force main to a pollution control plant.
3. Option 3 – Installation of an on-site solution and discharge to surface water drain.

The Manager of Waste Disposal referred to page 36 of the agenda package and explained the various leachate treatments.

On April 14, 2023, the Authority reviewed and authorized a proposal by Rochem utilizing reverse osmosis treatment. The Manager of Waste Disposal provided a sample of leachate at the meeting that was treated by reverse osmosis. This process would be dependent on MECP approval. He noted that



the Authority is currently testing 50 gallons of leachate as an on-site trial. The Authority will be provided with the chemical analysis results in several weeks.

The Manager of Waste Disposal stated that the 2023 budget includes a number of expenditures related to the treatment of leachate. He noted that other costs in the budget include consulting fees to fund an alternative treatment plan. In 2023, the Authority spent \$87,000 to purchase three new aerators. The total cost of the on-site study conducted by Rochem is approximately \$12,000. He also noted that any potential long-term solution identified will require a significant investment. The Authority is researching government funding opportunities.

The Manager of Waste Disposal noted that the final Stantec report will identify treatment and pre-treatment options. The Stantec report and the results of the on-site bench test trial conducted by Rochem will be provided to the Board.

The Manager of Waste Disposal asked if there were any questions.

Mrs. MacDonald asked if there is any way to get money back from the greenhouse industry since the vines are causing the issues they should be paying for it.

The Manager of Waste Disposal stated that tipping fees have increased substantially and should continue to increase.

Mrs. MacDonald stated that the greenhouses should be charged and not the average ratepayer.

Mr. Kaschak stated that we have to have an EPR on greenhouse vines or a large fee. He commented that the other pollution plants in the area should be able to treat this as well. He asked about the size of the force main.

The Manager of Waste of Disposal stated that the concept of a 4" diameter forcemain was proposed by Administration to the Town of Essex in November 2021 and that is what Stantec used to calculate their estimates.

Mr. Kaschak asked if installing a force main to convey leachate to the Essex PCP would involve public consultation.

The Manager of Waste Disposal responded yes. Routing of a forcemain would likely utilize public road right of way and this would be subject to the public review and consultation process.

The Manager of Waste Disposal stated that currently, the design of additional leachate storage capacity is not included in the design of Cell 5 North which is scheduled for construction in 2024. The Manager of Waste Disposal further stated that in his opinion, more lagoons are not the solution and that the



money would be better spent on alternative and sustainable ways to treat leachate.

Mr. Kaschak stated the reverse osmosis treatment seems very impressive.

Mr. Shepley asked if it would be better to build our own treatment plant instead of trucking the leachate off-site.

The Manager of Waste Disposal stated that building an on-site treatment facility is something that is currently being explored, along with the concept of installing a force main to the Town of Essex PCP which has some additional capacity. All options are being explored.

Mr. McNamara stated that we have to look at the cost of trucking leachate. He stated that he would like to know all the options. He agrees with Mr. Shepley. He stated that we have to reduce the carbon footprint and trucking does not do this. He likes the idea of looking at technology for treating leachate on-site. He noted that it makes a lot of sense and that is contained at the Landfill. Trucking costs are going to increase and climate change and rain is not a friend to landfills. He stated that as we expand the landfill and look at all the costs aggregated together, that is the direction we should be looking at. Mr. McNamara stated that he would like to see an analysis on what the costs are. He noted that even when the landfill is closed, we have the responsibility to ensure that the environment is protected from leachate impacts.

Mr. Kieran McKenzie stated that he agrees with Mr. Shepley and Chair McNamara. He stated to have the report from Stantec include environmental impacts. He also agrees with Mrs. MacDonald and her comments regarding the greenhouse vines.

Moved by Hilda MacDonald

Seconded by Kieran McKenzie

**THAT** the Board receive this report as information.

**29-2023**  
**Carried**

## **10. Finance & Administration**

### **A. EWSWA 2023 Budget Approval Status**

The Manager of Finance stated that on April 3, 2023, the City of Windsor Council resolved to approve the 2023 EWSWA Budget.

Moved by Rob Shepley

Seconded by Kieran McKenzie

**THAT** the Board receive this report as information.



**30-2023**  
**Carried**

B. January – March 2023 Three-Month Operating Financial Review

The Manager of Finance provided a three-month financial review of the Authority's operating costs and revenue for the period of January to March 2023. He noted that the report only included items that have a material variance to budget.

The Manager of Finance noted the following variances:

- Municipal revenue increased marginally by \$26,695.
- An increase of 6,600 tonnes was received at the Regional Landfill from Industrial, Commercial and Institutional (ICI) customers compared to 2022.
- An increase of approximately 23,000 tonnes of non-landfilled material was delivered from ICI customers.
- A positive variance of approximately \$107,000 in revenue from the sale of recyclable material. The material that generated the most revenue was from the sale of aluminum cans and plastics.
- An unfavorable expenditure variance of approximately \$80,000 for the County Blue Box Collection.

The Manager of Finance noted that there were no other significant expenditure variances identified in the first quarter of 2023.

Mr. Morrison asked if there was a trend analysis regarding the 20% increase from ICI customers.

The Manager of Finance stated that the Authority has seen increases due to vines. He noted that any significant variances will be identified in the six-month financial report.

Mr. Morrison asked if the increase in ICI is mostly attributed to the increase in construction.

The General Manager stated that the three-month report is a comparator but the six-month report identifies the trend. Further that the increase in ICI material could be episodic contaminated soil from one construction project.

Moved by Rob Shepley

Seconded by Jim Morrison

**THAT** the Board receive this report as information.



**31-2023**  
**Carried**

C. 2022 Financial Statements and Auditors' Report

The Manager of Finance presented the Authority's 2022 audited financial statements and KPMG's auditors report. KPMG has issued an "unmodified" audit opinion meaning the financial statements present fairly. He summarized significant figures included in the financial statements and in the report including:

- A receivable from the City of Windsor of approximately \$4.9 million represents the market value of proceeds from the settlement of the MFP suite.
- A post-closure liability of approximately \$16 million that represents the liability that must be recorded per the Public Sector Accounting Board for the Regional Landfill.
- A net long-term liability balance of \$52,488,076 represents a debenture due to Sun Life Assurance Company Limited on account of the Regional Landfill.
- A summary of reserve funds of approximately \$49 million.
- The 2022 final operating surplus totaled \$1,621,982, which has been transferred to the Rate Stabilization Reserve.

The Chair asked if there were any questions. No questions were asked.

Moved by Gary Kaschak

Seconded by Jim Morrison

**THAT** the Board approve this report, the 2022 financial statements and the associated auditors' report.

**32-2023**  
**Carried**

D. Staffing Requests – 2023 Budget

The General Manager stated that the 2023 Budget included funding for two additional staff positions. The Waste Diversion Project Lead will be a temporary full-time position that will support the Blue Box Transition to Extended Producer Responsibility and the Food and Organic Waste program. The second enhancement will be a Waste Diversion Labourer. This position is currently a part-time position, but with increased employee absences due to COVID and an aging workforce, Authority management has concluded that it cannot operate effectively with only two full-time employees.



The General Manager stated that the positions were included in the 2023 Budget but is requesting formal approval to post the two positions.

Moved by Kieran McKenzie

Seconded by Hilda MacDonald

**THAT** the Essex-Windsor Solid Waste Authority Board **Approve** the hiring of the following positions as included in the 2023 Operational Plan and Budget:

- Waste Diversion – Project Lead – Temporary Full-time
- Waste Diversion – Labourer, Material Recovery Facility – Full-time.

**33-2023**  
**Carried**

#### E. Extension of Agreement for Farmland Rent

The General Manager stated the report is to recommend the execution of the final extension option included in the agreement with Chris Malott Farming Enterprises Inc. (CMFE) for farmland rent. She noted that CFME is a good tenant and has complied with all the terms and conditions of the agreement.

Mr. Kaschak asked if CFME is renting the Cell 5 area.

The General Manager stated that CFME is not renting the Cell 5 area. He is renting the lands around the landfill which are separate properties of the Regional Landfill.

Moved by Rob Shepley

Seconded by Gary Kaschak

**THAT** the Board authorize the General Manager to execute an extension agreement with Chris Malott Farming Enterprises Inc. for a one-year period November 1, 2023 – October 31, 2024 at the current agreement price of \$276 per acre for 10 parcels of farmland making up 813 acres in the vicinity of the Regional Landfill.

**34-2023**  
**Carried**

#### F. Regional Waste Collection Update

The General Manager provided an update related to the motions passed at the June 15, 2022, Essex Council meetings with regard to waste collection within the seven County municipalities.

The General Manager noted that through meetings with the regional CAOs, it was prudent to bring a report back to Essex County Council since the motions passed were during the previous term of Council to ensure there was continued support. She noted that on April 19, 2023, Essex County Council reconfirmed its commitment to a regional approach to waste management in the County of



Essex. The Authority's General Manager and the County of Essex Solicitor and Director of Financial Services/Treasurer will develop by-laws on how this service could be uploaded to the County of Essex.

The Authority has offered to attend individual municipal council meetings to provide additional information and answer questions. The General Manager noted that a presentation had been made to the Town of Tecumseh and presentations were scheduled for the Town of Essex and the Municipality of Leamington

The General Manager stated that a report by EXP will identify the logistics on how this service will be implemented along with the Source Separated Organics program. This report will be brought forward to the Board at a future meeting.

Moved by Rob Shepley

Seconded by Hilda MacDonald

**THAT** the Board receive this report as information.

**35-2023**  
**Carried**

## **11. Other Items**

No other items were raised for discussion.

## **12. By-Laws**

### **A. By-Law 3-2023**

Moved by Kieran McKenzie

Seconded by Gary Kaschak

**THAT** By-Law 3-2023, being a By-law to Authorize the Execution of an Agreement between the Essex-Windsor Solid Waste Authority and Frank Dupuis Landscaping & Trucking Ltd. for the Provision of Equipment and Labour for the Screening of Organic Waste at Essex-Windsor Solid Waste Authority Facilities in Essex County

**36-2023**  
**Carried**

### **B. By-Law 4-2023**

Moved by Kieran McKenzie

Seconded by Gary Kaschak

**THAT** By-Law 4-2023, being a By-law to Authorize the Extension of an Agreement between the Essex-Windsor Solid Waste Authority and Christopher Malott Farming Enterprises, Inc. for the Rental of Farmland in the vicinity of the Regional Landfill.



**37-2023**  
**Carried**

C. By-Law 5-2023

Moved by Kieran McKenzie

Seconded by Gary Kaschak

**THAT** By-Law 5-2023, being a By-law to Confirm the Proceedings of the Board of the Essex-Windsor Solid Waste Authority be given three readings and be adopted this 2nd day of May, 2023

**38-2023**  
**Carried**

**13. Next Meeting Dates**

Tuesday, June 6, 2023

Wednesday, July 12, 2023

Tuesday, August 1, 2023 (Cancelled)

Wednesday, September 13, 2023

Thursday, October 5, 2023

Tuesday, November 7, 2023

Tuesday, December 5, 2023

**14. Adjournment**

Moved by Rob Shepley

Seconded by Hilda MacDonald

**THAT** the Board stand adjourned at 6:55PM.

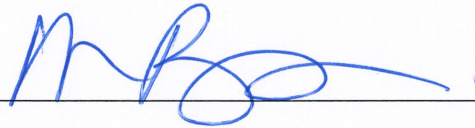
**39-2023**  
**Carried**



All of which is respectfully submitted.



**Gary McNamara**  
**Chair**



**Michelle Bishop**  
**General Manager**





**Committee Matters: SCM 210/2023**

**Subject: Essex Windsor Solid Waste Authority (EWSWA) Annual Report - Essex-Windsor Residential Waste Diversion 2022**

Moved by: Councillor Gary Kaschak

Seconded by: Councillor Kieran McKenzie

Decision Number: **ETPS 949**

THAT the 2022 Annual Report of the Essex-Windsor Solid Waste Authority **BE APPROVED.**

Carried.

Report Number: SCM 201/2023

Clerk's File:MB2023

**Clerk's Note:**

1. Please refer to Item 7.2 from the Environment, Transportation & Public Safety Standing Committee held on July 26, 2023.
2. To view the stream of this Standing Committee meeting, please refer to: <http://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20230726/-1/9420>





## **Committee Matters: SCM 201/2023**

**Subject: Essex Windsor Solid Waste Authority (EWSWA) Annual Report - Essex-Windsor Residential Waste Diversion 2022**



# Essex-Windsor Residential Waste Diversion 2022

Report Date: March 31, 2023



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This document is formatted for accessibility and is available in alternate formats upon request.



# Essex-Windsor Residential Waste Diversion

Annual Report for January – December 2022

## 1 Introduction

The Annual Waste Diversion Report provides information on the waste diversion activities carried out by the Essex-Windsor Solid Waste Authority (EWSWA) during 2022 in compliance with Condition 5.2 of the Environmental Assessment Approval for the Essex-Windsor Regional Landfill.

### 1.1 Residential Waste Diversion Rate 2022

This report also provides the EWSWA the ability to track any changes in the amount of waste diverted through its waste diversion initiatives from year to year.

In 2022, the seven County of Essex municipalities and the City of Windsor delivered 108,059 tonnes of residential waste to the Regional Landfill. During the same time period, 51,435 tonnes of residential waste were diverted from the landfill via the blue and red box recycling program, municipal hazardous or special waste program, composting, and other waste diversion programs. These waste diversion initiatives resulted in a 2022 residential diversion rate of 32.0%. The 2021 diversion rate was 32.9%.

**2022 Residential Diversion Rate is calculated as follows:**

$$\frac{51,435 \text{ Tonnes Diverted (see Table 19)}}{108,059 \text{ Tonnes of Residential Refuse Collected Curbside} + 1,342 \text{ Residuals} + 51,435 \text{ Diverted Tonnes}} = \frac{51,435}{160,836} \times 100 = \mathbf{32.0\%}$$

**2021 Residential Diversion Rate is calculated as follows:**

$$\frac{56,303 \text{ Tonnes Diverted (see Table 19)}}{112,053 \text{ Tonnes of Residential Refuse Collected Curbside} + 2,632 \text{ Residuals} + 56,303 \text{ Diverted Tonnes}} = \frac{56,303}{170,988} \times 100 = \mathbf{32.9\%}$$



## **2 Programs**

### **2.1 Residential Recycling Blue Box Program**

The tonnes of residential recyclable materials collected curbside during 2022 totaled 21,978 tonnes. The overall tonnes of recyclables collected in 2022 were slightly lower compared to the 23,802 tonnes collected in 2021.

A monthly summary and comparison of the tonnes collected curbside from the City and the County in 2021 and 2022 is shown in Table 1. Collection of recyclables in the County was carried out under contract in 2022 by the City of Windsor. Collection of recyclables in the City of Windsor in 2022 was carried out by Green For Life Environmental Inc.

All materials were processed at the EWSWA owned Essex-Windsor Material Recovery Facility (MRF), located at E.C. Row and Central Avenue in Windsor where HGC Management Inc. via contract process delivered materials.

In addition to the residential recyclables collected curbside, 611 tonnes of recyclables were delivered to the EWSWA's Public Drop Off Depots in 2022. This is up slightly from 2021, where 605 tonnes were delivered.



**Table 1: Residential recycling blue box collection tonnes by month comparison**

Month	2022 County of Essex* Tonnes	2022 City of Windsor Tonnes	2022 Combined Tonnes	2021 Comparable Tonnes
January	912	892	<b>1,804</b>	2,065
February	895	875	<b>1,770</b>	1,761
March	983	917	<b>1,900</b>	1,996
April	900	912	<b>1,813</b>	2,000
May	979	985	<b>1,964</b>	1,870
June	980	973	<b>1,953</b>	2,086
July	899	922	<b>1,821</b>	2,079
August	902	973	<b>1,875</b>	1,838
September	919	888	<b>1,807</b>	1,986
October	784	811	<b>1,595</b>	1,991
November	910	883	<b>1,793</b>	1,921
December	984	900	<b>1,884</b>	2,210
Total:	11,047.00	10,931.00	<b>21,978</b>	<b>23,802</b>

\* The County of Essex includes the Town of Amherstburg, the Town of Essex, the Town of Kingsville, the Municipality of Lakeshore, the Town of LaSalle, the Municipality of Leamington, and the Town of Tecumseh. Due to rounding, sum of combined tonnes for 2021 and 2022 will not equal total value.

## 2.2 Recycling Residual Disposal

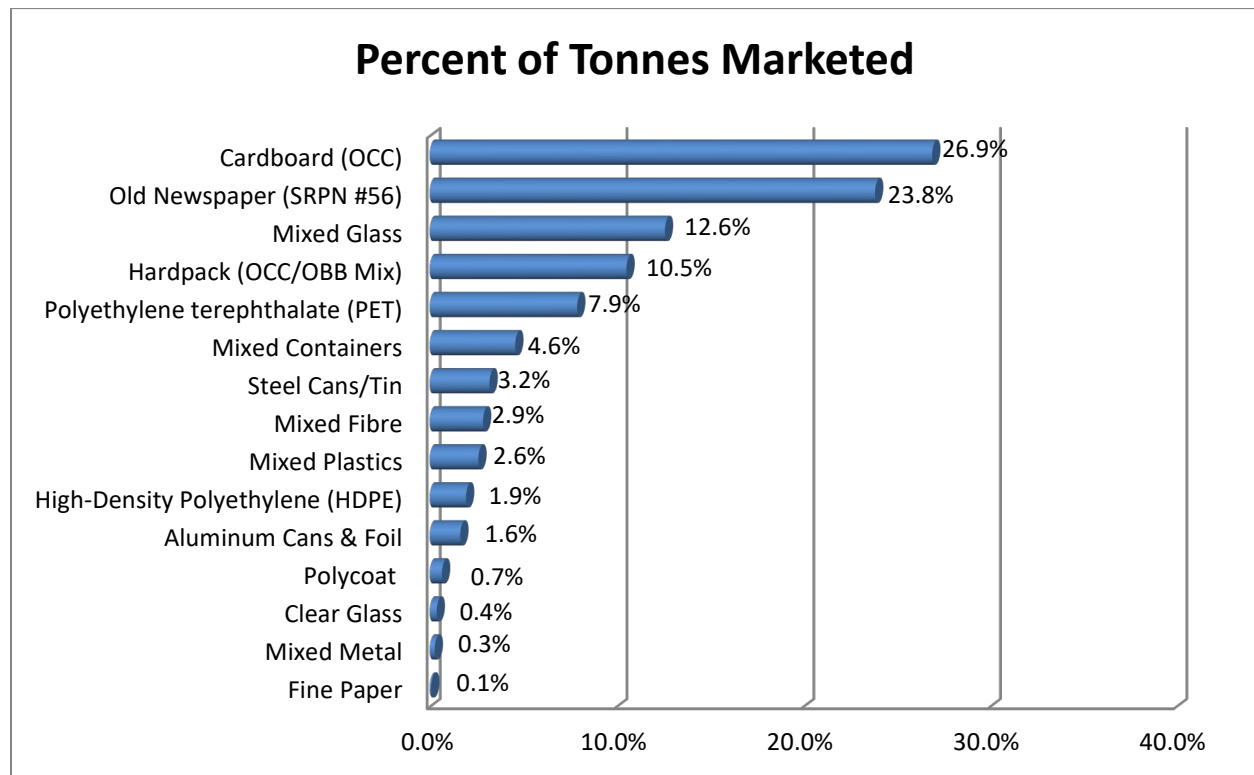
Recycling Residual is the material that is left over after the processing of the recyclable materials are collected and delivered to the MRF. The residuals consist of contaminated materials, non-recyclable materials, and packaging materials used to secure recyclables placed in the recycle box. A total of 1,342 tonnes of recycling residuals was disposed of in 2022. This is a significant decrease in residuals from 2021 (2,632 tonnes), as there were great favourable changes in market demands and HGC Management Inc. made processing refinements that supported these new market opportunities.



### 3 Tonnes Marketed

For the purposes of waste diversion calculations, tonnes marketed are used instead of the tonnes collected curbside. The tonnes marketed by material type are shown in Tables 2, 3, and 4. The EWSWA markets all materials processed through the MRF and retains 100% of the revenue from the sale of materials. Revenue from the sale of material in 2022 was approximately \$4,681,016 (see Table 5), representing a basket-of-goods revenue of approximately \$225/tonne compared to a basket-of-goods revenue of \$237/tonne in 2021. This is as a result of exceptionally strong market conditions for the majority of recyclable materials marketed in the first half of 2022. A brief discussion on market conditions and prices for each of the materials follows.

**Figure 1: Percent of tonnes for 2022 marketed recyclables**





## **3.1 Fibres**

### **Old Newspaper (SRPN #56)**

Ontario market price trends are published annually by the Continuous Improvement Fund's (CIFs) Price Sheet (December 2022). For 2022, SRPN #56 prices ranged from a low of \$82 per tonne to a high of \$218 per tonne. The EWSWA average price for 2022 was \$175 per tonne which is higher than this provincially published CIF average of \$146 per tonne. The EWSWA 2021 average price for SRPN #56 was \$155 per tonne.

### **Old Corrugated Cardboard (OCC)**

The EWSWA price for old corrugated cardboard ranged from a low of \$69 per tonne to a high of \$235 per tonne in 2022. The 2022 EWSWA average price per tonne was \$189 compared to \$208 in 2021. The EWSWA's average price of \$189 per tonne was higher than the provincial average of \$170 per tonne per the CIF Price Sheet - December 2022.

### **Hardpack (OBB)**

(Example: cereal boxes, cardboard)

The EWSWA's prices for this cardboard/boxboard mix ranged from \$11 per tonne to \$165 per tonne in 2022. In 2022, the EWSWA average price was \$112 compared to \$149 per tonne in 2021, again as a result of global market conditions. The EWSWA's average 2022 price of \$112 per tonne was higher than the provincial average of \$85 per tonne per the CIF Price Sheet - December 2022.

### **Fine Paper**

One load of fine paper was sold in 2022 with an average price of \$419 per tonne. This is an increase compared to 2021, as no loads of fine paper were marketed last year due to lower amounts of this material delivered.

### **Mixed Fibre (SRPN #54)**

The pricing for mixed fibre ranged from a low of \$0 per tonne to a high of \$118 per tonne in 2022. This is a decrease from 2021 as market demands for this low-grade fibre decreased and therefore the average price for 2022 was \$92 per tonne compared to \$103 per tonne in 2021.



## **3.2 Containers**

### **Steel Cans**

The 2022 average price was \$367 per tonne compared to \$429 per tonne in 2021. This market price per tonne in 2022 ranged from a low of \$224 to a high of \$566.

### **Aluminum Cans and Foil**

The 2022 average price was \$2,560 per tonne compared to \$2,157 in 2021. Again, due to market fluctuations the price per tonne ranged from \$1,980 to \$3,218 per tonne. Aluminum foil was sold at an average price of \$886 during 2022, whereas in 2021, it sold at \$770 per tonne.

### **Glass**

The 2022 average clear glass price of \$11 per tonne was higher than the 2021 average price of \$0 per tonne, due to markets. Clear glass is the only product that is not marketed FOB (Freight on Board) at the Essex-Windsor MRF. Mixed coloured glass was delivered to the Regional Landfill for use as road base.

### **Polyethylene Terephthalate (PET)**

(Example: plastic water bottles)

The average price was \$595 per tonne in 2022 which is much higher than the 2021 average price of \$491 per tonne.

### **High-Density Polyethylene (HDPE)**

(Example: laundry soap bottles)

The average price was \$601 per tonne in 2022, compared to the 2021 average price of \$1,276 per tonne.

### **Polycoat and Gable Top**

(Example: milk cartons)

Polycoat was sold in 2022 at an average price of \$55 per tonne compared to the average price of \$19 per tonne in 2021.



## Mixed Plastics

(Example: tubs & lids, clamshells, trays, cups, plastic bottles, excludes polystyrene and plastic film bags)

The average price was \$160 per tonne in 2022 compared to the average price of \$168 per tonne in 2021.

## Mixed Containers

In 2022, due to market availability, the EWSWA was successful to market a low-grade mixed container grade. This started in March and carried through to December 2022. The average price was \$14 per tonne.

**Table 2: Marketed fibre summary comparison: 2021 versus 2022**

Fibre Material	2021 Tonnes	2022 Tonnes	% Change
Old newspaper (SRPN #56)	4,963	4,976	0.3
Cardboard (OCC)	6,311	5,614	-11.0
Hardpack (OBB)	2,341	2,199	-6.1
Fine paper	0	17	N/A
Mixed fibre (SRPN #54)	787	596	-24.3
<b>Totals:</b>	<b>14,402</b>	<b>13,402</b>	<b>-6.9%</b>

**Table 3: Marketed containers summary comparison: 2021 versus 2022**

Container Material	2021 Tonnes	2022 Tonnes	% Change
Clear glass	142	79	-45.8
Mixed glass	2,737	2,628	-4.0
Steel cans	772	669	-13.3
Aluminum cans and foil	356	342	-3.9
Polyethylene terephthalate (PET)	1,601	1,648	2.9
High-density polyethylene (HDPE)	388	406	4.6
Polycoat/gable top	83	138	66.3
Mixed plastics	461	544	18.0
Mixed containers	N/A	956	N/A
<b>Totals:</b>	<b>6,540</b>	<b>7,410</b>	<b>13.3%</b>



**Table 4: Residential recyclables marketed comparison**

<b>Tonnes Marketed</b>	<b>2021 Tonnes</b>	<b>2022 Tonnes</b>
a) Total tonnes marketed	20,942	20,812
b) ICI Tonnes	(630)	(689)
Net marketed residential recyclables	20,312	20,123

Notes: a) Total tonnes marketed less b) ICI delivered tonnes = Net marketed residential recyclables.

**Table 5: Revenue comparison: 2021 versus 2022**

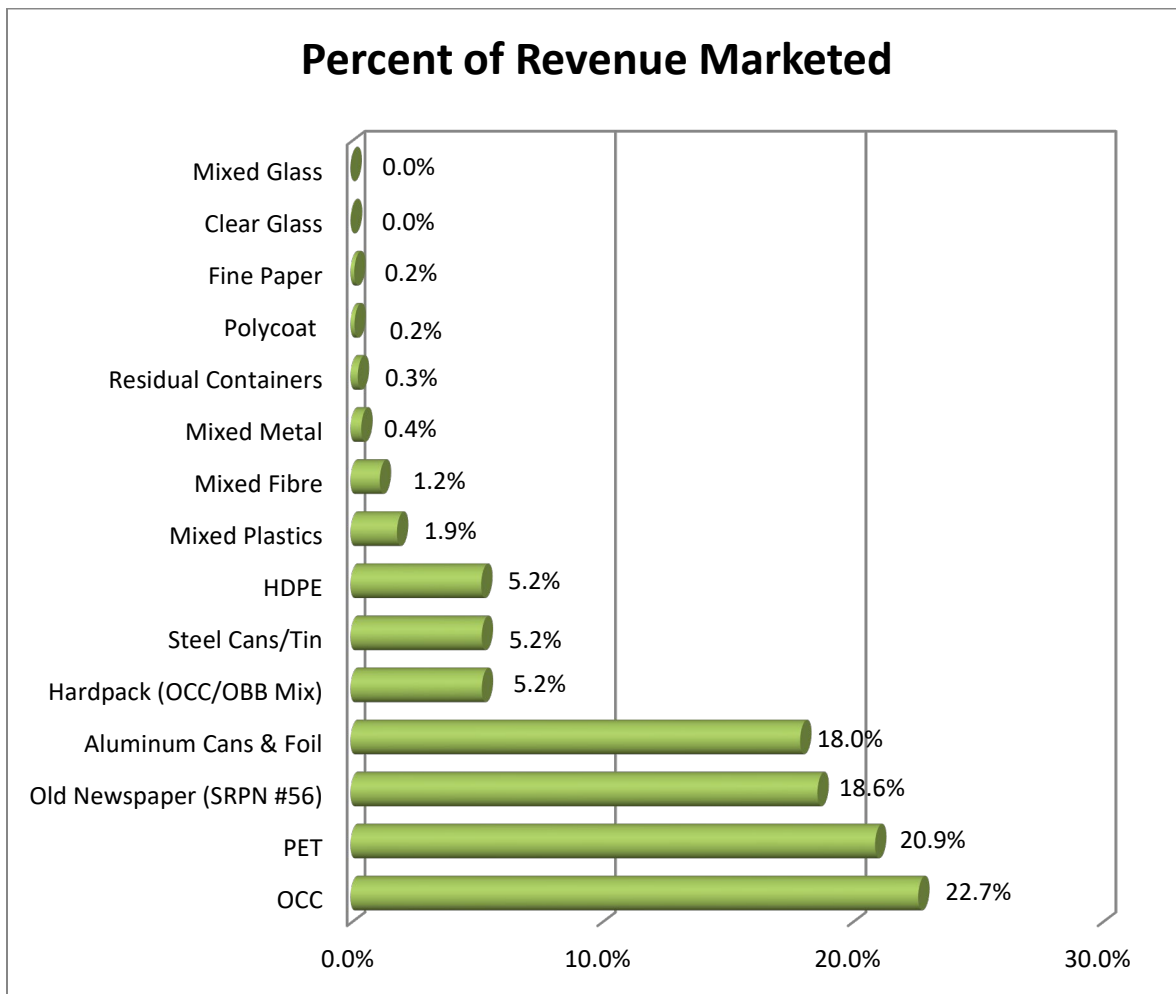
<b>Recyclable Material</b>	<b>2021 Revenue</b>	<b>2022 Revenue</b>
Old newspaper (SRPN #56)	\$771,507	\$872,762
Cardboard (OCC)	\$1,311,714	\$1,061,269
Hardpack (OBB)	\$347,701	\$245,421
Clear glass	\$0	\$849
Mixed fibre (SRPN #54)	\$81,149	\$54,733
Steel cans	\$331,266	\$245,252
Fine paper	\$0	\$7,141
Aluminum cans and foil	\$747,075	\$840,396
Polyethylene terephthalate (PET)	\$786,433	\$980,506
High-density polyethylene (HDPE)	\$495,494	\$244,321
Mixed glass	\$0	\$0
Polycoat/gable top	\$1,626	\$7,631
Mixed metal	\$16,259	\$20,215
Mixed plastics	\$77,212	\$86,865
Residual Containers	\$0	\$13,655
<b>Total Revenue</b>	<b>\$4,967,436</b>	<b>\$4,681,016</b>



**Table 6: Annual revenue comparison**

Year	Revenue
2015	\$3,101,234
2016	\$3,414,055
2017	\$4,241,411
2018	\$3,204,744
2019	\$2,076,450
2020	\$2,180,781
2021	\$4,967,436
2022	\$4,681,016

**Figure 2: Percent of revenue marketed in 2022**





### 3.3 Markets

While overall delivered tonnages for 2022 were slightly lower than 2021, total marketed tonnes were very similar to 2021, as a result of market availability. Total revenue remained exceptionally high at the beginning of 2022 for both container and fibre market streams, but then significant market drops lowered final revenue outcomes. Similarly, producer shifts in materials (e.g., cardboard, PET) released out into the Ontario market had direct impacts on collected and marketed blue box tonnage numbers for 2022. Finally, as a result of strong market conditions, the EWSWA was able to market a low-grade mixed container material for the first time in 2022 which had a positive impact on waste diversion numbers.

## 4 Other Residential Recycling Programs

### 4.1 White Goods

Since 1991, white goods, such as fridges, stoves, air conditioners, washers, dryers, freezers, dishwashers, etc. have been restricted from landfill disposal. In 2022, the EWSWA's curbside collection program for white goods across all municipalities in Essex County except Lakeshore (as they run their own program) captured 1,479 white good units (approximately 133 tonnes). The Municipality of Lakeshore reported that they diverted 8 tonnes of white goods through their 2022 program.

While the City of Windsor did not operate a white goods collection program during 2022, there were also 133 tonnes of white goods delivered to the Public Drop Off Depots for a combined total of approximately 274 tonnes. Table 8 details the white goods collection program for each of the municipalities in the County of Essex by month during 2022.

**Table 7: Summary of white goods diversion for 2022**

White Goods Summary	2022 Tonnes
EWSWA Curbside Essex County Collection	133
Municipality of Lakeshore Program	8
Drop Off Depots	133
<b>Total Tonnes Recycled and Diverted</b>	<b>274</b>



**Table 8: 2022 White goods collected through the EWSWA White Goods Program by month in municipalities across Essex County**

Month	Amherstburg	Essex	Kingsville	LaSalle	Leamington	Tecumseh	Total for Month
January	35	16	9	11	9	14	94
February	28	8	24	19	17	17	113
March	35	6	13	16	18	8	96
April	44	26	33	24	17	12	156
May	32	17	22	30	21	20	142
June	25	24	35	24	17	18	143
July	37	15	20	22	19	23	136
August	30	16	21	25	12	14	118
September	27	14	36	20	14	17	128
October	29	14	22	24	25	11	125
November	31	12	23	21	13	22	122
December	20	8	16	25	19	18	106
<b>Total Units</b>	<b>373</b>	<b>176</b>	<b>274</b>	<b>261</b>	<b>201</b>	<b>194</b>	<b>1,479</b>

Notes: 1,479 units with the average weight of 90 kilograms per unit results in diversion of approximately 133.11 tonnes.



## **4.2 Tires**

In 2022, RPRA Datacall resulted in the diversion of approximately 3,001 tonnes of used tires in the Essex-Windsor area. While automotive tire recycling is now offered at many locations across Essex-Windsor, the EWSWA still collects and recycles used tires through the RPRA program. During 2022, approximately 101 tonnes of used tires were dropped off at EWSWA sites; which are included in the 3,001 tonnes diverted in Essex-Windsor.

## **4.3 Scrap Metal**

There are 40-yard roll off bins located at the Windsor Public Drop-off Depot for the collection of ferrous and non-ferrous scrap metal material. Metal materials are dropped off here from PDO visitors and other programs across the site where it may have been improperly disposed of to ensure it is diverted from the landfill. The metals are sold through a competitive bid process to local scrap dealers. In 2022, approximately 445 tonnes of metals were collected and recycled.

## **4.4 Electronics Recycling**

Under contract with the EWSWA, Quantum Lifecycle Partners Inc. supplies sea containers for the collection of electronics at the EWSWA's Public Drop-off Depots. The EWSWA staff place electronic items that are received from the public in these containers. In 2022, approximately 257 tonnes of computers, televisions, audio visual equipment, and various electronic items were collected through the Waste Electrical and Electronics Equipment (WEEE) stewardship program.

## **4.5 Deposit/Return Program**

The EWSWA has a capture program at its Material Recovery Facility (MRF) for deposit/return containers (i.e. aluminum beer cans; glass, wine, and spirit bottles) that have been collected through the blue box collection program. During 2022, approximately 30 tonnes of deposit/return containers were received at the MRF and are included as part of the 2,329 tonnes that were diverted throughout Essex-Windsor as part of the deposit/return & stewardship program. The 2,329 diversion tonnes figure is calculated as part of the 2022 RPRA Datacall and is based on the Essex-Windsor population as determined by the latest Statistics Canada census data.



## 4.6 WE ReCYCLE Bike Program

The EWSWA recognizes the importance of providing waste diversion programs that are convenient and safe for the public to access. In 2021, the EWSWA Board approved a bike reuse program, that supports bikes that are collected at the EWSWA sites to be refurbished and recycled back into the Essex-Windsor area through a community partnership program. In 2022, a total of 813 bikes were dropped off at EWSWA sites, where 657 of those bikes were repaired/reused and the remaining 156 bikes were placed in our scrap metal bin for recycling.

**Table 9: Bikes recycled through the WE ReCYCLE program in 2022**

<b>Location</b>	<b>Total # of Bikes Dropped Off</b>	<b>Total # of Bikes Repaired/Reused</b>	<b>Total # of Bikes Recycled as Metal</b>
Windsor Public Drop Off	749	625	124
Kingsville Transfer Station #2	64	32	32
<b>Totals:</b>	<b>813</b>	<b>657</b>	<b>156</b>

As the average bike weighs 10 kg, it is estimated that a total of 8,130 kgs or 8.13 tonnes of bikes were dropped off at EWSWA Depots, 6,570 kgs or 6.57 tonnes of those bikes were repaired/reused, therefore, 1,560 kgs or 1.56 tonnes of unrepairable bikes were recycled through the WE ReCYCLE Program in 2022. It is important to note that the 2021 diversion number of 2 tonnes was for the last quarter of 2021, as the program was launched in October 2021.

## 4.7 Election Signs

As the EWSWA attempts to divert materials where feasible, it has been successful to offer a drop off program at its sites for election signs after an election. As 2022 was an election year that hosted two elections in our region, approximately 1,266 kgs or 1.27 tonnes of signs were dropped off at the EWSWA sites and later recycled.



**Table 10: Other recyclables comparison: 2021 versus 2022**

<b>Other Recyclable Programs</b>	<b>2021 Tonnes</b>	<b>2022 Tonnes</b>	<b>% Change</b>
White goods (all sites)	277	274	-1.1%
Used tires	3,001	3,001	0%
Scrap & mixed metal	550	445	-19.1%
Electronics	302	257	-14.9%
Deposit/return & stewardship	2,329	2,329	0%
Bicycles	2	7	250.0%
Election Signs	1	1	0%
<b>Total Other Recyclables</b>	<b>6,462</b>	<b>6,314</b>	<b>-2.3%</b>

Notes: RPRA Datacall calculation is based on population for used tires and Deposit/return & stewardship programs in the Essex-Windsor area as reported by the Statistics Canada census.

## **5 Residential Organics**

### **5.1 Yard Waste**

Grass, leaves, tree trimmings, and brush are restricted from disposal at the Essex-Windsor Regional Landfill site. As a result, all local municipalities have established separate collection systems for yard waste, including special collections in January for Christmas trees. Furthermore, individual residents and grounds maintenance contractors also brought yard waste to each of the three Depots operated by the EWSWA in 2022.

The Essex-Windsor residents can set-out their yard waste in: paper bags, wheeled carts, garbage bins, and cardboard boxes to receive curbside collection. Yard waste will not be collected if it is placed in a plastic bag. Approximately 20,768 tonnes of yard waste was received in 2022, which represents a decrease of 15% compared to the 24,521 tonnes delivered in 2021.



**Table 11: 2022 Yard waste summary for all EWSWA sites**

Material Type	Windsor Public Drop Off	Kingsville Transfer Station 2	Regional Landfill	Total
Municipal Delivered	10,086	1,646	4,143	15,875
Residential Delivered	2,172	793	169	3,134
<b>Total Res. Organics</b>	<b>12,258</b>	<b>2,439</b>	<b>4,312</b>	<b>19,009</b>
*ICI Organics and Pallets	1,062	535	163	1,759
<b>Grand Total (Tonnes)</b>	<b>13,320</b>	<b>2,974</b>	<b>4,474</b>	<b>20,768</b>

Notes: \*ICI is Industrial, Commercial, and Institutional delivered material type.

**Table 12: Yard waste tonnes comparison: 2021 versus 2022**

Material Type	2021 Tonnes	2022 Tonnes
Municipal Delivered	17,994	15,875
Residential Delivered	5,525	3,134
<b>Total Res. Organics</b>	<b>23,519</b>	<b>19,009</b>
*ICI Organics and Pallets	1,002	1,759
<b>Grand Total (Tonnes)</b>	<b>24,521</b>	<b>20,768</b>

\*ICI is Industrial, Commercial, and Institutional delivered material type.

## 5.2 Screened Compost Sales

The EWSWA undertakes an in-depth process to the organics and yard waste it receives to turn it into saleable, quality compost. The composting process involves grinding up yard waste and placing it in long rows called 'windrows'. The material is turned frequently and the temperature is maintained above 55 degrees Celsius in order to kill any pathogens or weed seeds. Once the compost has matured, it is tested, screened, and then sold for use in landscaping, as well as flower and vegetable gardens.

In 2022, compost was sold as bulk (delivered or pick-up), bag-your-own, and prepackaged items as listed below.



**Table 13: Compost sales 2022 summary**

Compost Material	Quantity Sold	Tonnes
Delivered	1,052 cubic yards	526
Bulk sales	21,047 cubic yards	10,524
Bag-Your-Own	919 bags	51-52
Prepackaged Garden Gold	11,077 bags	199-244
<b>Total Tonnes</b>		<b>11,300 -11,346</b>

Notes: Pre-packaged bag weights are based on approximately 18 to 22 kg/bag; Bag-Your-Own is approximately 55-57 kg/bag; Bulk compost is approximately 500 kg/cubic yard. Compost weight is expressed in 'ranges' due to the differing moisture content & density. One cubic yard = one bucket from the small EWSWA loader in Windsor. Weights are approximate.

Under contract to the EWSWA, Frank Dupuis Landscaping and Trucking provided delivery services for the sale of 526 tonnes of bulk compost locally. In total, 10,524 tonnes of compost was sold through the bulk sale program to residents and businesses at EWSWA Depots. Additionally, approximately 11,077 prepackaged bags of compost were sold at the Depots. Many residents also bagged their own compost at one of the Depots. The combined total weight of compost sold in 2022 was approximately between 11,300 to 11,346 tonnes. In 2022, compost sales totalled \$239,327.

### **5.3 Backyard Composting**

Backyard composters (BYC) with the brand name "The Earth Machine" and "The Green Cone" were sold to Essex-Windsor residents in 2022. The Earth Machine was sold through local Home Hardware stores year-round. Both units were sold during an EWSWA week long spring sale. Approximately 43 Earth Machine units were sold through the Home Hardware stores and 40 units were sold during the spring Inventory Sale for a total of 83 units sold in 2022. There were 5 Green Cones sold in 2022 through Home Hardware stores and 11 units were sold during the spring Inventory Sale for a total of 16 units sold in 2022. This brings the cumulative total to 835 Green Cones distributed since 2010, which is when they were first introduced to the area. The combined BYC distributed in 2022 was 99 units bringing the total number of units sold since 1988 to 40,247 units.



Current research has indicated that approximately 100 kg/year/BYC is diverted as a result of the backyard composting program. This translates into 4,025 tonnes of organic waste diverted from the landfill through this program. This does not consider homemade composters or composting done independent of the EWSWA's backyard composting program.

**Table 14: Residential organic waste reduction comparison: 2020 – 2022**

<b>Residential Organic Programs</b>	<b>2020 Tonnes</b>	<b>2021 Tonnes</b>	<b>2022 Tonnes</b>
BYC Program	4,006	4,015	4,025
Mulching Blades	1,343	1,343	1,343
Yard Waste (Residential)	24,810	23,519	19,009
<b>Total Residential Organics</b>	<b>30,159</b>	<b>28,877</b>	<b>24,377</b>

Notes: The mulching blade program was no longer directly offered through EWSWA after 2001. Even though mulching blades and mowers are used by residents in the area, it can't be measured for the purposes of this report; therefore, no increase in diversion is indicated.

## **6 Promotion and Education (P&E)**

### **6.1 Community Outreach**

The EWSWA staff traditionally organize promotions and events to engage residents in waste diversion activities. Initiatives like the online Scavenger Hunt for Earth Day, actual in-person Earth Day Event at Malden Park, a spring inventory sale, a digital campaign for Waste Reduction Week and an information booth at County Council Orientation, as well as print information on various EWSWA programs are some of the many strategies use in 2022.

After Covid-19, in person presentations were limited again in 2022 as they were in the previous two years in schools. As a result, the EWSWA is supporting all school boards with waste diversion inquiries, resources, and questions as needed. As well, the EWSWA supported special requests by school boards like MRF tours to school ambassador programs to liaise and better educate the new waste diversion school leaders.

There were eighteen special events serviced with blue box program recycling carts in 2022 to better support waste diversion at local community events.



## **6.2 Special Community Events**

One notable event that the EWSWA serviced in 2022 was the Can-Am Police-Fire Games. The City of Windsor was selected to host the games in 2022 and the event took place from July 25-31, 2022.

Early in the planning stages of the games, the organizing committee established that it was essential for the opening ceremonies at Festival Plaza to be "zero-waste". As the EWSWA operates a special-events recycling program, the City of Windsor contacted the EWSWA to provide recycling services for the opening ceremonies, as well as support for conducting a zero-waste event. To promote the games, mobile billboards were designed for GFL's trucks (76 in total) with GFL agreeing to cover the cost. Greener Farms, a local food waste diversion company, was brought on board as well to provide organics recycling and the YQG Green Team was tasked with providing volunteers to sort through waste at the event.

Estimated attendance for the opening ceremonies was 2,000. It was a very busy event, with substantial amounts of food being served. By the end of the night, all of the organics and recyclables had been picked up, sorted, recycled, and the residual waste (actual garbage) from the event which notably only filled two regular sized garbage bags.

## **6.3 Waste Reduction Hotline**

The EWSWA maintains a Waste Reduction Hotline (1-800-563-3377), where EWSWA staff will answer residential questions, or redirect the call to the appropriate staff or department.

## **6.4 Print Newsletter**

The EWSWA issues an annual newsletter called Enviro Tips which is delivered to each household and is available online. In fall 2022, the newsletter "Enviro Tips" was delivered to every household, apartment, farm, and business in Windsor/Essex County. Over 171,000 newsletters were delivered. The newsletter featured the Recycle Coach App, tips to reduce food waste, information about backyard composters and Green Cone digesters, and other waste diversion tips and program reminders.

## **6.5 E-Newsletter**

E-newsletters are also part of the program as they are low cost and another way to reach residents. The EWSWA has 3,323 e-newsletter subscribers.



Industry standards indicate that a decent open rate is anything between 20-33%. Open rates for e-newsletters are as follows: Gold Star 2022, 53%; Spring Sale 2022, 49%; Earth Day 2022, 55%.

## **6.6 EWSWA Website**

The EWSWA website ([www.ewswa.org](http://www.ewswa.org)) is updated on a regular basis to provide detailed information and public education to residents. Topics covered range from waste management and reduction, to details regarding waste diversion activities. Through the website, residents have access to instructions, tenders, reports, calendars, acceptable recycle box materials, incentives, etc. In 2022, there were approximately 51,634 hits on the website bringing the total hits to 467,894 hits since the launch of this website in 2012; the monthly average hits in 2022 had a duration of approximately 1.52 minutes. The 'What Goes Where' material search database resulted in 17,931 searches and municipal calendar searches were at 67,704 searches in 2022. In 2022, method of access by device was 60.1% mobile; 35.1% desktop computer, and 3.8% tablet.

## **6.7 Recycle Coach App**

Recycle Coach is an app which makes recycling and collection schedule information easy to find. The app is continuously developing new programs to combat complacency and get people re-engaged in recycling. It promotes best practice ideas on better waste management to improve outcomes such as increasing recycling, proper disposal and diversion of solid waste, etc. In 2022, the EWSWA made it a priority to promote this app and get local residents onboard with accessing information around solid waste through this app. As a result, increased metrics listed below were noted for Recycle Coach in 2022:

Total Users: 26,416\*

Total Interactions: 2,922,775

- Reminders: 2,728,826
- Notifications: 80,992
- Material Searches: 17,931
- Page Views: 27,322
- Calendar Views: 67,704



\* Note: In 2021, there was a tracking metric for EWSWA website users accessing Recycle Coach's "What Goes Where" via the EWSWA website – which was included in the metrics as 'subscribers'. This metric is no longer included in the subscriber number, as it tracks material searches, and therefore is tracked as a stand-alone metric "Material Searches".

## **6.8 Agorapulse**

In 2022, the EWSWA began using Agorapulse to better manage and enhance its capability to schedule social media posts. Agorapulse is a full-featured social media management platform. Some of its features include a variety of methods to publish content, schedule posts and report about social account usage. It allows the Waste Diversion team to stay organized, save time, generate reports, and easily manage social media accounts – all from one convenient platform. The EWSWA subscribed to the Agorapulse platform on March 16, 2022, therefore, the 2022 stats only include nine full months of data and reporting.

## **6.9 Facebook**

- Fans: 267
- Engagement: 1,290
- Impressions: 178,197

### **Definitions**

- *Fans are the number of people who are following the EWSWA's Facebook page.*
- *Engagement is the number of fan interactions (reactions, comments, shares, clicks, and private messages) with the EWSWA Facebook page.*
- *Impressions are the number of times the EWSWA page has been viewed during the selected period (2022). This includes paid, organic, and viral impressions.*

### **Facebook Publishing:**

- Posts Published: 309
- Posts Reach: 55,959
- Engaged Users: 1,708



## 6.10 Twitter

- Followers: 966
- Engagement: 476
- Users' Activity: 10 am on Tuesday

### **Definitions**

- *Followers are the number of people who are following the EWSWA on Twitter.*
- *Engagement is the number of followers' interactions (likes, replies and retweets) with the EWSWA Twitter profile.*
- *Users' Activity refers to the average days and hours users interacted the most with the EWSWA's content – based on inbox activities (mentions and direct messages).*

### **Twitter Publishing:**

- Tweets Published: 218
- Likes: 204
- Retweets: 253
- Engagement: 457

## 6.11 Instagram

The EWSWA added Instagram to its social media accounts in 2021.

- Followers: 171
- Engagement: 167
- Impressions: 6.2K

### **Definitions**

- *Followers is the number of people following the EWSWA on Twitter.*
- *Number of followers' interactions (likes, saves, comments and direct messages) to the EWSWA Instagram profile.*
- *Impressions is the number of times the EWSWA profile's content has been viewed during the selected period.*

## 6.13 Google – Public Drop Off Depot Statistics

The EWSWA strives to always ensure Google information is up-to-date as many people visit Google for topics like:

- Holiday Closures
- Hours of Operation



- Traffic Flow (heavy traffic / light traffic)
- Photos
- Reviews
- Accepted Materials

During a search, Google logs 'behavior' metrics, as well as the resulting 'action' from the search (a visit to the organization's website, request directions, call, etc.).

**Some key Google statistics for EWSWA's Public Drop Off Depot 'searches'** (statistical average is over 3 months):

- 4.3/5 star rating - based on public reviews
- 4,201 EWSWA business profile interactions
- 26,252 people viewed the EWSWA profile (via mobile 69%, via desktop 22%, via Google maps 8% mobile, via Google maps desktop 1%)
- 10.5K activity (website, calls, photo views, direction requests)

Through "Google Business Profile Manager" (launched in 2018), the EWSWA staff have the ability to post updates (holiday closures, change in hours, photos), as well as post messages and respond to reviews.

## **6.14 Organics Survey**

To comply with Ontario's Food and Organic Waste Policy Statement, which will require certain municipalities in Essex-Windsor to achieve specific reduction and recovery target rates by 2025, the Region will be implementing a new green bin program that will divert organic waste away from our greatest asset, the Essex-Windsor Regional Landfill.

To prepare for this massive waste management program change in Essex-Windsor, the EWSWA partnered with the City of Windsor to create a survey to ask residents about their values, beliefs, behaviours and barriers around a new green bin program. The survey launched on April 18, 2022 through Windsor's SurveyMonkey account and closed on May 31, 2022. This survey was launched just in time for the local Earth Day event to capitalize on high attendance numbers that are historically present at this annual event. It was promoted by all partners, as well as through the EWSWA's: EWSWA.org, e-newsletter, intranet to staff, and social media accounts. The



EWSWA also shared the survey with all of its municipal partners with the intention to reach more local residents through their municipal connections. Other organizations like Devonshire Mall, Essex-Windsor Conservation Authority (ERCA), and YQG Green also promoted this Survey. Finally, paid advertising through Facebook was done to boost overall participation.

The survey was provided to participants at multiple green events such as: Earth Day, on-line Earth Day scavenger hunt via the Goose Chase App, Devonshire Mall clean-up day, and ERCA's tree planting event.

Administration was pleased by the participation at the EWSWA tent at the Earth Day event, as well as, the interest from the public on what a new green bin program would look like. Specifically, there was much dialog around odour and collection frequency, and many discussions around 'why are you waiting so long to launch the organics program?'.

- The survey consisted of nine questions
- A total of 2,534 residents filled out and submitted a complete organics survey
- 75% of residents answered "yes" that they would participate in a curbside green bin collection program

### **6.15 Gold Star Program**

In 2016, the EWSWA launched a new recycling incentive program aimed at increasing public awareness regarding the red and blue box recycling program. Residents were encouraged to apply for a new "Gold Recycling Box" through a program that evaluated their curbside recycling, provided feedback and rewarded successful recyclers with a gold box. The program's ultimate objective is to decrease the amount of contamination being set out by residents and thereby decrease the amount of residual waste leaving the MRFs. The program was renewed in 2017 and 2,050 residents registered for the "Gold Star" program and by 2018, 1,217 more homes were awarded a gold box. Due to the community engagement in this program, it continues to be offered each year to residents. In 2022, 108 more applicants registered for the program and 102 were awarded gold star boxes (6 had no boxes out). To date, 2,769 homes have registered to have their recycling inspected and were rewarded for excellent recycling habits with a Gold Box.



### **6.16 LaSalle Buckslip**

The EWSWA designed a buckslip for inclusion in the Town of LaSalle tax bills for publication in early 2022. The buckslip featured the Recycling Recharge campaign which reminded residents to have their recycling out on time, to separate containers from paper materials, and to look for an Oops Sticker if the recycling box/cart was not collected. The Town of LaSalle printed and delivered the buckslips in the tax bill to approximately 15,000 residences.

## **7 Municipal Hazardous or Special Wastes (MHSW) Program**

### **7.1 MHSW Depots**

The EWSWA opened its Windsor MHSW Depot in October 1995. In addition to the Windsor facility, the EWSWA opened a second MHSW Depot at Transfer Station No. 2 in the Town of Kingsville in 1997. A third depot was opened at the Essex-Windsor Regional Landfill in October 2013. These Depots replaced the annual Household Chemical Waste Days held in Essex-Windsor. A total of 528,135 litres and 108,758 kg of MHSW materials were delivered to the sites in 2022. See Table 15 and 16 for details.

### **7.2 Reuse Centre**

A Reuse Centre has been operational at the Windsor MHSW facility since 1995.

Paint is distributed in both 1-gallon and 5-gallon pails for reuse. According to the records, 1,403 residents accessed the Reuse Centre and took 37,829 products or approximately 54,530 kg of paint and miscellaneous materials in 2022 compared to 23,672 products or 33,954 kg of reusable materials in 2021. It is important to note that due to the Covid-19 pandemic, the Reuse Centre was not open for a portion of 2021.



**Table 15: Municipal Hazardous or Special Waste for 2022 in litres**

Material	MHSW from Facilities	Reuse Centre Quantities	Total
Adhesives/flammable liquids	65,455	10,885	76,340
Aerosols	7,407	988	8,395
Antifreeze (Glycol)	9,599	0	9,599
Corrosive liquid	5,379	1,196	6,575
Inorganic acids	1,715	0	1,715
Paints & Coatings	190,187	37,482	227,669
Pesticides	4,020	459	4,479
Waste oils (used motor oil, hydraulic oil, etc.)	183,488	0	183,488
Cooking oil	9,875	0	9,875
<b>Total MHSW Litres</b>	<b>477,125</b>	<b>51,010</b>	<b>528,135</b>

**Table 16: Municipal Hazardous or Special Waste for 2022 in kilograms**

Material	MHSW from Facilities	Reuse Centre Quantities	Total
Car batteries	22,281	0	22,281
Dry cell batteries	14,628	0	14,628
Fire extinguishers	2,852	0	2,852
Fluorescents/misc. lamps/ballasts	23,794	0	23,794
Inorganic oxidizers	2,394	3,520	5,914
Mercury (HG items)/lead	47	0	47
Pharmaceuticals	2,054	0	2,054
Plastic used oil containers	14,500	0	14,500
Propane cylinders	3,230	0	3,230
Propane tanks/misc. tanks	17,257	0	17,257
Corrosive solids (e.g. cement)	1,467	0	1,467
Waste oil filters	734	0	734
<b>Total MHSW Kilograms</b>	<b>105,238</b>	<b>3,520</b>	<b>108,758</b>



**Table 17: MHSW Diversion Comparison**

	2021 Tonnes	2022 Tonnes
MHSW recycled or reused	670	637
MHSW not recycled	(17)	(16)
<b>Total MHSW Diverted</b>	<b>653</b>	<b>621</b>

Note: Examples of MHSW materials not recycled include: inorganic acids, inorganic oxidizers, pharmaceuticals, corrosive liquids, and pesticides.

### 7.3 Waste Motor Oil

Waste motor oil is collected curbside alongside the residential recycling program. As well, residents are able to deliver waste oil to EWSWA's MHSW facilities. The quantity of waste oil collected during 2022 was 183,488 litres, which is down by 5.1% compared to the 193,375 litres collected in 2021. The quantity of oil collected by month is shown in Table 18 with historical data over four years.

**Table 18: Litres Waste Oil collected**

Month	2019 Litres	2020 Litres	2021 Litres	2022 Litres
January	8,875	13,825	7,950	9,150
February	6,025	5,925	4,300	4,175
March	11,025	11,425	23,625	14,875
April	20,850	19,125	20,700	12,675
May	17,950	6,750	14,625	18,500
June	20,900	21,625	21,950	24,973
July	20,075	23,825	17,000	18,665
August	18,725	20,475	19,250	17,750
September	17,950	26,700	18,775	19,083
October	15,275	20,900	14,850	17,838
November	14,275	18,900	15,925	17,072
December	11,525	15,175	14,425	8,732
<b>Total:</b>	<b>183,450</b>	<b>204,650</b>	<b>193,375</b>	<b>183,488</b>

Note: Due to contractor change in 2021, the data for 2021 and 2022 accounts for all types of oil collected, both hydraulic and motor.



## 7.4 Waste Cooking Oil

Used cooking oil is free for residents to drop off at EWSWA MHSW facilities at the City of Windsor Public Drop Off and the Kingsville Transfer Station #2. Sanimax collects the cooking oil which is then filtered and cleaned, and later marketed to be mixed with diesel fuel to create biodiesel. In 2022, the total amount of cooking oil collected at both sites totalled 9,875 kg or 9.875 tonnes.

## 8 Overall Summary of Residential Diversion Quantities

### 8.1 Residential Waste Diversion

This table below summarizes the residential waste diversion activities detailed in this report.

**Table 19: Residential Waste Diversion Summary**

<b>Residential Waste Diversion Summary</b>	<b>2021 Tonnes</b>	<b>2022 Tonnes</b>
Net Marketed Recyclables (Table 4)	20,312	20,123
Other Recycling Programs (Table 10)	6,462	6,314
Yard Waste, BYC & Mulching Blades (Table 14)	28,877	24,377
MHSW Waste including Waste Oil (Table 17)	653	621
<b>Total Residential Tonnes Diverted</b>	<b>56,303</b>	<b>51,435</b>

Due to rounding, the Total Residential Tonnes Diverted does not equate to the sum of tables 4, 10, 14, and 17.



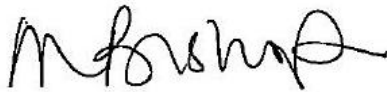
For further information, please contact the undersigned.



**Catharine Copot-Nepszy**

Manager, Waste Diversion

[CCNepszy@ewswa.org](mailto:CCNepszy@ewswa.org)



**Michelle Bishop**

General Manager

[MBishop@ewswa.org](mailto:MBishop@ewswa.org)

Report prepared by:

**Carlie Trepanier**, Administrative Assistant





**Committee Matters: SCM 211/2023**

**Subject: Test Pilot of Garbage Relocation in Ward 3 - City Wide**

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

Decision Number: **ETPS 951**

THAT Administration **BE DIRECTED** to conduct a pilot project in the Pelissier/Victoria alley between Tecumseh Rd. W. and Jackson St, as well as the Dougall/Church alley between Tecumseh Rd. W. and Wahketa St. whereby garbage will be temporarily relocated from alley collection to curbside collection for a minimum of 8 weeks; and,

THAT Administration **REPORT BACK** on the information learned during the pilot project; and,

THAT Administration **BE REQUESTED** to explore the possibility of collecting garbage curbside on Pelissier and Victoria Streets between Elliott Street and Erie Street as part of the pilot project; and that the information **BE PROVIDED** when this report moves forward to City Council.  
Carried.

Report Number: S 82/2023 & C69/2023  
Clerk's File: SW2023

**Clerk's Note:**

1. The recommendation of the Environment, Transportation & Public Safety Standing Committee and Administration are **not** the same.
2. Please refer to Item 8.2 from the Environment, Transportation & Public Safety Standing Committee held on July 26, 2023.
3. To view the stream of this Standing Committee meeting, please refer to:  
<http://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20230726/-1/9420>



**Subject: Test Pilot of Garbage Relocation in Ward 3 - City Wide**

**Reference:**

Date to Council: July 26, 2023  
Author: Anne-Marie Albidone  
Manager, Environmental Services  
519-974-2277 ext. 3123  
aalbidone@citywindsor.ca

Public Works - Operations  
Report Date: July 7, 2023  
Clerk's File #: SW2023

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

**Recommendation:**

THAT Administration **BE DIRECTED** to conduct a pilot project in the Pelissier/Victoria alley between Tecumseh Rd. W. and Jackson St, as well as the Dougall/Church alley between Tecumseh Rd. W. and Wagheta St. whereby garbage will be temporarily relocated from alley collection to curbside collection for a minimum of 8 weeks; and,

THAT Administration **REPORT BACK** on the information learned during the pilot project.

**Executive Summary:**

N/A

**Background:**

At the May 24, 2023 Environment, Transportation & Public Safety Standing Committee, the following resolution was passed:

*That the report of the Manager, Environmental Services dated May 5, 2023 entitled "Move Residential Alley Garbage Collection to Curbside – City Wide" **BE REFERRED** back to Administration to allow for the Administrative report regarding Minimum Alley Maintenance Standards to be brought forward to the Environment, Transportation & Public Safety Standing Committee simultaneously, as soon as possible; and,*

*That information related to a potential test pilot program that would move residential garbage alley collection to curbside, in Ward 3 **BE INCLUDED** in the report.*



This report will address information related to a potential test pilot program only. A separate report regarding Minimum Alley Maintenance Standards has been prepared.

### **Discussion:**

Administration entered into discussions with the City of Windsor's garbage collection provider (GFL Environmental) regarding implementing a pilot project to temporarily shift waste collection from alleys to curbside in specific areas of Ward 3. These targeted areas have posed challenges for garbage collection in the past due to various reasons, such as overgrowth, encroachment issues, alley maintenance issues and illegal activities.

In order to conduct the pilot project without incurring additional collection costs for material changes to the contract, the areas selected had to be serviceable with existing equipment. Alleys that service one-way streets (on both sides of the alley) necessitate a specialized truck, which is not currently included in the existing contract. Therefore, areas such as Victoria/Pelissier from Elliott to Erie could not be considered at this time.

Administration, along with the support of GFL, is recommending the pilot project take place in the Pelissier/Victoria alley between Tecumseh Rd W and Jackson St, as well as the Dougall/Church alley between Tecumseh Rd W and Wakheta St. These alleys have significant issues of overgrowth and encroachment, which result in limited maneuverability for collection vehicles during ingress and egress. Pictures of the condition of these alleys on June 20, 2023 are in Appendix A of this report.

Should Council approve this pilot project, Administration will undertake an intensive 2-3 week education campaign to advise homeowners of the change. The pilot program will be implemented for a minimum of eight (8) weeks; however, it will not coincide with Christmas/New Year collections. After the pilot program has concluded, residents will be instructed to resume placing waste in the alley for collection.

It is estimated that the eight (8) week pilot project would take place sometime within the months of September to October. During the May 24, 2023 Environment, Transportation & Public Safety Standing Committee meeting, Administration advised that the new Waste Collection RFP must be released this fall in order to allow sufficient time for proponents to obtain the equipment needed. Council should note that any information gained from the pilot project will not be known prior to the issuance of the RFP. Therefore, in the absence of direction otherwise, the Waste Collection RFP will include alley collection as it is today.

### **Risk Analysis:**

There is significant risk that residents affected by the pilot project may express dissatisfaction. Administration will attempt to address any concerns raised by residents before and during the pilot project.

There is also risk of confusion during the pilot project, which will make any analysis difficult. Administration will mitigate this risk by providing direct communication with residents affected, well in advance of the change.

Finally, there is significant risk that the pilot project will yield little to no information that could be used to guide Council in a decision regarding collection. A pilot project by definition is a small sample area, therefore no change in the equipment or staffing requirements will be needed to complete the collection. Council is reminded that the



potential savings from relocating waste collection would come from larger vehicles (resulting in a smaller overall fleet and fewer human resources), and reduced wear on alley infrastructure. Neither of these will be realized during a pilot project.

**Climate Change Risks**

**Climate Change Mitigation:**

N/A

**Climate Change Adaptation:**

N/A

**Financial Matters:**

Since GFL Environmental has agreed to participate in this pilot project without deeming it a material change to the contract, there is no financial impact to this pilot project.

**Consultations:**

Lou Ciuro, Business Partner, GFL Environmental Inc.

**Conclusion:**

Moving waste collection services from alley to curb front will assist in the long term maintenance of alleys, and allow for safer, more efficient collection particularly in heavy vegetation growth periods, and in during heavy snow fall. The pilot project in the suggested areas will allow Administration to monitor the impact (such as productivity analysis) of the relocation of services in two areas with significant overgrowth and encroachment issues.

**Planning Act Matters:**

N/A

**Approvals:**

Name	Title
Cindy Becker	Financial Planning Administrator - Operations
Shawna Boakes	Executive Director of Operations
Chris Nepszy	Commissioner, Infrastructure Services
Janice Guthrie	Commissioner, Corporate Services, Chief Financial Officer
Joe Mancina	Chief Administrative Officer

**Notifications:**

N/A

**Appendices:**

1 Appendix A



**Images of the alley between Pelissier and Victoria from  
Tecumseh Rd W to Jackson St**









**Images of the alley between Dougall and Church from  
Tecumseh Rd W to Wahketa**









**Subject: Move Residential Alley Garbage Collection to Curbside - City Wide**

**Reference:**

Date to Council: May 24, 2023  
Author: Anne Marie Albidone  
Manager, Environmental Services  
519-974-2277 ext. 3123  
aalbidone@citywindsor.ca

Public Works - Operations  
Report Date: May 5, 2023  
Clerk's File #: SW2023

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

**Recommendation:**

That Administration **BE DIRECTED** to move residential alley garbage collection to curbside garbage collection wherever possible; and,

That Council **APPROVE** the change in collection location to coincide with the start of the new collection contract (estimated to be in April, 2025).

**Executive Summary:**

N/A

**Background:**

During the 2020 Budget Deliberations, Council approved the following motion:

Decision Number: B9/2020

*"That Administration **BE DIRECTED** to prepare a report for Council's consideration related to options for curbside garbage collection instead of alley collection city wide wherever possible."*

Report C 151/2020 was prepared and presented to the Environment Transportation and Public Safety Standing Committee. The Committee directed:

*"THAT the report of the Manager, Environmental Services dated July 17<sup>th</sup>, 2020 entitled "A Review of Residential Waste Collection in Alleys" **BE DEFERRED** to a future meeting of the Environment, Transportation and Public Safety Standing*



*Committee to allow for Administration to complete the related reports regarding minimum maintenance standards, and;*

*That those reports **BE BROUGHT FORWARD** for consideration at the same Environment Transportation and Public Safety Standing Committee Meeting.”*

While Council directed that the Residential Alley Garbage Collection Report and the Alley Minimum Maintenance Standards report be brought forward for consideration at the same time, Administration is bringing forward the Residential Alley Garbage Collection report separately as it is critical to arrive at a decision with respect to residential alley garbage collection before issuing the next garbage collection tender. Smaller, less efficient trucks are required for alley collection, while larger, more efficient trucks are used for curbside collection. To ensure successful bidding on the City's next tender, bidders must factor in the vehicle size requirements.

Developing Alley Maintenance Standards will be incorporated into the next phase of the City's Asset Management Plan due July 1, 2024. This is the date for municipalities to have an approved asset management plan “**for all municipal infrastructure assets that identifies current levels of service and the cost of maintaining those levels of service**”. This phase is currently in progress.

### **Discussion:**

As Council is aware, there are three (3) waste streams collected in the City of Windsor: garbage, recycling and yard waste. While a majority of residents receive these services at their curbside, some are provided with either one or all three collections in the alley situated behind their homes.

However, collection of garbage in alleys presents several challenges that are not typically encountered on streets, including variations in dimensions, infrastructure conditions, encroachments, illegally parked vehicles, obstruction caused by utility companies' service vehicles, and the presence of hazardous items like needles.

Currently, there are 219 residential blocks with alley garbage collection. Of those, 40 blocks (18%) receive all three (3) waste collection services in the alley and are mainly alleys located on one-way streets. Pick up of garbage on these one-way streets would require specialized equipment not currently specified in the City of Windsor collection contracts.

The remaining 179 blocks (82%) receive only garbage collection in the alley. Recycling and yard waste collection are collected curbside in front of the home.

Collection in alleys requires smaller collection vehicles as smaller vehicles are more maneuverable and able to access areas that larger vehicles cannot. As the collection vehicle used in residential alley collection is smaller, it carries a smaller amount of waste, thus requiring more trips to collect the same amount of waste as a larger collection vehicle. This inefficiency means increased costs, as well as an increase in the environmental impact associated with making more trips to collect the waste.

When garbage is placed curbside, it is generally easier for garbage collectors to access it. Drivers don't have to navigate tight alleys or obstacles to get to the garbage, which



can also reduce the risk of damage to the alley and make garbage collection more efficient. (The collection contractor presently working in the City of Windsor has brought up concerns regarding alleyway collection, citing health and safety as a potential issue. Consequently, there is a possibility of work refusals in the future if the alleys are not adequately repaired and consistently maintained).

In addition, garbage trucks are heavy and over time can cause wear and tear on alley pavement. Moving garbage collection out of residential alleys will help reduce damage to the pavement.

Another benefit to moving residential alley garbage collection to curbside collection is that the (soon to be implemented) organics collection could also be performed curbside – simultaneous to garbage collection – thereby resulting in additional operational efficiencies. Whether organics will be collected alongside garbage depends largely on the decision of the Essex Windsor Solid Waste Authority (EWSWA) regarding the location of the transfer station for organics. If the organic transfer station is located at the same or nearby location as the current waste transfer station, then co-collection of garbage and organics could be considered. However, if the transfer station is located at a separate location further away from the current waste transfer station, co-collection may not be feasible.

It is understood that the decision to move alley garbage collection to the front curbside may be met with some resistance among some residents who rely on alleys for access to their homes and garages. However, residential alleys will not be closed as a result of moving alley garbage collection to curbside. The purpose of relocating residential garbage collection from the alley to curbside is to streamline garbage collection services and make them more efficient. By moving garbage collection to the front curbside wherever possible, the challenges associated with collecting residential garbage in alleys will be reduced resulting in a more reliable and timely service for all residents. In addition, alleys will remain accessible for other uses, such as parking and emergency vehicle access.

Administration will communicate the change in garbage collection to residents well in advance of the change through multiple channels. In addition, monitoring and follow-up by Environmental Services staff will occur after the switch in collection location occurs.

### **Risk Analysis:**

There is the risk of public disapproval for those affected by a change in collection.

However, should Council wish to keep alley collection, the conditions which make alley collection more challenging than curbside collection will remain. Those challenges include being less efficient, differences in dimensions, infrastructure conditions, encroachments, illegally parked cars, utility company's service vehicles blocking the way, presence of needles, etc.

The physical condition of the residential alleys remains a risk. Existing mitigation measures would remain (although at a lesser amount) for the alleys in which garbage collection would need to remain, as it is not practical to move garbage collection out of the alley if it is a commercial alley.



Should Council wish to delay the decision on moving garbage collection out of alleys wherever possible, the next RFP for collection services will require alley collection and any changes to this will not be possible for the term of the contract without invoking a material change.

## **Climate Change Risks**

### **Climate Change Mitigation:**

Curbside collection will allow for larger, more efficient collection vehicles meaning fewer trips between collection points and drop off locations resulting in less vehicle kilometers travelled. More efficient collection should result in a reduction of fuel used and greenhouse gas emissions.

### **Climate Change Adaptation:**

N/A

### **Financial Matters:**

Provincially, waste collection contracts have increased significantly – anywhere from 50% to 80% over the previous contract. This increase is primarily due to rising costs associated with the cost of fuel, equipment and labour.

It is possible that savings could be realized during the next RFP process should garbage collection be moved out of the alley. The current contract is very specific to the size of trucks used, requiring one of the smallest compaction vehicles on the market, to accommodate alley collection. However, these small vehicles are not frequently utilized and are frequently challenging to obtain. The cost to purchase the smaller vehicles are not significantly less than the larger vehicles, yet will require more fuel and labour costs to operate.

A similar contract without truck size specification could result in a more competitive bid compared to a contract specifying the current collection vehicles, as it would allow bidders to use larger, more efficient vehicles. As previously mentioned, garbage collection curbside could also lead to cost efficiencies with organic collection.

### **Consultations:**

Rob Slater, Executive Initiatives Coordinator

Cindy Becker, Financial Planning Administrator – Public Works

Karina Richters, Supervisor Environmental Sustainability & Climate Change

### **Conclusion:**

Administration recommends changing as many residential alley garbage collection points as possible to curbside garbage collection. Relocating garbage collection from alleys is not linked to the closure of alleys. Instead, it is connected with enhancing operational effectiveness.



If Council approves the change, the move to curbside garbage collection will be implemented at the commencement of the next contract as there are significant costs related with relocating garbage collection from alleys to the front of the property under the existing contract. Moving residential alley garbage collection to the curbside would result in significant cost savings, which would help partially offset the expected substantial contract price increase.

**Planning Act Matters:**

N/A

**Approvals:**

Name	Title
Cindy Becker	Financial Planning Administrator – Public Works
Shawna Boakes	Executive Director of Operations
Chris Nepszy	Commissioner, Infrastructure Services
Tony Ardovini	Acting Commissioner, Corporate Services/Chief Financial Officer
Joe Mancina	Chief Administrative Officer

**Notifications:**

Name	Address	Email

**Appendices:**



Issues with front Yard garbage collection in Walkerville.

It's come to my attention that the city is considering moving refuse collection from the alley to front yards in Walkerville and beyond. As a 14 year resident of Walkerville, I urge you to reject this proposal for the following reasons:

1. Built form

Walkerville is not like the rest of the city. It's important that we have a waste collection solution that fits the urban form of our community. Our neighbourhood has a traditional built form and for well over 100 years refuse has already be collected at the rear.

Townhomes – not all townhomes have side yard access! See Fig. 1

Issues/Risks:

- a. storage of refuse bins in front yards/front porches. Storage of recycling bins in front yards or on porches is already a common problem in our neighborhood – see fig. 2. This proposed change will only exasperate the problem – see fig 3 and 4 (Toronto).
- b. difficulty bringing refuse bins from year yard/garages to front (seniors, people with mobility issues, general population (carry refuse bins through home?))

Garages – homes of all types (single family, semis, towns) all typically have rear facing garages or garages located at the rear of the property.

Issues/Risks:

- a. most people store refuse and recycle bins in garages or sheds, in common suburban areas garages face the street and are more commonly located toward the front of the property, in Walkerville garages are located at the rear of the property and therefore it's difficult for people in any home type to carry bins to the street.

2. Urban realm

Walkerville has a robust alley network, these alleys intended as a service space, it's where garages and automobile storage takes place, where utilities are placed and where refuse is collected, the purpose of alleys is to hide the "ugly stuff" from the public realm (the street). This is a major amenity in our community, not unlike Southwood Lakes, Walkerville residents choose their community because of the amenities that have existed in our community for well over 100 years, removing an amenity such as alley refuse pickup is no different than the expectation of Southwood Lakes residents who fought to maintain the light standards used in our community.

3. Future Considerations



- a. removing alley pickup has implications for future development. As Walkerville is poised to see new infill development, alley pickup of refuse is critical to service new urban developments compatible with Walkerville's unique urban form.
- b. Compost collection – once compost collection starts in Windsor-Essex it's critical we keep collection points at the rear of homes for the reasons explained above, in fact it would be ideal if recycling could be moved to the rear as well.

Fig. 1 – Townhomes without side yard access:



Fig. 2 – A common sight – recycle bins stored on front porches

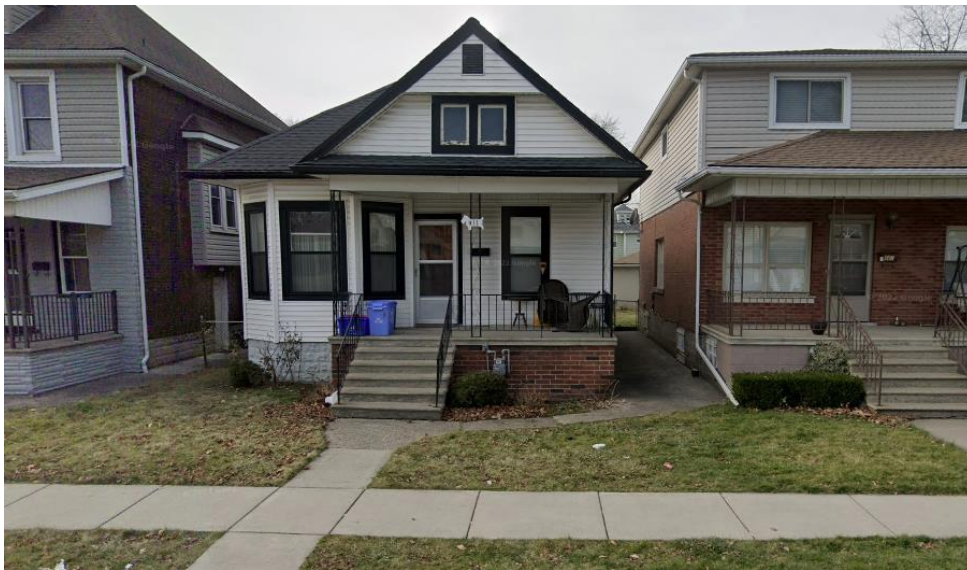




Fig. 3 – A Toronto problem – Do we really want this here?

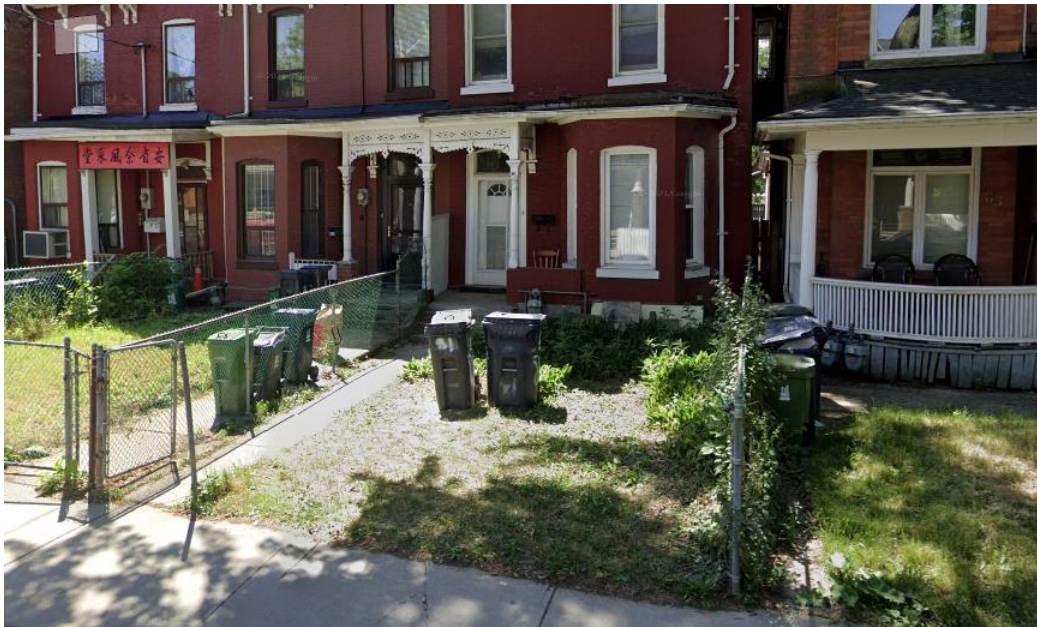
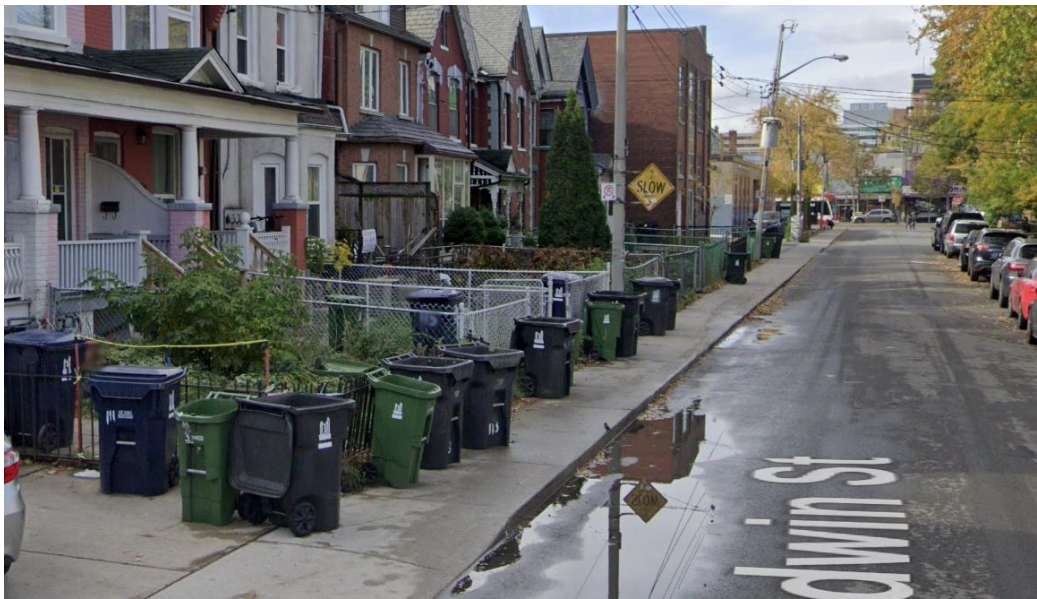


Fig. 4 – A Toronto problem – Do we really want this here?





**May 24, 2023**

**Environment, Transportation & Public Safety Standing Committee**  
**Item 8.1 – Written Submission**

**From:** Marty Bevan  
**Sent:** May 24, 2023 11:05 AM  
**To:** Stuart, Kelly <[kstuart@citywindsor.ca](mailto:kstuart@citywindsor.ca)>  
**Subject:** Re: Link for report

Hi Kelly,

My main concern is poor care and control of garbage in alleys. And, if we aren't leaving it in the Alley for collection, we really should be keeping it in our own personal spaces until garbage day.

I would be suggesting that we keep our garbage containers in our yard until pick up day. Not in the alleys, which is as far as one can get the garbage from their homes, but also available for our less fortunate to rummage through creating more work for homeowners.

If we are forced to keep the garbage in our own yards, we are more responsible for its care and control.

If someone comes into our property and makes a mess rummaging for their survival, we are more likely to clean it up immediately. Less accessibility for rats, less blaming our less fortunate, cleaner alleys that are more enjoyable to access one's yard, or even to use for block parties! That's a lot of wins.

Thank you,

Marty Bevan  
1251 Monmouth Road.



**Subject: Additional Information re: S 82/2023 Test Pilot of Garbage Relocation in Ward 3 - City Wide and C 69/2023 Move Residential Alley Collection to Curbside - City Wide**

**Reference:**

Date to Council: September 5, 2023  
Author: Anne-Marie Albidone  
Manager, Environmental Services  
aalbidone@citywindsor.ca  
519-974-2277 ext. 3123

Report Date: 8/11/2023  
Clerk's File #: SW2023

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

**Additional Information:**

On July 26, 2023 the Environmental, Transportation and Public Safety Standing Committee moved the following:

Administrative recommendation; and,

That Administration **BE REQUESTED** to explore the possibility of collecting garbage curbside on Pelissier and Victoria streets between Elliott Street and Erie Street as part of the pilot project; and that the information **BE PROVIDED** when this report moves forward to City Council.

This report serves to address the supplemental information requested.

Between Elliott Street and Erie Street traffic on Victoria Avenue travels one way going south, while traffic on Pelissier travels one way going north. As stated in report C 69/2023 *Move Residential Alley Collection to Curbside*, collection at curbside for both Victoria and Pelissier would require a specialized vehicle that the established collection contractor does not have in the existing fleet. It is, however, possible to collect the homes on (*street*) only at curbside, in a similar fashion to the method the recycling in this alley is currently collected. The contractor has advised doing so could be considered a material change to the contract, and financial compensation would be sought should the change result in any additional time commitment during the 8-week pilot project. The magnitude of the financial impact will only be known after the pilot project. In previous special collections, the City of Windsor has incurred hourly rates in the range of \$150 to \$175. Therefore, for each additional hour the pilot project takes, over an 8-week period, the financial impact could be in the range of \$1,600 plus taxes.



Administration cautions that moving garbage out of one side of an alley only, may not result in any measurable difference in the condition of that alley.

Furthermore, Council is reminded the results from the pilot project will not be known prior to the issuance of the next RFT for collection services, which must be issued this fall. Should no changes to alley collection be directed at this time, the next opportunity Council will have to move garbage out of alleys will be around 2030.

**Approvals:**

<b>Name</b>	<b>Title</b>
Cindy Becker	Financial Planning Administrator – Operations
Shawna Boakes	Executive Director of Operations
Chris Nepszy	Commissioner, Infrastructure Services
Janice Guthrie	Commissioner, Corporate Services, Chief Financial Officer & City Treasurer
Joe Mancina	Chief Administrative Officer

**Appendices:**





**Committee Matters: SCM 212/2023**

**Subject: Response to CQ27-2021 - All-Way Stop Warrant - City Wide**

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

Decision Number: **ETPS 950**

THAT the All-Way Stop policy **REMAIN** status quo for the time being; and,

THAT the report of the Senior Manager, Traffic Operations dated June 5, 2023, entitled "Response to CQ27-2021—All Way Stop Warrant-City Wide" as well as any changes to the All-Way Stop Policy **BE DEFERRED** to a future meeting of the Environment, Transportation & Public Safety Standing Committee to be considered in conjunction with the Vision Zero Report.

Carried.

Report Number: S 70/2023  
Clerk's File: SW2023 & ACOQ2023

**Clerk's Note:**

1. The recommendation of the Environment, Transportation & Public Safety Standing Committee and Administration are **not** the same.
2. Please refer to Item 8.1 from the Environment, Transportation & Public Safety Standing Committee held on July 26, 2023.
3. To view the stream of this Standing Committee meeting, please refer to:  
<http://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20230726/-1/9420>



**Subject: Response to CQ27-2021 - All-Way Stop Warrant - City Wide**

**Reference:**

Date to Council: July 26, 2023

Author: Ian Day

Senior Manager, Traffic Operations & Parking (A)

519-255-6247 x6053

Public Works - Operations

Report Date: June 5, 2023

Clerk's File #: SW2023 & ACOQ2023

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

**Recommendation:**

THAT Council **APPROVE** the updated All-way Stop Policy as listed in Appendix B.

**Executive Summary:**

N/A

**Background:**

At the meeting of City Council on November 15, 2022, Councillor Costante asked CQ27-2021 as follows:

*"Asks that Administration report back on opportunities to amend the warrant matrix and incorporate additional factors when determining the installation of 4-way stops in our residential neighbourhoods. This may include certain factors in the warrant threshold be lowered or amended, and may also include other factors such as petitions and school zones to be incorporated in the overall matrix."*

This report is provided in response to the Councillor's question.

During the preparation of this report, Administration conducted a review the current All-way Stop Policy. (Coincidentally, the current All-way Stop policy, approved in 2005, was identified by the Corporate Policy Coordinator as being among several policies in need of review).

The current policy approved by Council in 2005 (**Appendix A**) directed:

*That Council **APPROVE** the recommended updated All-way Stop warrants and policy as listed in Appendix A.*



*That Council **REFER** all requests for All-way Stops relating to speeding to the upcoming Traffic Calming Policy for evaluation and investigation of traffic calming alternatives.*

*That Council **APPROVE** Option B in Appendix B for hearing and reviewing All-way Stop Requests, commencing in late October 2005. (Option B does not include an All-way Stop Committee and all-way stop requests are brought directly to a special meeting of Council in either May or October for final decision)..*

### **Discussion:**

The City's current All-way Stop policy does not reflect the latest criteria for all-way stops as outlined in the Ministry of Transportation's *Ontario Traffic Manual - Book 5, Regulatory Signs* which was (updated) in December 2021. For reasons which will be explained further in this report, Administration is recommending the city's current warrant matrix be amended to mirror the warrants identified in the *Ontario Traffic Manual – Book 5, Regulatory Signs* and that Council approve the attached updated All-way Stop Policy (**Appendix B**).

In the past, installing all-way stops were seen as the solution to many traffic problems.

However, *unwarranted* all-way stop controls often result in the following:

- **Reduced effectiveness.** The overuse and misuse of stop control devices lowers the effectiveness of other traffic control devices.
- **Poor stop sign compliance.** Motorists familiar with the intersection will not come to a complete stop, instead, reduce their travel speed, and accelerate through the intersection when no opposing traffic is observed.
- **False sense of security.** Disregard for the "Stop" signs may decrease safety. Pedestrians may be lured in to the false sense of security by the presence of a "Stop" sign by assuming motorists will stop.
- **Collisions** – an all-way stop can increase the number of rear-end and fixed object collisions, especially if there is a high volume of traffic being required to stop unnecessarily. (A quick analysis of all-way versus 2 way stop controls in the City of Windsor indicates that there is a higher ratio of incidents at all-way stops. An in-depth analysis would be required to determine the root cause, however a high level review was done for three areas in the City and in 2 of those areas, there was a higher ratio of incidents at the all-way stops).
- **Speeding** - the unnecessary delay from a stop sign results in motorists increasing their travel speed between intersections to make up for the perceived time lost. Average speeds actually increase between intersections with stop signs. Residents in the middle of the block could experience higher than previous speeds as studies indicate an increase in speeds mid-blocs on either side of the stop control.
- **Emergency Response** - response time for emergency services vehicles is negatively impacted because they are required to come to a complete stop at all



stop signs as per the Highway Traffic Act. Therefore, adding stop signs to residential areas in particular will increase the response of both Fire and Ambulance services to residential calls.

- **Noise and Air Pollution** – residents living nearest to the intersection experience an increase in traffic noise from vehicles stopping and accelerating (braking noise and engine noise). Stopping and accelerating also increases environmental emissions and fuel consumption.

In 2005, a review at that time of the City's All-way Stop policy found that, by and large, the City of Windsor's policy had the most generous warrants for meeting the requirements for an All-Way Stop in Ontario. (At that time, it was estimated that there were 135 unwarranted all-way stops in the City). Further, it noted that *"the policy was inconsistent with the trends and focus of other municipality's policies and was deficient in many of the more progressive aspects of other policies relating to environmental responsibility, driver and pedestrian safety and maintaining sustainable and efficient transit services"*.

Based on the significant volume of all-way stops that were being installed in the City and calls from residents that drivers were not stopping on stop signs, Council approved a policy and warrant procedure with regard to all-way stops that was inline with other municipalities, industry standards and guideline recommendations at that time.

However, since then, other significant tools and practices to deal with speeding or pedestrian safety have been developed and effectively implemented. Such measures are outlined in various policies including the School Neighbourhood Policy, the Traffic Calming Policy, etc., and include:

• Speed humps or tables	• Lane narrowing
• Textured crosswalks	• Traffic circles
• Raised crosswalks	• Directional closures
• Raised intersections	• Speed feedback signs
• Raised median islands	• Lower speed limits
• Curb radius reductions	• Movement restrictions
• Curb or sidewalk extensions	

The items noted above, while addressing speeding and/or pedestrian safety, importantly also eliminate the installation of an otherwise unwarranted all-way stop.

In order to reduce the installation of additional unwarranted all-way stops, Administration recommends adopting the updated All-way Stop Policy as listed in Appendix B, which mirrors *Ontario Traffic Manual - Book 5, Regulatory Signs* as it pertains to all-way stops. The Ontario Traffic Manuals are developed using the Transportation Association of Canada's, Manual on Uniform Traffic Control Devices Canada document, which is the Canadian version of the Manual on Uniform Traffic Control Devices as developed by the US Federal Highway Administration.



The purpose of the Ministry of Transportation's (MTO) Ontario Traffic Manual (OTM) is *"to provide information and guidance to transportation practitioners and to promote uniformity of treatment in the design, application and operation of traffic control devices and systems across Ontario. The objective is safe driving behaviour, achieved by a predictable roadway environment through the consistent, appropriate application of traffic control devices."*

By adopting *Ontario Traffic Manual - Book 5, Regulatory Signs* regarding All-way stop controls, a predictable roadway environment for drivers and pedestrians alike is supported.

It is in this context as well as the earlier identified concerns regarding unwarranted all-way stops that Administration does not recommend amending the warrant matrix to incorporate other factors such as petitions or school zones or lowering warrant threshold. As noted earlier in the report, there are now additional effective tools and practices to deal with speeding or pedestrian safety.

### ***Ontario Traffic Manual - Book 5, Regulatory Signs – All-way Stops***

Regarding the installation of all-way stops, the *Ontario Traffic Manual - Book 5, Regulatory Signs* states all way stops ***MUST NOT*** be used:

- As a speed control device.

With respect to all-way stops, the *Ontario Traffic Manual - Book 5, Regulatory Signs* states that all-way stop controls ***should be considered only under the following situations:***

- As an interim measure, where traffic control signals are warranted but cannot be implemented immediately;
- At locations having a high collision frequency where less restrictive measures have been tried and found inadequate; or
- As a means of providing a transition period to accustom drivers to a change in intersection right-of-way control from one direction to another.

With respect to all-way stops, the *Ontario Traffic Manual - Book 5, Regulatory Signs* states that all-way stop controls ***should not*** be used under the following conditions:

- Where the protection of pedestrians, school children in particular, is a prime concern. This concern can usually be addressed by other means;
- On roads where progressive signal timing exists;
- On roads within urban areas having a posted speed limit in excess of 60 km/h;
- At intersections that are not roundabouts having less than three, or more than four, approaches;



- At intersections that are offset, poorly defined or geometrically substandard;
- On truck or bus routes, except in an industrial area or where two such routes cross;
- On multi-lane approaches where a parked or stopped vehicle on the right will obscure the STOP sign;
- Where traffic would be required to stop on grades;
- As a means of deterring the movement of through traffic in a residential area;
- Where visibility of the sign is hampered by curves or grades, and insufficient safe stopping distance exists; or
- Where any other traffic device controlling right-of-way is permanently in place within 250m, with the exception of a YIELD sign.

Under the *Ontario Traffic Manual - Book 5, Regulatory Signs*, the criteria for an all-way stop are as follows:

***All-way Stop Minimum Volume Warrant (Arterial and Major Roads)***

*All-way stop control may be considered on major roads where the following conditions are met:*

- *The total vehicle volume on all intersection approaches exceeds 500 vehicles per hour for each of any eight hours of the day;*
- *The combined vehicular and pedestrian volume on the minor street exceeds 200 units per hour (all vehicles plus pedestrians wishing to enter the intersection) for each of the same eight hours, with an average delay to traffic on the minor street (either vehicles or pedestrians wishing to enter the intersection) of greater than 30 seconds; and*
- *The volume split does not exceed 70/30. Volume on the major street is defined as vehicles only. Volume on the minor street includes all vehicles plus any pedestrians wishing to cross the major roadway.*

***All-way Stop Minimum Volume Warrant (Minor Roads)***

*All-way stop control may be considered on minor roads where the following conditions are met:*

- *Total vehicle volume on all intersection approaches exceeds 350 for the highest hour recorded; and*



- *Volume split does not exceed 75/25 for three-way control or 65/35 for four-way control. Volume is defined as vehicles only.*

### **All-way Stop Collision Warrant**

*For the purposes of this warrant, a high accident frequency is an average of four collisions per year over a three-year period. Only those accidents susceptible to relief through multi-way stop control must be considered (i.e., right angle and turning type collisions).*

*Included in this warrant are those locations where visibility problems exist which limit the safe approach speed to less than 15 km/h, thereby creating an unreasonable accident potential. Special advance warning or overhead flashing lights may be necessary to augment the control if vertical or horizontal alignment is a factor.*

**Appendix B** contains the proposed All-way Stop policy.

### **Risk Analysis:**

Unwarranted all-way stops often result in reduced effectiveness of other traffic control devices, result in overall poor stop sign compliance, create a false sense of security for pedestrians, increase the number of rear-end and fixed object collisions, increase instances of mid-block speeding, delay emergency vehicle response times and increase noise and air pollution

### **Climate Change Risks**

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

All-way stops increase greenhouse emissions. As noted in Council Report 11541, the greenhouse gas emissions related to one all-way stop is;

657 kg of hydro carbons

8,760 kg of carbon monoxide

675 kg of nitrogen oxide

65,700 kg of carbon dioxide

(Source: Ministry of Municipal Affairs and Housing)

There are currently 230 all-way stops in the City, totalling the emissions at 17,432,160 kg (17,432.16 metric tonnes).

The addition of even one unwarranted all-way stop has a significant effect on greenhouse gas emissions in the City



**Climate Change Adaptation:**

N/A

**Financial Matters:**

There are no immediate financial implications with adopting the proposed All-way Stop policy (Appendix B) which will eliminate the installation of additional unwarranted all-way stops.

With respect to all-way stops, the cost per sign for installation can cost between \$250 and \$1,000 depending on the underground conflicts. Therefore, to upgrade a typical 2-way or 1-way stop to an all-way stop costs the City in the range of \$2,000 per location. On-going maintenance for the additional signs is \$500 per sign/year.

Stop signs are considered regulatory signs and under the Minimum Maintenance Standards, they require immediate attention when damaged. This means that after hour emergency call outs to staff will increase, hence further increasing overtime/maintenance costs. These costs are difficult to predict and are non-recoverable.

Ongoing sign maintenance is included in the Traffic Operations annual operating budget. Should there be a need for additional funding as a result of the implementation of this policy, a budget issue will be brought forward. At this time, the annual amount is considered reasonable and appropriate.

**Consultations:**

Jeff Hagan, Senior Transportation Planning Engineer

Cindy Becker, Financial Planning Administrator – Public Works

Barry Horrobin, Director of Planning & Physical Resources

Dana Paladino, Deputy City Solicitor – Purchasing, Risk Management and POA

Rob Slater, Executive Initiatives Coordinator

**Conclusion:**

Administration recommends adopting an updated All-way Stop Policy as listed in Appendix B, which mirrors the *Ontario Traffic Manual - Book 5, Regulatory Signs*. By adopting this policy, a predictable roadway environment for drivers and pedestrians is supported.

Amending the warrant matrix to incorporate other factors such as petitions or school zones or lowering the warrant threshold is not recommended as other effective tools and practices are available to deal with speeding or pedestrian safety

**Planning Act Matters:**

N/A



**Approvals:**

<b>Name</b>	<b>Title</b>
Cindy Becker	Financial Planning Administrator – Public Works - Operations
Shawna Boakes	Executive Director of Operations
Chris Nepskzy	Commissioner, Infrastructure Services, City Engineer
Janice Guthrie	Commissioner, Corporate Services, City CFO/ Treasurer
Joe Mancina	Chief Administrative Officer

**Notifications:**

<b>Name</b>	<b>Address</b>	<b>Email</b>

**Appendices:**

Appendix A – Previous All-Way Stop Warrant Policy/Report

Appendix B – Proposed New All-Way Stop Policy & Warrant Checklist



## **Appendix A**

### **Previous All-Way Stop Warrant Policy/Report**

Proposed All Way Stop Warrants (2005) .....	2
Additional Notes to be included with Policy .....	3
Option 1: New All Way Stop Committee – Procedure .....	4
Option 2: Special Meeting of Council Twice Per Year – Procedure .....	5



Proposed All Way Stop Warrants

Warrant Group	Minimum Warrants	Information	Warrant Compliance Yes / No
Warrant Group 1	If location satisfies either a or b, then an all way stop is warranted.		
	a) Traffic Signals are warranted, all way stop used as a temporary measure.		
	b) Average of three accidents per year over a three year period of a type susceptible to correction by such an installation.		
Warrant Group 2	If location does not satisfy either c, d, and e then all way stop is not permitted.		
	c) If the proposed location is on a Transit Route (Proposed or Existing) or Truck Route, then no all way stop will be permitted.		
	d) If proposed location is within 250 metres of another right of way control measure (Traffic Signal, Other All Way Stop etc) then no additional all way stop will be permitted.		
	e) If the proposed location is not between two "like" classifications of roads, then an All Way Stop will not be permitted. (Example: Intersections between Arterial Roads and Collector Roads or Local Roads will not be permitted to have an All Way Stop.)		
Warrant Group 3	Proposed location must meet the following combination of Traffic Volume criteria to warrant an all way stop.		
	f) Total vehicular volume from all directions is 250 vehicles per hour or more.		
	and satisfies either "i" or "ii"		
	i) Combined vehicular and pedestrian volume crossing the main street (direction with majority of traffic) is 150 units per hour or more.		
	Or		
	ii) The pedestrian volume crossing the main street exceeds 200 units over an 8 hour period.		
	and satisfies condition g		
	g) The volume of traffic on all directions represents a direction split less than or equal to 65% on main road and 35% on the minor road.		

Explanation:

- a) If the proposed location meets the warrants in group 1, then the all way stop will be granted regardless of the remaining warrants.
- b) If the proposed location does not meet the warrants in group 1, and does not satisfy the conditions in group 2 then an all way stop will not be permitted regardless of the outcome of the remaining warrants.
- c) If the proposed location does satisfy the conditions in group 2, and does not meet the warrants in group 3, then an all way stop will not be permitted.
- d) If the proposed location does satisfy the conditions in group 2, and does meet the combination warrants in group 3, then an all way stop will be permitted.
- e) If the proposed location doesn't satisfy the conditions in group 2, and does not meet the combination warrants in group 3, but there are inadequate sight lines/visibility or poor road geometry, special consideration may be given for stop installation.



Additional Notes to be included with Policy:

a) All Way Stops are not be used as a method of speed control. All Way Stops have been proven to increase mid block speeds, and have been known to reduce overall compliance of All Way Stops. All Way Stop requests pertaining to speed control will be directed for potential evaluation for Traffic Calming following the Traffic Calming Policy.

b) All Way Stops will result in an increase in noise and air pollution in the general vicinity of the location and in the neighbourhood at large.

c) At a typical four way stop, the following emissions are released collectively, from all vehicles traveling through a stop each year:

657 kg of hydro carbons

8,760 kg of carbon monoxide

675 kg of nitrogen oxide

65,700 kg of carbon dioxide

(Data Provided by the Ministry of Municipal Affairs and Housing)



Option 1: New All Way Stop Committee – Procedure

A new committee of Council is created to hear All Way Stop requests. The proposed committee would be made up of 5 Council members, one from each ward and the remaining 5 Council members would trade every six months. The Committee would hear requests twice per year, once in May and once in October. The Committee can vote and make a decision but decisions not favorable to the resident may still be brought to Council as a whole.

- a) Resident makes formal request to administration to study the need for an all way stop.
- b) Resident obtains necessary petition signatures within prescribed area.
- c) Administration performs warrant study based on the warrants attached.
- d) Administration reports back to resident regarding results.
  - IF All Way Stop is warranted then report is brought to committee for approval of new all way stop.
  - IF All Way Stop is not warranted then requester is notified that the requested All Way Stop does not meet the prescribed warrants.
- e) Resident then has two choices:
  - i. Resident appears at All Way Stop Committee meeting noting the special circumstances why an All Way Stop should be approved. (Special circumstances cannot include speeding issues or short cutting traffic. Concerns such as those should be brought forward as a request for a review for traffic calming.)
  - ii. End pursuance of All Way Stop because the location did not meet the warrants.
- f) All Way Stop committee will convene to vote on All Way Stop requests
  - If Committee decides to approve the All Way Stop, a minor by-law amendment will be drafted for CAO Approval (Delegated Authority).
  - IF Committee decides not to approve All Way Stop resident has two choices:
    - i. Resident may request that the All Way Stop request be brought to Council for further consideration.
    - ii. Resident may end pursuance of an All Way Stop because committee did not approve of the All Way Stop.
- g) Resident brings All Way Stop request to Council.
- h) Council makes final decision.
  - i. IF Council approves the All Way Stop, a minor by-law amendment will be drafted for CAO Approval (Delegated Authority).
  - ii. IF Council does not approve All Way Stop, no all way stop will be erected.



Option 2: Special Meeting of Council Twice Per Year – Procedure

At a special meeting of Council or prior to a regular Council meeting all way stops will be heard twice per year. These special meetings would occur once in May and once in October.

- a) Resident makes formal request to administration to study the need for an all way stop.
- b) Resident obtains necessary petition signatures within prescribed area.
- c) Administration performs warrant study based on warrants attached.
- d) Administration reports back to resident regarding results.
  - i. IF All Way Stop is warranted then report is brought to Council for approval of new all way stop.
  - ii. IF All Way Stop is not warranted then requester is notified that the requested All Way Stop does not meet the prescribed warrants.
- e) Resident then has two choices:
  - i. Bring request to Council noting special circumstances why All Way Stop should be approved (Special circumstances cannot include speeding issues or short cutting traffic. Concerns such as those should be brought forward as a request for a review for traffic calming.)
  - ii. End pursuance of All Way Stop because the location did not meet the warrants.
- f) Resident brings All Way Stop request to special meeting of council either in the Spring or the Fall.
- g) Council makes final decision.
  - i. IF Council approves the All Way Stop, a minor by-law amendment will be drafted for CAO Approval (Delegated Authority).
  - ii. IF Council does not approve All Way Stop, no all way stop will be erected.



**Appendix B**

**Proposed New Policy & Warrant Checklist**

All-Way Stop Policy ..... 2-4  
Warrant Checklist ..... 5-6



## THE CORPORATION OF THE CITY OF WINDSOR POLICY

Service Area:	<b>Public Works</b>	Policy No.:	
Department:	<b>Traffic Operations</b>	Approval Date:	
Division:	<b>Operations</b>	Approved By:	
		Effective Date:	
Subject:	<b>All Way Stop Policy</b>	Procedure Ref.:	
Review Date:		Pages:	Replaces:
Prepared By:	Ian Day		Date:

### 1. POLICY

1.1. This policy establishes the all way stop review and approval or denial procedure.

### 2. PURPOSE

2.1. To define the process for the review, and approval or denial of an all way stop control in the City of Windsor.

2.2. To ensure public safety as it pertains to the use of stop controls.

2.3. To ensure adherence to Provincial and National standards and guidelines as it pertains to the use of stop controls.

### 3. SCOPE

3.1. This policy applies to any City of Windsor Department reviewing, approving and/or installing stop controls within the public right-of-way.

### 4. RESPONSIBILITY

4.1. City Council is responsible for:

4.1.1. The final approval and any amendments of the All Way Stop Policy.

4.1.2. To approve funding to install and maintain all ways stops.

4.2. Standing Committees are responsible for:

4.2.1. Reviewing and approving the All Way Stop Policy and any amendments and forwarding committee reports with recommendations to City Council for final approval.

4.3. The Chief Administrative Officer (CAO) is responsible for:

4.3.1. Providing approval of the Street Lighting Policy and any amendments to the Standing Committee Level.

4.3.2. Approving by-law amendments (Delegated Authority) to the Traffic By-Law after the installation of an all way stop.



**4.4. Corporate Leadership Team (CLT) is responsible for:**

- 4.4.1. Providing approval of the development of the All Way Stop Policy and any amendments prior to the CAO for their authorization.

**4.5. Department Head, Senior Manager or Manager is responsible for:**

- 4.5.1. Reviewing the All Way Stop Policy to determine whether updates are required.
- 4.5.2. Determine the need of the policy.
- 4.5.3. Consult with other relevant stakeholders.
- 4.5.4. Forward the proposed policy and accompanying report to the CLT for approval.
- 4.5.5. Oversee the all way stop reviews and warrant results.
- 4.5.6. Approving the installation of a new all way stop, removal of an existing all way stop and / or reversal of an existing two way stop when the location meets warrant.

**4.6. Traffic Technician is responsible for:**

- 4.6.1. Receiving resident request for new all way stop.
- 4.6.2. Completing necessary efforts to collect data for a warrant review and completing the warrant checklist.
- 4.6.3. Make recommendation to Department Head, Senior Manager or Manager with regards to the results of a warrant.
- 4.6.4. Reviewing existing stop controls on an on-going basis to assess the continued need for all way stops or to determine what changes are necessary for increased public safety (i.e. reversal of stop control).

**4.7. Transportation Technologist I is responsible for:**

- 4.7.1. Preparing report with required by-law amendments for new all way stop, or removal or reversal of an existing all way stop based on the warrant and All Way Stop Policy.

**5. GOVERNING RULES AND REGULATIONS**

**5.1. NEW ALL WAY STOP REQUEST**

- 5.1.1. A resident makes a formal request to administration to study the need for an all way stop. OR Administration identifies the need for an all way stop review due to an internally driven safety review.
- 5.1.2. Administration collects data required and completes a warrant for the location requested. Traffic volumes within the past 3 years are acceptable for the review of this warrant, where existing data is older than 3 years, new data is to be collected.
- 5.1.3. Administration reports back to the resident through the 311 Service Request, with the results of the review
- 5.1.4. If the all way stop is warranted, a by-law update and associated report will be brought to the CAO and the all way stop is installed.



- 5.1.5. If the all way stop is unwarranted, end pursuance of the all way stop because the location does not meet the warrant.

## **5.2. ALL WAY STOP REMOVAL**

- 5.2.1. A resident makes a formal request to administration to study to need to remove an all way stop. OR Administration performs a review of an all way stop and determines that significant changes have been made in the area to change the need for an all way stop.
- 5.2.2. If the all way stop is unwarranted, a by-law update and associated report will be brought to the CAO and the all way stop is removed, leaving the stop control on the lower volume roadway. Administration shall review all other safety factors at the intersection to ensure proper sightlines and parking removal is appropriate and make changes as needed prior to removal.
- 5.2.3. If the all way stop is warranted, end pursuance of the all way stop removal and the all way stop shall remain in place.

## **5.3. REVERSAL OF A STOP CONTROL**

- 5.3.1. The reversal of a stop shall be reviewed using the All Way Stop Control Warrant Checklist, specifically reviewing the roadway traffic volumes and classifications.
- 5.3.2. A resident makes a formal request to administration to study to need to reverse a stop control. OR Administration performs a review of an all way stop and determines that significant changes have been made in the area to change the need for the direction of the stop control.
- 5.3.3. If the reversal of the two way stop is warranted, a by-law update and associated report will be brought to the CAO and the two way stop is reversed. Administration shall review all other safety factors at the intersection to ensure proper sightlines and parking removal is appropriate and make changes as needed prior to reversal.
- 5.3.4. If the all way stop is warranted, end pursuance of the all way stop removal and the all way stop shall remain in place.

## **6. RECORDS, FORMS AND ATTACHMENTS**

- 6.1. All Way Stop Warrant Checklist attached.



Warrant Group	Minimum Warrants	Notes	Warrant Compliance Yes / No
Warrant Group 1	If location satisfies either a or b, then an all way stop is warranted.		
	a) Traffic Signals are warranted, all way stop used as a temporary measure.		
	b) Collision Ratio of either (highest classification of roadway applies): One approach is a local OR collector road – average of 3 accidents per year over a 3 year period of a type susceptible to correction by such an installation (9 in 36 months). One approach is an arterial road – average of 4 collisions per year over a 3 year period of a type susceptible to correction by such an installation (12 in 36 months). Note 1.		
Warrant Group 2	If location satisfies all conditions c, d, and e, then an all way stop is warranted.		
	c) If the proposed location is on a Transit Route (proposed or existing), has on-street bikeways (proposed or existing) on the currently uncontrolled road or Truck Route, then no all way stop should be permitted *Note 2.		
	d) If proposed location of the new traffic control device is within 250 metres of another right of way control measure (Traffic Signal, Other All Way Stop, etc.) than no additional all way stop should be permitted. *Note 2.		
Warrant Group 3	Proposed location must meet the following combination of Traffic Volume criteria to warrant an all way stop.		
	e) Total vehicular volume from all directions is either (highest classification of roadway applies): One approach is an Arterial Road - 500 (vehicles per hour, highest 8 hours) One approach is a Collector Road - 375 (vehicles per hour, highest 8 hours) Both approaches are Local Roads – 200 (vehicles per hour, highest 4 hours)		
	And		
	f) Combined vehicular and pedestrian volume crossing the main street (direction with majority of traffic) is either: One approach is an Arterial Road – 200 per hour OR 150 per hour with an average delay of >30 seconds, for the highest 8 hours One approach is a Collector Road – 150 per hour OR 120 per hour with an average delay of >30 seconds, for the highest 8 hours		



Both approaches are Local Roads – 75 per hour, for the highest 8 hours		
And		
g) The volume of traffic on all directions represents a direction split less than or equal to 70% on main road and 30% on the minor road. I.e. the minor street must not be less than 30% of the total volume entering the intersection.		

**Notes:**

1. Stop controls shall not be allowed on expressways and scenic parkways.
2. A supporting traffic operations study may be required to be assessed, along with sound engineering judgement and approval of the Commissionaire of Infrastructure Services.

**Explanation:**

- a) If the proposed location meets the warrants in group 1, then the all way stop will be permitted regardless of the remaining warrants.
- b) If the proposed location does not meet the warrants in group 1, and does not satisfy all the conditions in group 2 then an all way stop will not be permitted regardless of the outcome of the remaining warrants.
- c) If the proposed location does satisfy the conditions in group 2, and does not meet the warrants in group 3, then an all way stop will not be permitted.
- d) If the proposed location does satisfy the conditions in group 2, and does meet the combination of warrants in group 3, then an all way stop will be permitted.
- e) If the proposed location doesn't satisfy the conditions in group 2, and does not meet the combination warrants in group 3, but there are inadequate sight lines/visibility or poor road geometry, special consideration may be given for stop installation. Other sight line / visibility methods shall be exhausted prior to allowance of stop control devices (i.e. removing additional parking, removing objects in the ROW, obtaining larger easements, etc.).

**Additional Notes to be included with Policy:**

- a) All Way Stops are not be used as a method of speed control. All Way Stops have been proven to increase mid block speeds, and have been known to reduce overall compliance of All Way Stops. All Way Stop requests pertaining to speed control will be directed for potential evaluation for Traffic Calming following the Traffic Calming Policy.
- b) All Way Stops will result in an increase in noise and air pollution in the general vicinity of the location and in the neighbourhood at large.
- c) At a typical four way stop, the following emissions are released collectively, from all vehicles traveling through a stop each year:  
657 kg of hydro carbons 8,760 kg of carbon monoxide 675 kg of nitrogen oxide 65,700 kg of carbon dioxide  
(Data Provided by the Ministry of Municipal Affairs and Housing)





**Committee Matters: SCM 213/2023**

**Subject: Alley Maintenance Standards - City Wide**

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

Decision Number: **ETPS 952**

THAT the report of the Executive Direction, Operations, dated July 6, 2023 entitled Alley Maintenance Standards-City Wide **BE RECEIVED**; and,

THAT Scenario 1: One-time funding from Reserves as outlined in the administrative report of the Executive Director, Operations **BE APPROVED**; and further,

THAT Administration **BE REQUESTED** to report back to City Council with a specific proposed framework and work plan for the previously approved Alley Standards and Development Committee.

Carried.

Report Number: C 106/2023  
Clerk's File:SW2023

**Clerk's Note:**

1. The recommendation of the Environment, Transportation & Public Safety Standing Committee and Administration are **not** the same.
2. Please refer to Item 8.3 from the Environment, Transportation & Public Safety Standing Committee held on July 26, 2023.
3. To view the stream of this Standing Committee meeting, please refer to:  
<http://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20230726/-1/9420>



**Subject: Alley Maintenance Standards - City Wide**

**Reference:**

Date to Council: July 26, 2023  
Author: Author: Shawna Boakes  
Executive Director, Operations  
sboakes@citywindsor.ca  
(519) 255-6247 ext. 6415

Public Works - Operations  
Report Date: 7/6/2023  
Clerk's File #: SW2023

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

**Recommendation:**

That Council **RECEIVE** this report in regard to Alley Maintenance Standards.

**Executive Summary:**

N/A

**Background:**

During the 2020 Budget Deliberations, the following motion was approved:

Decision Number: B9/2020

*"That Administration **BE DIRECTED** to prepare a report for Council's consideration related to options for curbside garbage collection instead of alley collection city wide wherever possible."*

Report C 151/2020 was prepared and presented to the Environment Transportation and Public Safety Standing Committee. The Committee directed:

*"THAT the report of the Manager, Environmental Services dated July 17<sup>th</sup>, 2020 entitled "A Review of Residential Waste Collection in Alleys" **BE DEFERRED** to a future meeting of the Environment, Transportation and Public Safety Standing Committee to allow for Administration to complete the related reports regarding minimum maintenance standards, and;*

*That those reports **BE BROUGHT FORWARD** for consideration at the same Environment Transportation and Public Safety Standing Committee Meeting."*



As a result of the above, Council directed that the Residential Alley Garbage Collection Report and the Alley Minimum Maintenance Standards report be brought forward for consideration at the same time.

In July 2021, Council received report S 69/2021 regarding Alley Standards Development and directed:

*THAT Administration BE DIRECTED to develop an Alley Standards and Development Committee as outlined in the report; and,*

*THAT the Alley and Standards Development Committee REPORT BACK to City Council on the capital and annual costs associated with developing, maintaining and enforcing a set of standards for all of the City's alleys.*

The report indicated that the Committee be made up of various department and division representatives and stakeholders and that *"The committee shall develop the City of Windsor's Alley Standards Policy, which will recommend potential levels of service, address potential alternative usages and appropriate signs and markings required with them, associated capital costs, annual operating costs, enforcement alternatives as well as any cost recovery modelling available. The committee will also work with the Legal department to establish a language for the amended City By-law for Maintenance and Enforcement, to regulate maintenance and address encroachments of various objects such as trees and shrubs in the alley space".*

The committee was to report back to City Council and include both the capital and annual operating costs associated with developing, maintaining and enforcing a set of standards for the City's grass and gravel alleys.

However given decisions with respect to residential alley garbage collection are required before issuing the next garbage collection tender in the fall, Administration recently submitted the Residential Alley Garbage Collection report to Council on its own. If the City is to make changes to residential alley garbage collection, there may be resulting equipment changes required as smaller, less efficient trucks are required for alley collection, while larger, more efficient trucks are used for curbside collection. The vehicle requirements (size) are required in order for bidders to successfully bid on the City's next tender.

At the May 24, 2023 Environment, Transportation & Public Safety Standing Committee Meeting, the Committee directed:

*That the report of the Manager, Environmental Services dated May 5, 2023 entitled "Move Residential Alley Garbage Collection to Curbside – City Wide" **BE REFERRED** back to Administration to allow for the Administrative report regarding Minimum Alley Maintenance Standards to be brought forward to the Environment, Transportation & Public Safety Standing Committee simultaneously, as soon as possible; and,*



*That information related to a potential test pilot program that would move residential garbage alley collection to curbside, in Ward 3 **BE INCLUDED** in the report.*

This report focuses on the physical maintenance of alleys. The report does not consider other uses or programming for the City's alleys, and does not address the potential test pilot program that would move residential garbage alley collection curbside in Ward 3. The potential test pilot program is addressed under report **S 82/2023 - Test Pilot of Garbage Relocation in Ward 3**.

## **Discussion:**

The City maintains 147 km of paved/unpaved alleyways. These alleys are in various conditions. Of the 147 km, 79 km are paved alleyways, primarily in the older sections of the City, which serve as the public right of way. The pavement in these alleys degrades over time and requires periodic replacement and repairs. As of June 2023, 42 km of paved alleys are "now" deficient, 20 km will be "now" deficient in 1-5 years, 10 km will be "now" deficient in 6-10 years, and 7 km are considered "adequate"

As noted in report **C 69/2023 - Move Residential Alley Garbage Collection to Curbside**, developing Levels of Service (LOS) for alleys will be incorporated into future iterations of the City's Asset Management Plan. The current 2019 Asset Management Plan (AMP) identifies the *current levels of service* and cost of maintaining that level of service for paved alleys. That information will be updated as part of the City's AMP requirements in July 2024, and is currently in progress. The requirement to develop *proposed levels of service (PLOS)* for each of the City's asset categories, and a strategy to fund each of those activities, is due July 1, 2025.

However, in the interim and in an effort to bring the Committee the information it requested regarding maintaining alleys ahead of issuing the next waste and recycling tender, Administration is focussing on addressing the physical condition/maintenance of alleys.

## **Current Alley Maintenance Standards**

Currently, a low level of service is provided for alleys. For reference, below are the City's current alley maintenance standards:

### **Paved Alleys**

Paved alleys are maintained on an as-needed basis, based on priority, due to significant reductions in alley maintenance budgets. The City does not reconstruct alleys.



## **Gravel Alleys**

Gravel alleys are re-graded twice per year. Should additional maintenance be required, City crews will attend the site to add gravel or re-grade as necessary.

## **Grass Alleys**

Unassumed grass alleys are the responsibility of abutting property owners. The City of Windsor encourages applications to close redundant alleys.

## **Current Funding**

The City spends approximately \$200,000 annually to maintain paved alleys (OPS-001-22 Minor Alley Maintenance Program). This level of funding only allows for one or two paved alleys to be repaired annually. The maintenance of gravel alleys, which occurs twice per year, is funded through the operating budget, amounting to approximately \$75,000 per year. With increasing costs, the level of service in these alleys will decline unless an increase is made to the operating budget.

Funding for alley maintenance is low as alleys are often perceived as secondary spaces compared to main roads and residential streets. In the past, this perception has led to alleys receiving lower priority for maintenance and improvement initiatives. Due to their limited public visibility and relatively low usage, alleys often receive minimal attention and fewer resources allocated towards them. Logistical challenges associated with alleys, such as their narrow widths and limited accessibility, also make it more complex to conduct maintenance activities effectively.

In setting Level of Service (LOS) targets, the following are often considered:

- Strategic goals;
- Legislative and regulatory requirements;
- City policies;
- The current condition of assets;
- Community expectations; and
- Affordability.

Typically, the City's core assets are considered to include Environmental Protection Assets (Wastewater and Stormwater Collection, Storm Water Pumping Stations, Water Reclamation Plant and Pumping Stations, etc.) and Transportation Assets (Roadways, Structures).

Alley improvements would compete for funding among other important but non-core assets such as:

- Sidewalks,
- Traffic Signals,



- Parking Garages, Street Lighting,
- Corporate Facilities,
- Fountains,
- Parking Lots,
- Playgrounds,
- Sports Fields,
- Spray Pads,
- Trails

### **Alley Maintenance Standards – Options for Consideration**

Council can choose to select an increased level of service (LOS) for alleys however; this decision would be made without benefit of fully understanding the impacts to all other core and non core City assets and the associated budget impacts. Therefore, consideration of these options would be best undertaken as part of the AMP update that is scheduled to take place in 2025.

In the interim period however, should Council wish to approve an increased level of funding towards alley maintenance beyond the current funding levels, Administration is providing essentially four options for consideration that are premised primarily on expanded funding sources. The options are not mutually exclusive.

### **Scenario 1: One-time funding from Reserves**

The current level of alley maintenance is directly related to the amount of funding allocated for alley maintenance. In the current 10-year capital plan, the Minor Alley Project, #OPS-001-11, receives \$200,000 per year for the years 2024 through 2027 and \$250,000 per year for the years 2028 through 2032. This level of funding permits maintenance of one or two alleys per year. In general, alley maintenance can be adjusted according to available funding. Increasing alley maintenance funding to \$400,000 or \$600,000 per year, which is double or triple the current level respectively, would enable the repair of 2-4 or 3-6 paved alleys per year. One-time funding from Fund 221, Service Sustainability Fund could be utilized until such time that Council sets the PLOS and identifies a funding strategy to meet those proposed service levels as part of the 2025 Asset Management Plan.



## **Scenario 2: Increase Base Funding in Capital Project # OPS-001-11**

This option proposes to increase the base funding to Capital Project OPS-001-11 to ensure a sustained increase in resources for alley maintenance, rather than relying on one-time funding from the Reserves. The reallocation of any existing capital funds to Alley Maintenance will result in a reduction in the level of work that can be carried out in those specific programs from which the funds were redirected.

## **Scenario 3: Expand Eligibility of Local Residential Roads levy to include Alleys**

Council will recall the recent approval of an annual Local Residential Roads levy increase of 0.25% to achieve desired service level improvements for Local Residential roads for each of the next four years (2023 – 2026).

In that report, the following was noted regarding levels of service for local roads and alleys, as presented in the 2018/2019 AMP:

*“As there is a low risk of failure of local roads and alleys, both in terms of likelihood of an adverse event and the consequences to the City, other higher risks assets like expressway roads should be prioritized.”*

Given the goals of the AMP and its requirements under O. Reg 588/17, Administration did not recommend changes to the current risk assessment methodology used for Roads and Paved Alleys; however recognizing the importance of Local Residential Road conditions on the overall road network rating and level of service, an increase to the AMP levy to provide direct and dedicated funding for the improvement of service levels to Local Residential roads was brought forward as an option to address this enhanced service level requirement without impacting the risk based funding currently provided for and prioritized in the AMP.

Should Council wish to consider adding the paved alleys as a component of this funding stream, Council may wish to consider expanding eligibility to include alleys under this program.

Similar to what was noted in report C39/2023, the establishment of this specific funding stream and the enhanced level of service it provides, can be seen as an advancement of the 2025 AMP requirement to define proposed levels of service.

## **Scenario 4: Enforcement of Existing By-Laws**

There are several by-laws which that pertain to alleys.

By-law 2-2006 - *A By-Law to Establish and Maintain a System for the Collection and Disposal of Waste in the City of Windsor*, outlines the requirements for garbage preparation, including specifications for proper containers and guidelines for their placement during collection. It also prohibits scavenging activities.



Under *By-law 3-2006 - A By-Law to Establish Standards Respecting Yard Waste & Exterior Property Maintenance and to Prohibit Littering in the City of Windsor*, there are specific regulations that require the abutting property owner to maintain their portion of an alley. It also provides the authority for a by-law enforcement officer to issue an order to comply, take corrective measures for non compliance and recover costs to do so on the property owner's municipal taxes.

Part 6 of By-law 3-2006 provides the regulations for the maintenance of abutting untravelled portions of highways.

#### *Section 6.1 Requirement to Maintain*

*Every owner of property shall ensure that the untravelled portion of highway abutting their property be kept free of refuse and shall ensure that grass and ground cover is trimmed or cut to a height of 31 centimetres (12 inches) or less and shall ensure that weeds are removed or destroyed.*

Part 7 of By-law 3-2006 provides the regulations for the prohibition of littering within the City of Windsor. Item 7.3 states:

#### *7.3 Maintaining the Alley or Land*

*Every owner or occupant of land in the City of Windsor shall keep and maintain that portion of the alley or land which abuts upon such land, up to the middle of the alley or lane, free and clear of weeds, ashes, paper, building material, rubbish and other refuse. (added By-law 126-2007, July 3, 2007)*

Under Part 10 of Bylaw 3-2006 provides the regulations and authority for enforcement & penalties

#### *10.1 Notice to Comply*

*The Director or an Officer may, by a notice delivered by personal service to the owner or property, or by a notice sent by prepaid mail to the owner of property, or by a notice posted on the property, or by a notice published once in a local newspaper of general circulation, or by any combination of the above as the Director or Officer deems necessary, require the owner or occupant, as the case may be, within seven (7) days of the notice being served (amended By-law 102-2013, July 8/13)*

*m) to remove graffiti, stains, painted slogans and other defacements (added By-law 155-2011, Sept. 6/11)*

#### *10.3 Non-Compliance with Notice*

*If an owner or occupant, as the case may be, fails to comply with a notice issued under section 10.1, the Director may take action to do the thing(s) required to be done as specified in the notice. (amended By-law 155-2011, Sept. 6/11)*

#### *10.4 Recovery of Expense*



*If the City takes action to do the thing(s) required to be done as specified in the notice, the costs of such action may be added to the tax roll and collected in the same manner as taxes.*

#### **10.6 Offence**

*Every person who contravenes any of the provisions of this by-law is guilty of an offence and upon conviction is liable to a fine and any other penalties as provided for in the Provincial Offences Act, R.S.O. 1990, c.P33, as amended.*

Further By-law 25-2010, A By-Law to Provide for the Protection of Highways in Windsor, states in Part 2:

*2.2 Except as otherwise permitted by this by-law, no Person shall place, occupy or maintain or cause or permit to be placed, occupied or maintained, upon any highway, any Personal property of any description, including but not limited to, signs, fences, decorative or landscape rocks or boulders, logs, raised planter beds, planters, trees or shrubs, or install any decorative landscape features whatsoever, including, but not limited to, statues, fountains, gravel, artificial turf, pavers or paving of any kind unless the objects are placed in accordance with the City of Windsor's Engineering Best Practices.*

Regarding Enforcement, Part 12 states:

#### **Part 12 – Offences & Enforcement**

*12.1 If this By-law is contravened, the City Engineer may make an Order requiring the Contravener to correct the contravention.*

*12.2 Failure to comply with an Order may result in the Corporation correcting the contravention, and the costs of the correction as well as any applicable fees under the City's User Fee Schedule will be added to the property tax roll of the Contravener and will be collected in the same manner as property taxes.*

*12.3 Every Person who contravenes any provision of this By-law is guilty of an offence and on conviction is liable to a fine not exceeding the maximum fine from time to time prescribed by the Provincial Offences Act, R.S.O. 1990, c.P.33, as amended, or any legislation passed in succession thereto.*

Should Council wish to pursue the enforcement route to alley maintenance standards, there will be a cost associated with increased by-law enforcement as well as possible negative public relations.

#### **Other Considerations:**

#### **Local Improvement Policy**

The Local Improvement Policy specifies cost-sharing arrangements for the construction of storm and sanitary sewers, pavements, curbs and gutters, sidewalks, private drain connections and street lighting as local improvements, implemented under the provisions of Ontario Regulation 586/06, made under the Municipal Act, 2001. The



policy applies to unpaved alleys and roads (constructed on rights-of-way assumed by the City).

From the Local Improvement Policy:

#### **4.2 PAVEMENTS**

Where:

- *Unpaved alleys or roads, including residential or local industrial roads, exist within the City right-of-way; and*
- *Abutting property owners have requested in writing these unpaved alleys and/or roads be paved; or*
- *The City initiates the installation of road pavement as a local improvement*

Under the policy, the abutting property owners will be assessed for:

- *100% of the cost, per metre of frontage, for the construction of the road base and asphalt and/or concrete pavement up to 8.6 metres in width;*
- *100% of the cost for the construction of curb and gutter, if applicable;*
- *100% of the cost for boulevard restoration. In addition, where flankage properties exist, those property owners will be assessed for:*
  - *25% of the cost, per metre of flankage, for construction of the road base and pavement for the first 45 metres of lot flankage;*
  - *25% of the cost for boulevard restoration for the first 45 metres of lot flankage;*
  - *100% of the cost for any remaining works over and above the first 45 metres of lot flankage.*

The City will pay the remainder of the total cost of the work, as outlined in section 4.6 of the Local Improvement Policy.

#### **Waste & Recycling Collection in Alleys**

Moving waste and recycling collection points from alleys does not pose any substantial risk to the future maintenance of alleys. Relocating waste and recycling collection from the alley to curbside would have a slight, yet potentially beneficial on the longevity of the alley pavement. This shift in collection points is expected to reduce the weekly wear and tear experienced by the alley, thereby extending the lifespan - albeit to a limited extent.

#### **Snow Removal in Alleys**

The City of Windsor has approximately 79 km of hard surface alleys that currently do not have snow removal included in the winter maintenance policy or budget.

If Council wanted to implement snow removal in all its paved alleys, which would be required if alleys are to be used as year round pedestrian and cycling connections, an



increase in the snow removal budget would be required as specialized equipment would be necessary due to the limited space and narrow widths of the alleys. (Action 3C.1: of Walk, Wheel Windsor called for a review and update current minimum maintenance standards and ice/snow removal requirements for active transportation infrastructure including sidewalks, bicycle lanes, pathways, and transit stops).

Snow cannot be plowed in the same manner as is done on roads as there is no storage capacity within the alleys, and the snow could potentially block access to adjacent properties. Instead, the snow would need to be removed and transported to designated snow dump sites.

Implementing snow removal in alleys would enhance safety for garbage collection crews, providing a clearer pathway for trucks and staff.

In 2018, a report to Council (S 135/2018) estimated that, assuming a threshold of 10 cm of snow accumulation per event, the estimated cost for alley snow removal would be \$1.6 million per season, completed within a 24 to 36-hour period similar to residential snow clearing. This estimate would need to be adjusted should Council wish to consider snow removal in its paved alleys. Depending on the number and magnitude of snow events in a given winter season, the annual cost of snow removal can vary significantly. These fluctuations in cost represent a significant financial risk. Designating a “winter cycling network” for snow clearing would further reduce the overall cost of snow removal in alleys by limiting the total number of alleys requiring Winter Maintenance.

Snow removal in alleys also carries the potential for increased property damage claims as the space in which to remove the snow is very tight and manoeuvrability for snow removal equipment is very limited.

### **Risk Analysis:**

Increasing the level of service for alley maintenance outside of the annual budget process, or ahead of the identification of levels of service for the City’s other assets as part of the 2025 AMP requirements, would be without the benefit of fully understanding the impact that this would have on the City’s other core assets and associated budgets. This represents a risk to the City’s overall asset management program.

Enforcing by-laws aimed at achieving cleaner and more welcoming alleys might lead to unfavorable responses from residents who are directly impacted both in terms of the physical task of cleaning up the alley and the potential imposition of fine(s).

### **Climate Change Risks**

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

N/A

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

N/A



## **Financial Matters:**

The financial impacts have been outlined throughout Discussion section of the report. The options, as presented, have varying financial implications which will need to be further developed based on the direction provided and will result in either the reprioritization of existing services or pre-commitments to future operating and/or capital budgets.

## **Consultations:**

Cindy Becker, Financial Planning Administrator – Operations

Natasha Gabbana, Senior Manager of Asset Planning

Roberta Harrison, Coordinator, Maintenance

Craig Robertson, Licence Commissioner / Deputy City Clerk

Rob Slater, Executive Initiatives Coordinator

## **Conclusion:**

While this report does not recommend establishing minimum maintenance standards for alleys, it does provide Council with information regarding the direct relationship between funding and alley improvements by providing various options to increase available funding and one option to yield positive results in terms of cleanliness, through enforcement. The latter approach could also elicit negative reactions from affected residents due to the potential fines and increased responsibilities for upkeep.

## **Planning Act Matters:**

N/A

## **Approvals:**

<b>Name</b>	<b>Title</b>
Shawna Boakes	Deputy City Engineer / Executive Director of Operations
Cindy Becker	Financial Planning Administrator - Operations
Chris Nepszy	Commissioner, Infrastructure Services



Name	Title
Janice Guthrie	Commissioner, Corporate Services, Chief Financial Officer
Joe Mancina	Chief Administrative Officer

**Notifications:**

N/A

**Appendices:**





**Committee Matters: SCM 214/2023**

**Subject: Temporary Traffic Calming Measures For Class I Collector Roadways  
(CQ16-2023) - City Wide**

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

Decision Number: **ETPS 953**

THAT Council **APPROVE** the updated Expedited Traffic Calming Procedure as listed in Appendix A.

THAT Council **PRE-COMMIT** \$100,000 in 2026 Pay-As-You-Go funding from the Traffic Calming Initiatives project, OPS-021-07, for immediate use.  
Carried.

Report Number: S 83/2023  
Clerk's File: ST2023

**Clerk's Note:**

1. The recommendation of the Environment, Transportation & Public Safety Standing Committee and Administration are the same.
2. Please refer to Item 8.4 from the Environment, Transportation & Public Safety Standing Committee held on July 26, 2023.
3. To view the stream of this Standing Committee meeting, please refer to:  
<http://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20230726/-1/9420>



**Subject: Temporary Traffic Calming Measures For Class I Collector Roadways (CQ16-2023) - City Wide**

**Reference:**

Date to Council: July 26, 2023  
Author: Author: Shannon Deehan  
Transportation Planning Coordinator  
519-255-6267 ext 6188  
sdeehan@citywindsor.ca

Public Works - Operations  
Report Date: July 7, 2023  
Clerk's File #: ST2023

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

**Recommendation:**

THAT Council **APPROVE** the updated Expedited Traffic Calming Procedure as listed in Appendix A.

THAT Council **PRE-COMMIT** \$100,000 in 2026 Pay-As-You-Go funding from the Traffic Calming Initiatives project, OPS-021-07, for immediate use.

**Executive Summary:**

N/A

**Background:**

At the meeting of City Council on November 15, 2022, Councillor Costante asked CQ27-2021 as follows:

*"Asks that Administration report back on the feasibility of adding Collector 1 roadways into the Expedited Traffic Calming process. To allow for some tools, at the discretion of the Road Authority, to be installed on this type of road where there the road has significant residential frontages."*

In April of 2021, City Council approved the inclusion of the Expedited Traffic Calming Procedure in the City's Traffic Calming Policy. This procedure was intended to provide details for the implementation of Traffic Calming tools without conducting a warrant as



outlined in the Permanent Traffic Calming Procedure. An Expedited Traffic Calming program was developed utilizing \$100,000 per year from the Traffic Calming capital budgets allowing Councillors to spend \$10,000 per ward for 2 years (2020 and 2021). The program did not begin until 2021 with installation beginning in 2022.

## **Discussion:**

### **Temporary Traffic Calming Measures**

Temporary traffic calming measures offer advantages over permanent measures in certain situations. They can be installed quickly without going through the full warrant review and public consultation process required for permanent measures. If negative feedback is received, temporary measures can be swiftly removed.

Temporary measures are considered in various scenarios:

- (a) when permanent traffic calming is being reviewed, approved, designed, or constructed;
- (b) in neighborhoods facing temporary or anticipated traffic issues;
- (c) on streets that don't qualify or are unsuitable for permanent measures but have unresolved traffic problems;
- (d) as an interim solution for locations slated for roadwork in the near future;
- (e) for cost savings compared to permanent measures (though not applicable to all measures); and
- (f) to rotate through multiple locations, benefiting several streets with a single device (this may not provide the same service level as one device at a fixed location).

Additionally, some jurisdictions have implemented programs of lower-impact temporary traffic calming measures that are used for locations that do not meet the standard warrant for typical traffic calming measures.

For both temporary and permanent traffic calming, most municipalities use traffic data (e.g. measured speed and volumes) to confirm that traffic calming will be effective at addressing the neighbourhood's concerns and to prioritize between locations.

### **Temporary Traffic Calming in Windsor's Current Framework**

The Traffic Calming Policy provides flexibility for Council to consider temporary traffic calming measures when deemed appropriate.

Under the current Traffic Calming Policy, all traffic calming measures, whether temporary or permanent, are subject to the same warrant review and approval process. This approach was consistent with other jurisdictions and national guidance that was available during the best practice review for the 2015 Traffic Calming Policy update.

The current Expedited Traffic Calming Procedure allows for the use of radar feedback signs, digital warning signs, and other methods, on local and Class II Collector roads.



Class I Collector roads are typically addressed through the permanent traffic calming policy. There are, however, some Class I Collector roads that have the same cross section and feel of a Class II Collector, and while not all expedited traffic calming tools would be appropriate to install, radar feedback signs and digital warning signs do not pose a concern.

## Community Comparison

	Design Criteria for Radar Speed Feedback Signs
<a href="#">City of Ottawa</a> (pg 53)	<ul style="list-style-type: none"> <li>• Two-lane roads with low to moderate traffic</li> <li>• In advance of school priority zones</li> </ul>
<a href="#">Town of Innisfil</a> (pg 22)	<ul style="list-style-type: none"> <li>• Should not be used where other devices and roadway environments are already making intensive demands on driver attention (i.e., close to traffic control devices, pedestrian crossings, etc.)</li> <li>• TAC Application Guidelines for Speed Display Devices – Section 6 contains Design of Display guidelines, Section 7 contains Installation information</li> <li>• Active display text must be a minimum of 200 mm high and clearly visible from entire approach lane from a distance of 45 m to 200 m</li> <li>• For urban or residential areas: ideally placed between 300 mm to 2 m from curb lane</li> <li>• For rural areas: ideally placed 2 to 4 m from edge of outer travel lane</li> <li>• Preliminary estimation of installation costs – Low to Medium</li> </ul>
<a href="#">City of Kingston</a> (pg 17)	<ul style="list-style-type: none"> <li>• The active display text must be a minimum of 200 mm high and should be clearly visible from any part of the approach lanes from distances between 45 m and 200 m. In rural areas without raised curbs, the device should ideally be installed 2 to 4 m from the edge of the outer travel lane. In urban or residential areas with raised curbs, the device should ideally be placed between 300mm to 2 m from the curb lane</li> </ul>

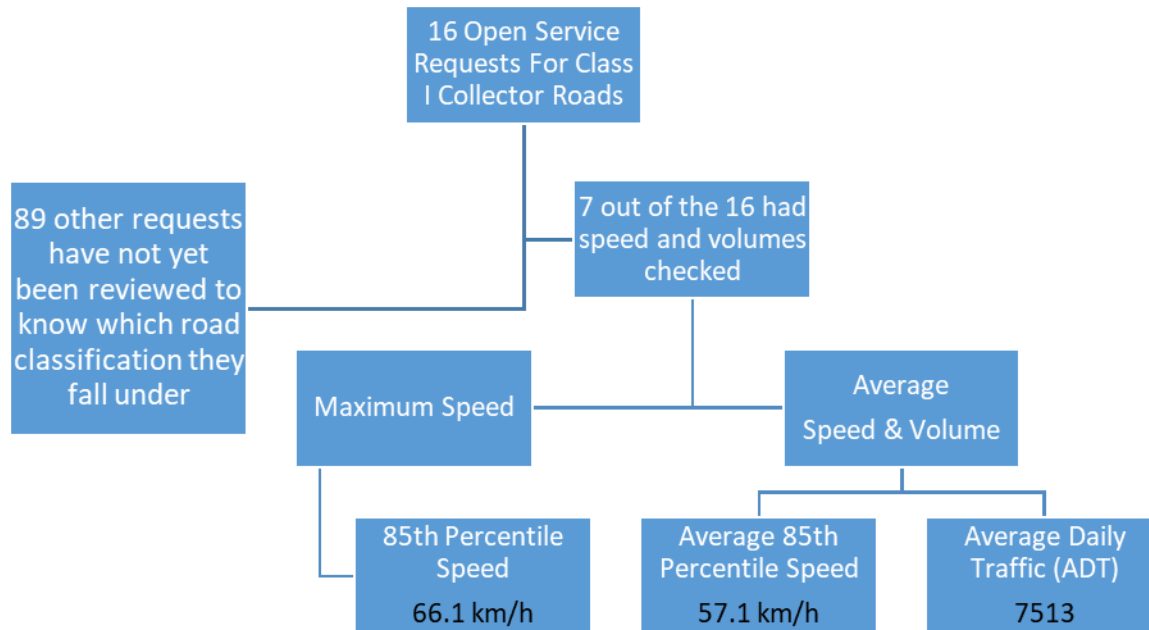
A study conducted by Tony Churchill and Surendra Mishra from the City of Calgary showed that the radar speed feedback signs have a positive impact in reducing speeds of vehicles when they are present. At one location in particular (Table 3), the 85th percentile speed was reduced by 6.57 km/h with a 60km/h speed limit, bringing the 85th percentile speed below the posted speed limit.



## **Summary from 2021 – 2023:**

### **OPEN REQUESTS**

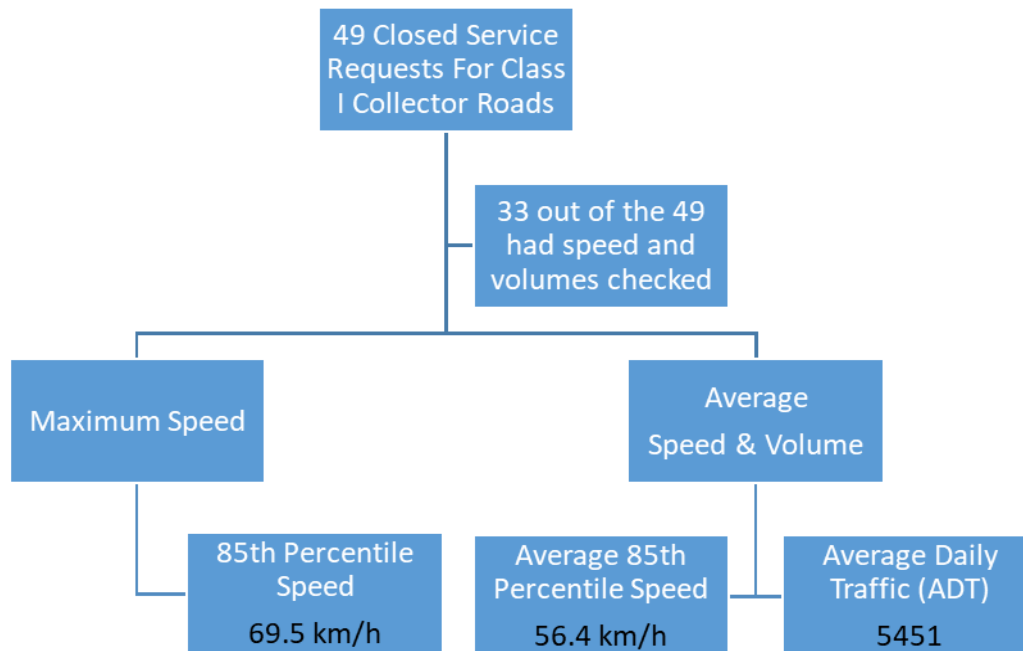
There are currently a total of sixteen (16) open service requests that have been received for Class I Collector Roads from 2021 to date. The posted speed limit for all locations was 50 km/h.



### **CLOSED REQUESTS**

A total of forty-nine (49) service requests for Class I Collector Roads have been closed from 2021 to date. The posted speed limit for all locations was 50 km/h.





It is recommended to include Class I Collector Roadways in the Expedited Traffic Calming Process specifically for radar speed feedback signs year-round, provided that the roadways meet the following criteria:

- The Class I Collector road must have only one lane in each direction with a maximum posted speed limit of 50 km/h.
- Allowable locations at the discretion of the Executive Director of Operations.

Per the Permanent Traffic Calming Procedure, the expected volumes of traffic on the following road classifications are below:

- 1,000 vehicles per day (vpd) for local roadways
- 3,000 vpd for Class II collector roadways
- 6,000 vpd for Class I collector roadways

Since Class I collector roadways have higher volumes of traffic it is projected that they will have a greater traffic calming effect by allowing the radar speed feedback signs on Class I collector roadways.

### **Cost of Temporary Traffic Calming Measures**

The current cost to purchase radar speed feedback signs is \$5,000 and can be purchased through the funds available through the expedited traffic calming fund or through ward funds.

### **Continuation of the Expedited Traffic Calming Program**

As directed by Council, the expedited traffic calming program was funded for 2 years a cost of \$100,000 per year (\$10,000 per ward). Funding was available in 2021 and 2022. In 2023, Administration utilized traffic calming capital funding to continue this program due to the success in past years. The program's success is tied to the ability



of each Councillor to quickly implement traffic calming measures without waiting for a lengthy warrant process.

While there were some delays along the way due to staffing and availability of material, Administration has developed a documented process for the program, assuming it will continue in 2024. The following outlines that process and timelines that Administration expects to follow moving forward;

- **November 2023** – Meet with Councillors to discuss next year's program.
- **December 2023** – Provide layouts and plans to Councillors for approval.
- **January 2024** – Order materials.
- **Spring 2024** – Installation of the approved tools.

This will allow for the yearly allocations to each Councillor to be in place as early as possible in the calendar year.

### **Risk Analysis:**

There are no risks related to the changes recommended to the Expedited Traffic Calming Procedure.

Not continuing to fund the Expedited Traffic Calming Program would mean that all traffic calming requests would follow the standard program in which many of the locations where expedited tools have been implemented did not warrant based on the standard program, or they were very low on the list for implementation.

### **Climate Change Risks**

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

N/A

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

N/A

### **Financial Matters:**

At this time, there is approximately \$100,000 in uncommitted funding remaining in the Traffic Calming capital program project available to complete work for various traffic calming initiatives under the annual traffic calming program. The annual traffic calming program project does not currently include funding for expedited traffic calming.

In the current 10-year capital budget for the traffic calming program, there are no additional budget dollars allocated until 2026. Administration is recommending a \$100,000 pre-commitment of the \$400,000 currently allocated to the 2026 Traffic Calming budget (Pay-As-You-Go funding), OPS-021-07, for immediate use. This will



provide adequate funding in 2023 to begin ordering materials needed to continue the program through 2024. Funding for expedited traffic calming initiatives beyond 2024 will be submitted for Council consideration during the 2024 capital budget deliberations. At this time, should Council approve the 2024 pre-commitment for the expedited program, there would be no further funding for 2025 and beyond.

In addition, the cost of the maintenance of the tools that have been purchased to facilitate the program thus far are covered by the program, and therefore should the program no longer be funded in future years, a new funding process will be required to continue maintenance of this equipment under the Traffic Calming Program.

**Consultations:**

Ian Day, Traffic Operations

Mike Dennis, Financial Manager, Asset Planning

**Conclusion:**

Administration recommends continuing with the Expedited Traffic Calming program with a \$100,000 pre-commitment of 2026 funding from the Traffic Calming Initiatives project, OPS-021-07, to fund the 2024 program.

**Planning Act Matters:**

N/A

**Approvals:**

Name	Title
Cindy Becker	Financial Planning Administrator
Shawna Boakes	Executive Director of Operations
Janice Guthrie	Commissioner, Corporate Services & Chief Financial Officer
Chris Nepszy	Commissioner, Infrastructure Services
Joe Mancina	Chief Administrative Officer

**Notifications:**

N/A

**Appendices:**

- 1 Expedited Traffic Calming Procedure



# THE CORPORATION OF THE CITY OF WINDSOR PROCEDURE

Service Area:	<b>Office of the City Solicitor</b>	Procedure No.:	
Department:	<b>Planning and Building Services</b>	Approval Date:	
Division:	Transportation Planning	Approved By:	
		Effective Date:	<b>On Approval</b>
Subject:	<b>Expedited Temporary Traffic Calming Procedure</b>	Policy Ref.:	Traffic Calming Policy
		Pages:	Replaces:
Prepared By:	L. Ash, Policy Analyst	6	Date:

## 1. PURPOSE

1.1. This procedure is intended to provide details for implementation of the Traffic Calming Policy without conducting a full traffic calming warrant review as outlined in the Permanent Traffic Calming Procedure.

## 2. SCOPE

2.1. This procedure provides details for expediting implementation of temporary traffic calming measures.

## 3. RESPONSIBILITY

3.1. Responsibility for implementing this procedure is outlined in the Traffic Calming Policy.

## 4. PROCEDURE

4.1. Some temporary traffic calming measures may be installed without completing the full warrant review and public consultation process outlined for permanent traffic calming measures, and may be removed quickly if negative feedback is received.

4.2. Temporary traffic calming measures may be considered:



- a) at locations that have been approved (or are likely to be approved) for traffic calming through the Permanent Traffic Calming Procedure and are in the review, approval, design or construction stages;
- b) if a neighbourhood is experiencing (or is expected to experience) temporary traffic issues;
- c) on streets that do not qualify for (or are otherwise unsuitable for) permanent traffic calming measures but have traffic issues that remain unaddressed;
- d) as an interim solution for locations that qualify for traffic calming but are identified for roadwork in the near future (e.g. road reconstruction);
- e) to lower the cost of installation compared to permanent measures (not applicable with all measures); and



- f) to be able to rotate through several locations so that one device can benefit multiple streets (e.g. radar speed feedback sign). This may not provide the same service level as one device at a fixed location.

**4.3.** Administration may respond to a traffic speed concern by offering the temporary traffic calming measures provided in **Table 1**. A cost estimate range applied to each measure is provided in **Table 2**.

**Table 1: Temporary Traffic Calming Measures**

Item #	Measure	Example	Description	Estimated Annual Cost Range
4.3.1	Radar Speed Feedback Trailer	 Denvergov.org	A portable electronic speed display device placed at the location of a traffic speed concern to measure vehicle speeds of oncoming traffic and display the speed to nearby drivers and residents.	\$ - \$\$
4.3.2	Lawn Signs		A lawn sign provided upon request for placement within the boulevard to identifying a local speed concern and encourage safe driving habits and lower vehicle operating speeds on neighbourhood streets.	\$

#### **4.3.1. Radar Speed Feedback Trailer**

**4.3.1.1.** A resident may request to have the radar trailer placed at a specific location by contacting 311. Requests may also be received from a Ward Councillor or the Windsor Police Service.

**4.3.1.2.** Administration will review the request and place the radar trailer in the closest possible location that will capture the driver's full speed. Due to prior commitments, there may be a delay from the time the request is made to the time the radar trailer is present onsite. Other factors that may cause delays include weather and/or construction activity.



- 4.3.1.3. The radar trailer will typically remain at each location until two full week-days of data are collected.
- 4.3.1.4. The results of the radar speed detection are recorded and shared with the Windsor Police Service.
- 4.3.1.5. The radar trailer may be used on any road classification except expressways.
- 4.3.1.6. Locations are not eligible for a repeat radar trailer within 3 years.

#### **4.3.2. Lawn signs**

- 4.3.2.1. A resident may request a lawn sign by contacting 311 and providing their information. Signs will be available on a first-come first-served basis, subject to availability each year. Councillors will be provided with 10% of the total number of signs for distribution within their ward. Generally, one sign will be provided per dwelling unit.
- 4.3.2.2. Signs must be placed in the lawn at least 0.6 meters (2 feet) from the curb, sidewalk or edge of roadway.
- 4.3.2.3. Signs must not obstruct sidewalks, or sightlines for pedestrians, cyclists or drivers, or be placed within 3 meters of a fire hydrant, on a roadway, median, traffic island, sidewalk, bicycle path, multi-use trail, near an expressway (or expressway ramp) or anywhere that interferes with access to or operation of a drainage ditch, culvert, bridge or overpass.
- 4.3.2.4. Signs must be used as supplied, without further illumination or the use of reflective tape, and inserted into the ground using the wire frame only. Signs are not to be mounted on a building, structure, post, pole, tree or bush.
- 4.3.2.5. Signs can be reused year after year. Once received, the condition of the sign is the responsibility of the requestor.
- 4.3.2.6. Signs can deteriorate over time and should be safely maintained and replaced when needed. Signs that are unsafe or unable to stay anchored into the ground should be removed immediately.
- 4.3.2.7. Signs can be used adjacent to all roadways except expressways.
- 4.3.2.8. Administration may request residents who received a lawn sign to participate in a short survey regarding their use and effectiveness.

**Table 2: Estimated Cost Range**

<b>Symbol</b>	<b>Range</b>
\$	\$0 - \$5,000
\$\$	\$5,000 - \$20,000
\$\$\$	\$20,000 - \$50,000
\$\$\$\$	\$50,000 - \$100,000
\$\$\$\$\$	> \$100,000






- 4.4. Administration may install the temporary traffic calming measures provided in **Attachment A** on Local or Class II Collector roads upon direction from the Ward Councillor without the full warrant review and public consultation process outlined for permanent traffic calming.
- 4.5. Administration may install items 1 or 2 in Attachment A on Class I Collector roads that have no more than 2 travel lanes and a maximum posted speed limit of 50 km/h, upon the direction from the Ward Councillor and approval of the Executive Director of Operations, without the full warrant review and public consultation process outlined for permanent traffic calming.
- 4.6. Projects would be funded by the temporary traffic calming measures initiative on a cost recovery basis, with 10% of the total funds being allocated per ward. Administration may meet with Councillors annually to review the prioritized list of outstanding traffic calming requests and speed/volume concerns to help create a plan for each year's budget. Measures will not automatically be renewed each year; funds must be approved each year to renew certain measures (such as pavement markings that would otherwise they will be allowed to fade, flexible posts that may require removal before the winter season and would not be reinstalled without subsequent direction and funding as necessary, etc.). Councillors may choose to rotate certain measures between wards/locations at a lower cost than purchasing additional units.
- 4.7. Administration will continue to explore new traffic calming measures and may test different measures as pilot projects to determine if they are suitable for temporary or permanent installation.
- 4.8. Where a resident or Councillor requests a more thorough traffic calming review, Administration will refer to the Permanent Traffic Calming Procedure.
- 4.9. Where requests are received on higher classification roadways, such as Arterial roadways as defined in the City's Official Plan, Administration will refer to the Arterial Roadways Traffic Calming Procedure.
- 4.10. Where requests form part of a planned or existing bikeway, Administration will refer to the Bikeways Traffic Calming Procedure.

## **5. RECORDS, FORMS, AND ATTACHMENTS**






- 5.1. Records for this policy shall be prepared and retained in accordance with Records Retention By-Law 21-2013, as amended.
- 5.2. Attachment A – Expedited Temporary Traffic Calming Toolbox



## ATTACHMENT A – Expedited Temporary Traffic Calming Toolbox

Item #	Measure	Example	Description	Est. Initial Cost	Est. Annual Maint. Cost
1	Radar Speed Feedback Signs	 <p style="text-align: center;">Townofsananselmo.org</p>	Post or pole-mounted radar speed feedback signs provide immediate feedback alerting the driver to their speed. Ideally this will encourage drivers to obey the speed limit. Additional enforcement or physical measures are encouraged to reinforce the treatment.	\$\$	\$
2	Vehicle Activated Warning Signs	 <p style="text-align: center;">Unipartdorman.com</p>	Solar powered electronic signs equipped with radar speed detectors alert drivers of hazards ahead when activated by speeds surpassing a programmed threshold.	\$ - \$\$	\$
3	On-Road Sign Pavement Markings	 <p style="text-align: center;">google.com/maps (Queen St. S. at Glenfern Ave., Hamilton, Ontario)</p>	Sign pavement markings may be used to provide on-road messages, such as “MAX 50 km/h”, “Stop Ahead”, “School Ahead”, or “SLOW”.	\$ - \$\$	\$ - \$\$



		 <p>google.com/maps (S. Sterling Ave., Tampa, Florida)</p>			
4	* Flexible Posts	 <p>City of Kalamazoo</p>	Flexible posts anchored to the pavement to create bulb-outs or chicane.	\$	\$
5	* Traffic Calming Curbs	 <p>facebook.com/MunicipalityofLeamington (Talbot St. W. at Queens Ave.)</p>  <p>google.com/maps (McKenzie Towne Gate, Calgary)</p>  <p>google.com/maps (Erin Woods Blvd., Calgary)</p>	Precast concrete slabs used to create curb extensions, traffic circle centre islands, chicanes or protected bicycle lanes.	\$ - \$\$\$	\$ - \$\$\$

\* Will likely need to be removed during the winter season (November to April)



## Item No. 8.11



### Committee Matters: SCM 216/2023

**Subject: Update: Amendment to Sign By-law 250-04 related to Billboards and Electronic Billboards - City Wide**

Moved by: Councillor Fred Francis

Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 531**

That the report of the Landscape Architect /Sr. Urban Designer titled "Update: Amendments to Sign By-law 250-2004 related to Billboards and Electronic Billboards – City Wide" dated July 6, 2023 **BE RECEIVED**.

Carried.

Report Number: CM 7/2023

Clerk's File:SPL2023

#### **Clerk's Note:**

1. The recommendation of the Development & Heritage Standing Committee and Administration are the same.
2. Please refer to Item 4.1 from the Development & Heritage Standing Committee held on August 1, 2023.
3. To view the stream of this Standing Committee meeting, please refer to:  
<http://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20230801/-1/9422>



**Subject: Update: Amendment to Sign By-law 250-04 related to Billboards and Electronic Billboards - City Wide**

**Reference:**

Date to Council: August 1, 2023  
Author: Stefan Fediuk  
Landscape Architect / Sr. Urban Designer  
519-255-6543 ext.6025  
Planning & Building Services  
Report Date: July 6, 2023  
Clerk's File #: SPL2023

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

**Additional Information:**

At the February 6, 2023 Development & Heritage Standing Committee, a temporary (1 year) moratorium on the issuance of Billboard Signs throughout the City of Windsor was granted to allow the Planning Department to undertake a comprehensive review with the goal of updating the Sign Bylaw 250-2002, as it relates to Paper Copy and Electronic Change Copy Billboards. This decision was made in response to the overwhelming number of new Electronic Billboards applications. In addition to the recommendations, Council requested that Administration (CR103/2023 DHSC 477) provide the Development & Heritage Standing Committee a status update of the review being undertaken at the mid-point (i.e. 6 months) of this project. This Communications Report has been prepared to provide that update (Appendix 'A').

Following Council's direction, Administration, has reviewed the Sign Bylaws of 24 Ontario municipalities, four (4) out-of-province municipalities, and four (4) municipalities in the United States (Appendix 'B'). Of the Ontario municipalities, 14 were detailed consultations/discussions with the authors and/or the administrators of their Sign Bylaw in relation to Billboards. Out-of-province review was conducted strictly to assess best practices because Provincial and State Legislation varies the ability to implement requirements.

Areas of interest during consultations with municipalities included: consultation processes employed to achieve results, issues related to billboard size and location, proximity to residential properties, prohibitions and fees and delegation of authority.

In addition, the industry stakeholders, including Billboard Sign manufacturers and Media Providers, have also been consulted (Appendix 'C'). Six Billboard Sign companies have applied for permits since the update to the revise Sign Bylaw 250-2004 to regulate Electronic Change Copy Billboards in Windsor (CR158/2017). Consultations with those companies have indicated a willingness across the industry to work with the



Administration to help revise the Sign Bylaw for fair distribution of Billboards through the City of Windsor. Those consultations identified: processes for permits including transparency between what is prohibited and permitted; residential and sensitive lands issues; factors that would be unreasonable to their operations; a desire for consistency and clarity throughout the bylaw without the need for interpretation; how to deal with sign clutter; length of time between images when they are illuminated; and, expected lifespan of electronic change copy billboards. Consultations, aside from further clarifications on specific issues have now concluded.

Planning Staff will now review the information collected from these consultations, to determine best practices appropriate for the City of Windsor while ensuring safe and healthy environments for the citizens and visitors. As per the approved recommendation of CR103/2023 DHSC 477, Administration is preparing a final report that is being targeted for the December 4, 2023 Development & Heritage Standing Committee meeting. The report will outline recommendations for amendments to the Sign By-law related to Paper Copy Billboard and Electronic Change Copy Billboard Ground and Wall Signs, for a decision by Council prior to the expiry date of the moratorium (February 6, 2024).

### Approvals:

Name	Title
Stefan Fediuk	Landscape Architect / Sr.Urban Designer
Neil Robertson	Acting City Planner / Executive Director of Planning & Development
Jelena Payne	Commissioner of Economic Development & Innovation
Joe Mancina	Chief Administrative Officer

### Notifications:

Name	Address	Email
Shannon Conheady Canada Signs		shannon@theecomnguys.com
Jocelyn Wigley Outfront Media Canada	377 Horner Ave, Toronto ON, M8W 1Z6	jocelyn.wigley@outfront.com
Nathan Jankowski Pattison Outdoor Advertising		<a href="mailto:njankowski@pattisonoutdoor.com">njankowski@pattisonoutdoor.com</a>
Scott Stover Pattison Outdoor Advertising		<a href="mailto:SStover@pattisonoutdoor.com">SStover@pattisonoutdoor.com</a>
Harry Froussios Zelinka Priamo Ltd.	318 Wellington Rd, London, ON N6C 4P4	harry.f@zpplan.com
Roy Dzeko Target Outdoor		roydzeko1@gmail.com
Leticia Avanse Steward Logistics		<a href="mailto:leticia.avanse@stewardlogistics.com">leticia.avanse@stewardlogistics.com</a>
Dom Claros Steward Logistics		<a href="mailto:dom@stewardlogistics.com">dom@stewardlogistics.com</a>
Shawna Petzold Permit World Consulting		<a href="mailto:spetzold@permitworld.ca">spetzold@permitworld.ca</a>



Name	Address	Email
Services Inc.		

**Appendices:**

- 1 Appendix 'A' -Council Decision 103-2023
- 2 Appendix 'B' - Municipal Consultations
- 3 Appendix 'C' - Stakeholder Consultations



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**City Council  
Decision  
Monday, February 27, 2023**

√**CLERK'S CORRECTION\*\***

Moved by: Councillor Ed Sleiman  
Seconded by: Councillor Renaldo Agostino

Decision Number: CR103/2023 DHSC 477

- I. That City Council **DIRECT** the Planning Division to undertake a comprehensive review and update of the Sign By-law 250-2004, related to Paper Copy Billboard and Electronic Change Copy Billboard Ground and Wall Signs on private property; and,
- II. That City Council **APPROVE** a one-year moratorium on permits for the installation of New Billboards and retrofitting of existing Paper Copy Billboards to Electronic Change Copy Billboards to allow for the Planning Division to complete its review; and,
- III. That the Planning Division **PROVIDE** Council with recommendations for Amendments to the Sign By-law related to Paper Copy Billboard and Electronic Change Copy Billboard Ground and Wall Signs, for a decision by Council prior to the expiry date of the moratorium.
- IV. That Administration **PROVIDE** a status update of the review being undertaken at the ~~August 23<sup>rd</sup>, 2023~~ √August 2023√ meeting of the Development & Heritage Standing Committee meeting.

Carried.

Report Number: SCM 54/2023 & C 225/2022  
Clerk's File: SBS2023 8.22

*Anna Ciacelli*  
Deputy City Clerk  
July 6, 2023



## Appendix 'B' - Municipal Consultations

Municipality	Contact Name	Type of Consultation
<b>Ontario Municipalities with Populations over 100,000</b>		
Guelph	Kelly Patzner Kelly.Patzer@guelph.ca	MSTeams and Sign Bylaw Review
Hamilton	Ben Spychaj ben.spychaj@hamilton.ca	MSTeams and Sign Bylaw Review
Kingston	Jessica Dillon jdillon@cityofkingston.ca	MSTeams and Sign Bylaw Review
Milton	Robin Campbell robin.campbell@milton.ca	MSTeams and Sign Bylaw Review
Mississauga	Nathan de Sousa nathan.desousa@mississauga.ca	MSTeams and Sign Bylaw Review
Niagara Falls	Peggy Boyle pboyle@niagarafalls.ca	MSTeams and Sign Bylaw Review
Oshawa	Kathy Kozlowicz KKozlowicz@oshawa.ca	MSTeams and Sign Bylaw Review
Ottawa	Amy Scharff addressingandsigns@ottawa.ca	MSTeams and Sign Bylaw Review
Peterborough	Dylan Middleton dmiddleton@peterborough.ca	MSTeams and Sign Bylaw Review
Sudbury	Sherry Budgell Sherri.Budgell@greatersudbury.ca	MSTeams and Sign Bylaw Review
Toronto	Ted Van Vliet Ted.VanVliet@toronto.ca	MSTeams and Sign Bylaw Review
Waterloo	Kristen Sears kristen.sears@waterloo.ca	MSTeams and Sign Bylaw Review
Burlington		Sign Bylaw Review (no Response to Request)
London		Sign Bylaw Review (no Response to Request)
<b>Ontario Municipalities with Populations under 100,000</b>		
Brockton		Sign Bylaw Review
Centre Wellington		Sign Bylaw Review
Cornwall		Sign Bylaw Review
Innisfil		Sign Bylaw Review
North Grenville		Sign Bylaw Review
Owen Sound		Sign Bylaw Review
Quinte West		Sign Bylaw Review
Tecumseh		Sign Bylaw Review
Town of Bradford		Sign Bylaw Review
West Gwillimbury		Sign Bylaw Review
Town of Essex		Sign Bylaw Review
<b>Canadian Municipalities</b>		
Calgary		Sign Bylaw Best Practices Review
Edmonton		Sign Bylaw Best Practices Review
Saskatoon		Sign Bylaw Best Practices Review
Winnipeg		Sign Bylaw Best Practices Review
<b>United States Municipalities</b>		
Atlanta		Sign Bylaw Best Practices Review
Boston		Sign Bylaw Best Practices Review
Phoenix		Sign Bylaw Best Practices Review
San Antonio		Sign Bylaw Best Practices Review



### Appendix 'C' - Stakeholder Consultations

Company	Contact Name	Type of Consultation
<b>Digital Billboard Manufacturers &amp; Media Providers</b>		
Canada Billboards Inc.	Shannon Conheady	MSTeams - July 12, 2023
Outfront	Lee A. Beekman	MSTeams- March 13, 2023
Outfront	Jocelyn Wigley	Email Correspondance
Pattison Outdoor Advertising	Scott Stover	In-Person Meeting - March 14, 2023
Pattison Outdoor Advertising	Nathan Jankowski	In-Person Meeting - March 14, 2023
Pattison Outdoor Advertising	Nicholas Campeney	In-Person Meeting - March 14, 2023
Permit World	Shawna Petzold	MSTeams - June 12, 2023
Signal Out of Home	David Meikle	MSTeams - June 12, 2023
Stewart Logistic Industries (SLI)	Dom Carlos	MSTeams - June 21, 2023
Stewart Logistic Industries (SLI)	Leticia Avanse	MSTeams - June 21, 2023
Target Outdoor Signs	Roy Dzeko	MSTeams - April 11, 2023
Priamo Ltd.	Harry Froussios	MSTeams - April 11, 2023
<b>Airport &amp; Navigation</b>		
NAV CANADA	Justin Peca	teleconference - July 17, 2023
Windsor Airport (YQG)	Donna Bartlett	teleconference - July 12, 2023
Windsor Airport (YQG)	Rosanna Pellerito	Email Correspondance
Windsor Airport (YQG)	Lukas Van Der Mark	Email Correspondance
Transportation Canada	aviation.ont@tc.gc.ca	Aerodromes Standards and Recommended Practices - TP 312





**Subject: 546 and 548-550 Devonshire Road, Semi-Detached Houses - Heritage Permits & Community Heritage Fund Requests (Ward 4)**

Moved by: Councillor Fred Francis

Seconded by: Councillor Mark McKenzie

Decision Number: **DHSC 536**

- I. THAT the Heritage Permit at 546 Devonshire Rd, Semi-detached House, **BE GRANTED** to the Property Owner Natalie Delia Deckard for the removal and replacement of the existing cedar wood roof, gable ends, and dormer walls shingles with Perfection cedar shingles; and,
- II. THAT the Heritage Permit at 548-550 Devonshire Rd, Semi-detached House, **BE GRANTED** to the Property Owner Scott Mayrand for the removal and replacement of the existing cedar wood roof and dormer walls shingles and synthetic gable ends siding with Perfection cedar shingles; and,
- III. THAT the City Planner or designate **BE DELEGATED** the authority to approve any further proposed changes associated with the roof replacement and gable ends and dormers cladding replacement; and,
- IV. THAT a total grant of 30% of the cost to an upset amount of \$18,224.76 for the cedar roof shingles and \$10,645.03 for the cedar gable ends and dormer shingles, from the Community Heritage Fund (Reserve Fund 157), **BE GRANTED** to the Owner of the Semi-detached House at 546 Devonshire Rd, subject to:
  - a. Submission of conservation details, technical details and samples, to the satisfaction of the City Planner or designate prior to work start;
  - b. Determination by the City Planner that the work is completed to heritage conservation standards;
  - c. Owner's submission of paid receipts for work completed;
  - d. That the Community Heritage Fund (Reserve Fund 157), grants approved shall lapse if the applicant has not completed the work and fulfilled the conditions within 2 years of the approval date.
- V. THAT a total grant of 30% of the cost to an upset amount of \$18,224.76 for the cedar roof shingles and \$10,645.03 for the cedar gable ends and dormer



shingles, from the Community Heritage Fund (Reserve Fund 157) **BE GRANTED** to the Owner of the Semi-detached House at 548-550 Devonshire Rd, subject to:

- a. Submission of conservation details, technical details and samples, to the satisfaction of the City Planner or designate prior to work start;
- b. Determination by the City Planner that the work is completed to heritage conservation standards;
- c. Owner's submission of paid receipts for work completed;
- d. That the Community Heritage Fund (Reserve Fund 157), grants approved shall lapse if the applicant has not completed the work and fulfilled the conditions within 2 years of the approval date.

Carried.

Report Number: S 86/2023  
Clerk's File:MBA/14621

**Clerk's Note:**

1. The recommendation of the Development & Heritage Standing Committee and Administration are the same.
2. Please refer to Item 10.1 from the Development & Heritage Standing Committee held on August 1, 2023.
3. To view the stream of this Standing Committee meeting, please refer to:  
<http://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20230801/-1/9422>



**Subject: 546 and 548-550 Devonshire Road, Semi-Detached Houses -  
Heritage Permits & Community Heritage Fund Requests (Ward 4)**

**Reference:**

Date to Council: August 1, 2023  
Author: Kristina Tang, MCIP, RPP  
Heritage Planner  
ktang@citywindsor.ca  
519-255-6543 x 6179

Tracy Tang, MCIP, RPP  
Planner II - Revitalization & Policy Initiatives  
ttang@citywindsor.ca  
519-255-6543 x 6449  
Planning & Building Services  
Report Date: July 7, 2023  
Clerk's File #: MBA/14621

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

**Recommendation:**

- I. THAT the Heritage Permit at 546 Devonshire Rd, Semi-detached House, **BE GRANTED** to the Property Owner Natalie Delia Deckard for the removal and replacement of the existing cedar wood roof, gable ends, and dormer walls shingles with Perfection cedar shingles; and,
- II. THAT the Heritage Permit at 548-550 Devonshire Rd, Semi-detached House, **BE GRANTED** to the Property Owner Scott Mayrand for the removal and replacement of the existing cedar wood roof and dormer walls shingles and synthetic gable ends siding with Perfection cedar shingles; and,
- III. THAT the City Planner or designate **BE DELEGATED** the authority to approve any further proposed changes associated with the roof replacement and gable ends and dormers cladding replacement; and,
- IV. THAT a total grant of 30% of the cost to an upset amount of \$18,224.76 for the cedar roof shingles and \$10,645.03 for the cedar gable ends and dormer shingles, from the Community Heritage Fund (Reserve Fund 157), **BE GRANTED** to the Owner of the Semi-detached House at 546 Devonshire Rd, subject to:



- a. Submission of conservation details, technical details and samples, to the satisfaction of the City Planner or designate prior to work start;
  - b. Determination by the City Planner that the work is completed to heritage conservation standards;
  - c. Owner's submission of paid receipts for work completed;
  - d. That the Community Heritage Fund (Reserve Fund 157), grants approved shall lapse if the applicant has not completed the work and fulfilled the conditions within 2 years of the approval date.
- V. THAT a total grant of 30% of the cost to an upset amount of \$18,224.76 for the cedar roof shingles and \$10,645.03 for the cedar gable ends and dormer shingles, from the Community Heritage Fund (Reserve Fund 157) **BE GRANTED** to the Owner of the Semi-detached House at 548-550 Devonshire Rd, subject to:
- a. Submission of conservation details, technical details and samples, to the satisfaction of the City Planner or designate prior to work start;
  - b. Determination by the City Planner that the work is completed to heritage conservation standards;
  - c. Owner's submission of paid receipts for work completed;
  - d. That the Community Heritage Fund (Reserve Fund 157), grants approved shall lapse if the applicant has not completed the work and fulfilled the conditions within 2 years of the approval date.

### **Executive Summary:**

n/a

### **Background:**

The properties at 546 and 548-550 Devonshire Road are known as the Semi-detached Houses, which were constructed in c.1890 by locally significant architects Mason & Rice. The subject properties are located in the 500 block of Devonshire Road, on the east side between Brant Street and Wyandotte Street East. The properties are prominently visible as one of the three large semi-detached buildings on the east side of the block. The building is a two-and-one-half-storey semi-detached red brick structure in Richardson Romanesque residential architectural style. The semi-detached houses are demonstrative of the lifestyle of the managerial middle-class in the early days of the



former Town of Walkerville. The two properties each make up half of the semi-detached structure. These two properties were designated simultaneously by City of Windsor Council through By-laws No. 9978 and 9979 respectively on October 10, 1989. The Statements of Cultural Heritage Value or Interest from the two Designation By-laws are included as Appendix 'A'.



Front view of the semi-detached houses from Devonshire Road

Heritage Planning staff have had discussions with the Property Owners regarding the need for roof repairs or replacement on their homes to address the aging and deteriorating wood shingles which are causing leaking issues on the interior. The Property Owners of each side of the semi-detached building are collaborating to share the costs of the roofing project to ensure a consistent look on both sides of the building.

The Owners have each submitted a Heritage Permit application for the shared work on the properties (Appendix 'B'). The Owners intend to complete the roofing project within this calendar year, as to prevent further deterioration of the current state.

The Owners have also submitted Community Heritage Fund Applications for a grant of \$28,869.79 for each Property Owner, and included a rationale for the request (See Appendix 'C'). Administration is recommending for approval of these requests.

### **Legal Provisions:**

Part IV, 39 (1) of the *Ontario Heritage Act* (OHA) provides that "The council of a municipality may pass by-laws providing for the making of a grant or loan to the owner of a property designated under this Part for the purpose of paying for the whole or any part of the cost of alteration of such designated property on such terms and conditions as the council may prescribe." The City's Community Heritage Fund (Reserve Fund 157) exists to provide grants to heritage conservation works on designated heritage properties.

The Ontario Heritage Act (OHA) requires the owner of a heritage designated property to apply to Council to alter the property. The designation by-law includes heritage attributes (see Appendix 'A'). In accordance with the OHA, changes to a designated property that affect heritage attributes must be considered by City Council after consulting with its municipal Heritage Committee. Council has the option of granting



consent with or without terms and conditions, or refusing the application within 90 days of notice of complete application. Council also has the option to further delegate the item to an employee or official of the municipality. The delegation of final details would be more expediently handled through staff review and approval.

### **Discussion:**

### **Proposal:**

In 1991, the Property Owners of 546 and 548-550 Devonshire Road each submitted a Community Heritage Fund application for the purpose of altering the property. The scope of work was to restore the roof with cedar shingles, with conditions which included entering into a heritage easement and following proper cedar roof restoration specifications. On July 29, 1991, both applications were approved by City Council and the Windsor Architectural Conservation Advisory Committee (WACAC) for a grant of \$16,264 to each semi-detached Property Owner. From this historical record, it is assumed that the current cedar roof on the semi-detached building has been existing since c. 1990-1992.

It has been 30 years since then and the roof has exhibited signs that is at the end of its life cycle. Current Property Owners have expressed their need for roof repairs or replacement on their homes, as there are missing shingles, moss growth, moisture rot, and overall wear and tear. The Property Owner of 548-550 Devonshire Road, which experiences more weathering from the south-facing exposure, has reported significant cedar shingle deterioration which has resulted in leaking issues on the interior of the building. Thus, the Property Owners expressed their urgency in replacing the aging cedar roof to ensure that no further deterioration or damages occur to the properties.







Photos of the existing cedar roof (taken June 23, 2023).

It has been a large task for the Owners to source a contractor who can do the work for a replacement cedar roof in Windsor. Hiring somebody locally with the skills who was also available to undertake the project was challenging. After much research, the Owners are considering the following works.

### **Cedar Roof Replacement with new Perfection Cedar Shingles Roof**

The Owner's preference is to retain the local contractor Dayus Roofing. Dayus Roofing has experience with roofing for local heritage properties, including repairs and replacements of cedar wood roofs. The Dayus quote for replacement with a new cedar roof includes complete removal of the existing roof, inspection of decking and any required structural repairs, material delivery and supply, cedar shingle installation, and new flashing. The cedar shingle material is quoted as 18" Perfection Cedar Shingles which are sourced from British Columbia.



Sample of the new Perfection Cedar Shingles with pieces of the existing cedar roof shingles on bottom left (photo taken June 23, 2023). (The cedar shingles will age to the grey colour.)



The roof replacement work using cedar shingles follows the Standards & Guidelines for Conservation of Historic Places. Standards 13 and 14 are listed below.

### **Additional Standards Relating to Restoration**

- 13.** Repair rather than replace *character-defining elements* from the *restoration period*. Where character-defining elements are too severely deteriorated to repair and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements.
- 14.** Replace missing features from the *restoration period* with new features whose forms, materials and detailing are based on sufficient physical, documentary and/or oral evidence.

The alteration request to replace the existing cedar roof with a new cedar roof would be eligible for a 30% grant of the total roof replacement project through the Community Heritage Fund.

### **Replacement of Gable Ends Cladding and Dormer Walls with new Perfection Cedar Shingles**

To optimize the use of lifts and scaffolding while undertaking the roofing project, the Property Owners intend to also remove and replace of the existing cladding on all the gable ends (north, south, and east/rear facing) and front dormers. The north- and east-facing gable end walls of 546 Devonshire Road are currently clad in a cedar shingle with “dragon-teeth” edging details. There are remnants of a brown ochre paint application that is now mostly faded down to bare wood. Similar to the cedar roof shingles, the current shingles on the gable walls have deteriorated and some have fallen off entirely. The Owner plans to remove the current cedar wood shingles on their gable end walls and dormer, and replace them with new Perfection cedar shingles matching what is currently on the walls.

The south-facing gable end walls of 548-550 Devonshire Road are currently clad in a synthetic siding with a brown wood finish. The finish on the cladding has started to wear off, and entire pieces of the cladding have fallen off the walls over the years, leaving behind gaps in the surface which provide opportunities for water penetration. The east-facing gable end walls are similar to 546 Devonshire Road and clad in cedar shingles with “dragon-teeth” edging details. These shingles are painted in an orange colour which has begun to fade, and they are also deteriorated. The Owner plans to remove the current cladding on their gable end walls and dormer, and replace them with new Perfection cedar shingles matching what is proposed on the adjacent 548 Devonshire Road gable end walls and dormer for consistency.

The Owners were able to obtain one set of quotes for the gable end walls and dormers cladding project from Dayus Roofing, as they have experienced challenges obtaining the required minimum of two quotes.

### **Heritage Conservation Considerations:**



The roof, gable ends, and dormer walls have been deteriorating over the years with higher intensity and more frequent precipitation events, sometimes causing leaking into the interior of 548-550 Devonshire Road. The Property Owners searched for quotes to repair the roof in accordance with the *Standards & Guidelines for Conservation of Historic Places* (S&G), which recommends for repairs over complete replacements. However, given the age and current deteriorating condition of the cedar shingles, the Property Owners are opting to undergo a complete replacement. Section 4.3.3 Roofs in the S&G provides direction for the best heritage practices when dealing with roofs.

	Recommended	Not Recommended
3	<b>Documenting</b> the form, materials and condition of roof assemblies before undertaking an intervention, including the roof's pitch, shape, decorative and functional elements, and materials, and its size, colour and patterning.	Undertaking an intervention that affects character-defining roofs and roof elements, without first documenting their existing character and condition.
12	<b>Testing</b> proposed interventions to establish appropriate replacement materials, quality of workmanship and methodology. This can include reviewing samples, testing products, methods or assemblies, or creating a mock-up. Testing should be carried out under the same conditions as the proposed intervention.	
16	<b>Replacing</b> in kind an entire element of the roof that is too deteriorated to repair—if the overall form and detailing are still evident—using the physical evidence as a model to reproduce the element. This can include a large section of roofing, a dormer, or a chimney. If using the same kind of material is not technically or economically feasible, then a compatible substitute material may be considered.	Removing a roof element that is irreparable, such as a chimney or dormer, and not replacing it, or replacing it with a new element that does not convey the same appearance or serve the same function.  Replacing deteriorated roof elements and materials that are no longer available with physically or visually incompatible substitutes.

Roofing contractors from different companies assessed the current condition of the cedar roof and all came to the conclusion that repair is not possible, and wholesale replacement is needed. Thus, careful consideration of the S&G Recommendation #16 under 4.3.3 Roofs is required. Approval of the heritage permits and CHF requests will be subject to review of the additional technical information on the material and techniques employed to confirm that the ultimate appearance and techniques would be a visually and physically compatible substitute to the existing cedar roof and gable ends.

### Official Plan Policy:

The Windsor Official Plan includes (9.3.6.1.), “Council will manage heritage resources by: (e) providing support and encouragement to organizations and individuals who undertake the conservation of heritage resources by private means”.

The Plan includes protection (9.3.4.1). “Council will protect heritage resources by: (c) Requiring that, prior to approval of any alteration, partial demolition, removal or change in use of a designated heritage property, the applicant demonstrate that the proposal will not adversely impact the heritage significance of the property ...” and enhancement [9.3.5.1(b)] “Council will enhance heritage resources by: (b) Promoting, maintaining and administering the [Community Heritage] Fund for special heritage conservation projects; “.



**Risk Analysis:**

The risk of taking no action for this property is the potential deterioration of a designated heritage property and potential loss of the heritage attributes due to age and water intrusion.

Cedar roof shingles and shakes are relatively rare in Windsor, with a limited number of properties still retaining such roofing material. There is a real risk of loss of these unique heritage features in the City due to the lack of specialized tradespersons, limited material supply, and inflated costs, as well as the general appeal to homeowners of the affordability and low-maintenance of modern materials such as asphalt and metal.

No city funds will be expended until the project is determined by Planning Staff to be completed according to good heritage practices. Conditions of this determination include provision of technical information through details within the quote and request for provision of material samples or mock-up, to ensure that the conservation work is heritage appropriate prior to disbursement of the funds.

**Climate Change Risks****Climate Change Mitigation:**

N/A

**Climate Change Adaptation:**

N/A

**Financial Matters:**

The Community Heritage Fund (CHF) guidelines includes the following:

"As a general principle, awards will be limited to a maximum of \$50,000 unless the DHSC (Development & Heritage Standing Committee) so recommends and Council approves." The award from the Community Heritage Fund is generally given according to the following formula: Grant: 15 percent of the award in the form of a grant & Low Cost Loan: 85 percent of the award". In this particular case, the applicant is asking to proceed with 30% grant approval for replacements to cedar shingles with no loan component. As well, the Community Heritage Fund asks for "A minimum of two cost estimates, based on specifications approved by the DHSC and the City Planner or Designate, shall be obtained by the owner for all restoration work to be done." The estimates will then be reviewed to ensure that all work specified is covered. The lower bid will usually be recommended for funding."

The Owners made significant efforts to solicit bids and quotes from local companies. However up to the time of the writing of the report, they were unable to obtain multiple quotes for the gable ends siding walls and dormer walls replacement project, and were only able to consider two qualified vendors for the roofing project. A summary table of the quotes are as below. The Owners have provided their explanation of the preferred



qualified vendor based on the quote provided, expertise and experience of the vendor, and eagerness of the vendor. The Owners would like to retain Dayus Roofing to undertake the roof and siding replacement project.

<b>TOTAL SUMMARY ROOF PROJECT (costs are for both properties together; owners to split costs 50/50)</b>		
<b>Quote from Vendor</b>	<b>Cost (without HST)</b>	<b>Total Cost (with HST)</b>
Dayus Roofing – Perfection Cedar	\$107,520.72	\$121,498.42
Heritage Roofing – Cedar	\$167,000.00	\$188,710.00
<b>TOTAL SUMMARY GABLES AND DORMERS PROJECT (costs are for individual properties)</b>		
<b>Quote from Vendor</b>	<b>Cost (without HST)</b>	<b>Total Cost (with HST)</b>
Dayus Roofing – Perfection Cedar (546 Devonshire Rd)	\$31,401.26	\$35,483.42
Dayus Roofing – Perfection Cedar (548-550 Devonshire Rd)	\$31,401.26	\$35,483.42

Based on the estimates of the Owners' preferred qualified vendor and material, the total cost of the project is anticipated to be \$121,498.42 after tax for re-roofing the entire building (\$60,749.21 for each property), and \$35,483.42 after tax for each property for the gable ends sidings walls and dormer walls. This total project amounts to approximately \$96,232.63 for each Property Owner. The Owners are requesting for 30% of the cost of the replacement work to be covered by the CHF due to the very high cost of conserving the cedar roof appearance and special heritage features, especially in today's climate of increasingly expensive trades work and inflation. The cost of the roof replacement work is encouraged to be conducted soon and is a significant cost for a private property owner. Therefore, administration recommends approval of the request by the Owners for CHF of 30% for the work to be done to replace the deteriorating cedar shingles on roof and siding.

The heritage financial incentive through the Community Heritage Fund (CHF) would provide support to the continued conservation of the heritage features of this designated building. As of June 30, 2023, the Community Heritage Fund (Reserve Fund 157) has an uncommitted balance of \$142,329.75 available (including the safeguard of having the minimum balance of \$50,000 in the Committed funds). Therefore, there is sufficient funds in Fund 157 to cover the cost of the grant project. Administration recommends that the amounts of 30% after HST to an upset amount of \$28,869.79 to each Property Owner be provided for the roof, gable ends, and dormer walls replacement project.

The Owners have also applied for the Heritage Property Tax Reduction program which will be administratively processed when amounts are under \$20,000 as per By-law 164-



2015. The total property taxes payable in 2023 for 546 Devonshire Road is \$4,034.49, and for 548-550 Devonshire Road is \$3,879.32. The annual rebate would be up to 30% or approximately \$1,210.35 for 546 Devonshire Road and approximately \$1,163.80 for 548-550 Devonshire Road, for a maximum of 3 years up to the cost of the restoration. Over the three year period, the combined financial incentives from the CHF and the Heritage Property Tax Reduction program would offset 33.7% of the total project costs for the Perfection Cedar roof, gable ends, and dormer walls replacement.

**Consultations:**

City staff have been consulting with the Owners in recent months. Josie Gaultieri, Financial Planning Administrator, assisted with confirmation of fund balance.

**Conclusion:**

A total grant amount of 30% of the cost of the roof, gable ends, and dormer walls replacement at 546 and 548-550 Devonshire Road to the upset amount of \$28,869.79 to each Property Owner from the Community Heritage Fund (Reserve Fund 157) is recommended to be approved, subject to conditions. Further heritage alteration approvals necessitated for this scope of work are recommended to be delegated to the City Planner or designate to direct further conservation details.

**Planning Act Matters:**

N/A

**Approvals:**

Name	Title
Kristina Tang	Heritage Planner
Josie Gaultieri	Financial Planning Administrator
Carolyn Nelson	Manager, Property Valuations & Administration
Neil Robertson	Acting City Planner / Executive Director Planning & Building
Wira Vendrasco	Deputy City Solicitor
Janice Guthrie	Chief Financial Officer
Jelena Payne	Commissioner of Economic Development & Innovation
Joe Mancina	Chief Administrative Officer

**Notifications:**

Name	Address	Email
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<b>Name</b>	<b>Address</b>	<b>Email</b>
Natalie Delia Deckard		
Scott Mayrand		

**Appendices:**

- 1 Appendix A - Designation By-laws 9978 and 9979
- 2 Appendix B - Heritage Permit Applications
- 3 Appendix C - Community Heritage Fund Applications
- 4 Appendix D - Additional Photos of 546 and 548-550 Devonshire Rd



## **Appendix A - Designation By-laws 9978 and 9979**

Semi-Detached House, 546 Devonshire Road

From By-Law No. 9978, passed by Council on October 10, 1989:

### SCHEDULE "B"

#### Reasons for Designation:

- (i) Well preserved local example of Richardsonian Romanesque residential architecture exhibited principally in the hip roofs with flared eaves, low sprung decorated brick arch entrance, and 2-storey bayfront with shared brick balustrade balcony.
- (ii) Dormer with cedar shakes and 4 sash type windows of 16 lights each and upper storey windows, double hung, eight lights each.
- (iii) Demonstrative of the lifestyle of the managerial middle-class in early Walkerville.
- (iv) Integral component of the 19th Century group of semi-detached homes intact in the 500 block of Devonshire Road.



Semi-Detached House, 548-550 Devonshire Road  
From By-Law No. 9979, passed by Council on October 10, 1989:

SCHEDULE "B"

Reasons for Designation:

- (i) Well preserved local example of Richardsonian Romanesque residential architecture exhibited principally in the hip roofs with flared eaves, low sprung decorated brick arch entrance, and 2-storey bayfront with shared brick balustrade balcony.
- (ii) Dormer with cedar shakes and 4 sash type windows of 16 lights each and upper storey windows, double hung, eight lights each.
- (iii) Demonstrative of the lifestyle of the managerial middle-class in early Walkerville.
- (iv) Integral component of the 19th Century group of semi-detached homes intact in the 500 block of Devonshire Road.





HERITAGE PERMIT APPLICATION

Revised 12/2021

CORPORATION OF THE CITY OF WINDSOR  
Planning Dept., Suite 320-350 City Hall Sq W, Windsor ON N9A 6S1  
519-255-6543 | 519-255-6544 (fax) | [planningdept@citywindsor.ca](mailto:planningdept@citywindsor.ca)

1. Applicant, Agent and Registered Owner Information

Provide in full the name of the applicant, registered owner and agent, the name of the contact person, and address, postal code, phone number, fax number and email address. If the applicant or registered owner is a numbered company, provide the name of the principals of the company. If there is more than one applicant or registered owner, copy this page, complete in full and submit with this application.

APPLICANT

Contact Name(s) Natalie Delia Deckard  
Company or Organization \_\_\_\_\_  
Mailing Address 546 Devonshire Rd - Windsor, ON N8Y 2L7  
\_\_\_\_\_  
Email [REDACTED] Postal Code N8Y 2L7  
Phone(s) [REDACTED]

REGISTERED OWNER IF NOT APPLICANT

Contact Name(s) \_\_\_\_\_  
Company or Organization \_\_\_\_\_  
Mailing Address \_\_\_\_\_  
\_\_\_\_\_  
Email \_\_\_\_\_ Postal Code \_\_\_\_\_  
Phone(s) \_\_\_\_\_

AGENT AUTHORIZED BY REGISTERED OWNER TO FILE THE APPLICATION

Contact Name(s) \_\_\_\_\_  
Company or Organization \_\_\_\_\_  
Mailing Address \_\_\_\_\_  
\_\_\_\_\_  
Email \_\_\_\_\_ Postal Code \_\_\_\_\_  
Phone(s) \_\_\_\_\_

Who is the primary contact?

☒ Applicant ☐ Registered Owner ☐ Agent



**2. SUBJECT PROPERTY**

Municipal Address: 546 DEVONSHIRE RD - WINDSOR, ON N8Y 2L7

Legal Description (if known): \_\_\_\_\_

Building/Structure Type:

☒ Residential      ☐ Commercial      ☐ Industrial      ☐ Institutional

Heritage Designation:

☒ Part IV (Individual)      ☐ Part V (Heritage Conservation District)

By-law #: \_\_\_\_\_ District: \_\_\_\_\_

Is the property subject to a Heritage Easement or Agreement?

☒ Yes      ☐ No

**3. TYPE OF APPLICATION**

Check all that apply:

☐ Demolition/Removal of heritage attributes      ☐ Addition      ☐ Erection      ☒ Alteration\*  
☐ Demolition/Removal of building or structure      ☐ Signage      ☐ Lighting

\*The *Ontario Heritage Act's* definition of "alter" means to change in any manner and includes to restore, renovate, repair or disturb.

**4. HERITAGE DESCRIPTION OF BUILDING**

*Describe the existing design or appearance of buildings, structures, and heritage attributes where work is requested. Include site layout, history, architectural description, number of storeys, style, features, etc..*

Currently cedar shake roof, to be replaced by new cedar shake roof (at 30% grant rate) or synthetic roof if 30% grant is not approved.

Home is already fully described in Heritage records.



## 5. PROPOSED WORK

Provide a detailed written description of work to be done, including any conservation methods you plan to use. Provide details, drawings, and written specifications such as building materials, measurements, window sizes and configurations, decorative details, etc.. Attach site plans, elevations, product spec sheets, etc. to illustrate, if necessary.

Included in quotes - including pictures and diagrams.

## 6. HERITAGE PERMIT RATIONALE

Explain the reasons for undertaking the proposed work and why it is necessary.

Roof is past useful life and beginning to leak. We want to avoid property deterioration and keep the building (both homes) insurable.

Describe the potential impacts to the heritage attributes of the property.

None if replaced per plan with rebate.

## 7. CHECKLIST OF MATERIALS SUBMITTED Check all that apply:

Required:

- ☒ Photographs (showing the current condition and context of existing buildings, structures, and heritage attributes that are affected by the application)
- ☐ Site plan/ Sketch (showing buildings on the property and location of proposed work)
- ☒ Drawings of proposed work (e.g. existing and proposed elevations, floor plans, roof plans, etc., as determined by Heritage Planning staff)
- ☒ Specifications of proposed work (e.g. construction specification details)

Potentially required (to be determined by Heritage Planning staff):

- ☐ Registered survey
- ☐ Material samples, brochures, product data sheets etc.
- ☐ Cultural Heritage Evaluation Report
- ☐ Heritage Impact Assessment (HIA)
- ☐ Heritage Conservation Plan
- ☐ Building Condition Assessment



## 8. NOTES FOR DECLARATION

*The applicant hereby declares that the statements made herein and information provided are, to the best of their belief and knowledge, a true and complete representation of the purpose and intent of this application.*

*The applicant agrees that the proposed work shall be done in accordance with this application, including attachments, and understands that the issuance of the Heritage Alteration Permit under the Ontario Heritage Act shall not be a waiver of any of the provisions of any By-Law of the Corporation of the City of Windsor, or the requirements of the Building Code Act, RSO 1980, c51.*

*The applicant acknowledges that in the event a permit is issued, any departure from the conditions imposed by the Council of the Corporation of the City of Windsor, or plans and specifications approved is prohibited and could result in the permit being revoked. The applicant further agrees that if the Heritage Alteration Permit is revoked for any cause of irregularity, in the relation to non-conformance with the said agreements, By-Laws, acts or regulations that, in consideration of the issuance of the permit, all claims against the City for any resultant loss or damage are hereby expressly waived.*

**APPLICANT** Signature(s)

*Heather Leckend*

Date

*3 July 2023*

Date



## SCHEDULE A

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

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

I, \_\_\_\_\_, am the registered owner of the land that is  
name of registered owner  
subject of this application for a Heritage Alteration Permit and I authorize  
\_\_\_\_\_ to make this application on my behalf.  
name of agent

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

\_\_\_\_\_  
Date

If Corporation – I have authority to bind the corporation.

### B. Consent to Enter Upon the Subject Lands and Premises

I, Natalie Delia Deckard, hereby authorize the members of the Windsor Heritage Committee and City Council and staff of the Corporation of the City of Windsor to enter upon the subject lands and premises described in Section 3 of the application form for the purpose of evaluating the merits of this application and subsequently to conduct any inspections on the subject lands that may be required as condition of approval. This is their authority for doing so.

Natalie Delia Deckard

Signature of Registered Owner

3 July 2023  
Date

If Corporation – I have authority to bind the corporation.

### C. Acknowledgement of Applicant

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

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

Natalie Delia Deckard

Signature of Applicant

3 July 2023  
Date



**DO NOT COMPLETE BELOW – STAFF USE ONLY**

**Approval Record**

Date Received by Heritage Planner: \_\_\_\_\_

Building Permit Application Date, if needed: \_\_\_\_\_

☐ Application Approval (City Council):

Development & Heritage Standing Committee: \_\_\_\_\_

City Council: \_\_\_\_\_

☐ Application Approval (City Planner):

Heritage Planner: \_\_\_\_\_

Staff Decision Appealed to City Council: \_\_\_\_\_

If so, Date to City Council: \_\_\_\_\_

Council Decision Appealed: \_\_\_\_\_

Additional Notes / Conditions:

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

**DECISION**

Heritage Permit No.: \_\_\_\_\_ Date: \_\_\_\_\_

Council Motion or City Planner's Signature: \_\_\_\_\_

Please contact Heritage Planning to request inspections at [ktang@citywindsor.ca](mailto:ktang@citywindsor.ca)

**CONTACT INFORMATION**

Planning Department - Planning Policy  
Corporation of the City of Windsor  
Suite 320 - 350 City Hall Square West  
Windsor ON N9A 6S1  
[planningdept@citywindsor.ca](mailto:planningdept@citywindsor.ca)  
519-255-6543 x 6179  
519-255-6544 (fax)  
<http://www.citywindsor.ca>



## CORPORATION OF THE CITY OF WINDSOR

Planning Dept., Suite 320-350 City Hall Sq W, Windsor ON N9A 6S1  
519-255-6543 | 519-255-6544 (fax) | [planningdept@citywindsor.ca](mailto:planningdept@citywindsor.ca)

### 1. Applicant, Agent and Registered Owner Information

Provide in full the name of the applicant, registered owner and agent, the name of the contact person, and address, postal code, phone number, fax number and email address. If the applicant or registered owner is a numbered company, provide the name of the principals of the company. If there is more than one applicant or registered owner, copy this page, complete in full and submit with this application.

#### APPLICANT

Contact Name(s) Scott Mayrand  
Company or Organization \_\_\_\_\_  
Mailing Address 550 Devonshire rd. Windsor ON  
\_\_\_\_\_  
\_\_\_\_\_  
Postal Code N8Y 2L7  
Email [REDACTED] Phone(s) [REDACTED]

#### REGISTERED OWNER IF NOT APPLICANT

Contact Name(s) \_\_\_\_\_  
Company or Organization \_\_\_\_\_  
Mailing Address \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Postal Code \_\_\_\_\_  
Email \_\_\_\_\_ Phone(s) \_\_\_\_\_

#### AGENT AUTHORIZED BY REGISTERED OWNER TO FILE THE APPLICATION

Contact Name(s) \_\_\_\_\_  
Company or Organization \_\_\_\_\_  
Mailing Address \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Postal Code \_\_\_\_\_  
Email \_\_\_\_\_ Phone(s) \_\_\_\_\_

#### Who is the primary contact?

☒ Applicant ☐ Registered Owner ☐ Agent



**2. SUBJECT PROPERTY**

Municipal Address: 550 Devonshire rd Windsor ON N8Y 2L7

Legal Description (if known): \_\_\_\_\_

Building/Structure Type:

☒ Residential      ☐ Commercial      ☐ Industrial      ☐ Institutional

Heritage Designation:

☒ Part IV (Individual)      ☐ Part V (Heritage Conservation District)

By-law #: \_\_\_\_\_ District: \_\_\_\_\_

Is the property subject to a Heritage Easement or Agreement?

☒ Yes      ☐ No

**3. TYPE OF APPLICATION**

Check all that apply:

☐ Demolition/Removal of heritage attributes      ☐ Addition      ☐ Erection      ☒ Alteration\*  
☐ Demolition/Removal of building or structure      ☐ Signage      ☐ Lighting

\*The *Ontario Heritage Act's* definition of "alter" means to change in any manner and includes to restore, renovate, repair or disturb.

**4. HERITAGE DESCRIPTION OF BUILDING**

Describe the existing design or appearance of buildings, structures, and heritage attributes where work is requested. Include site layout, history, architectural description, number of storeys, style, features, etc..

current cedar shake roof to be replaced  
by new cedar shake roof (at 30% grant rate)  
or synthetic roof if 30% grant is not approved



## 5. PROPOSED WORK

Provide a detailed written description of work to be done, including any conservation methods you plan to use. Provide details, drawings, and written specifications such as building materials, measurements, window sizes and configurations, decorative details, etc.. Attach site plans, elevations, product spec sheets, etc. to illustrate, if necessary.

Replace roof as is

## 6. HERITAGE PERMIT RATIONALE

Explain the reasons for undertaking the proposed work and why it is necessary.

Life span of existing roof has run out.  
Roof is actively leaking.

Describe the potential impacts to the heritage attributes of the property.

## 7. CHECKLIST OF MATERIALS SUBMITTED

Check all that apply:

Required:

- ☒ Photographs (showing the current condition and context of existing buildings, structures, and heritage attributes that are affected by the application)
- ☐ Site plan/ Sketch (showing buildings on the property and location of proposed work)
- ☒ Drawings of proposed work (e.g. existing and proposed elevations, floor plans, roof plans, etc., as determined by Heritage Planning staff)
- ☒ Specifications of proposed work (e.g. construction specification details)

Potentially required (to be determined by Heritage Planning staff):

- ☐ Registered survey
- ☐ Material samples, brochures, product data sheets etc.
- ☐ Cultural Heritage Evaluation Report
- ☐ Heritage Impact Assessment (HIA)
- ☐ Heritage Conservation Plan
- ☐ Building Condition Assessment



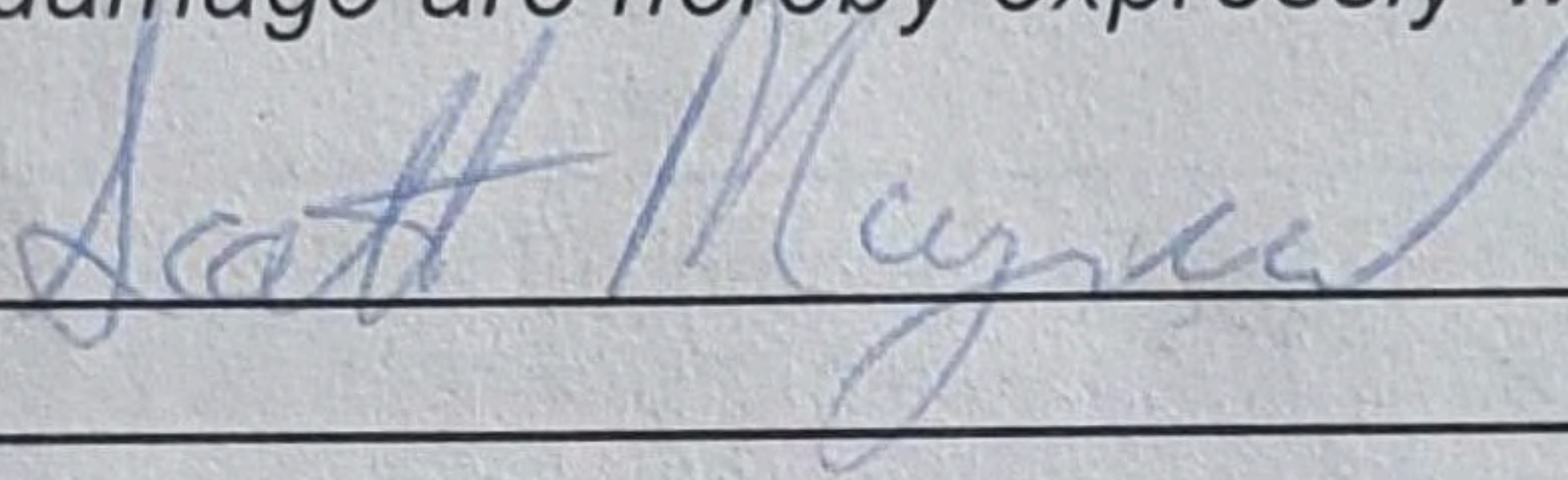
## 8. NOTES FOR DECLARATION

*The applicant hereby declares that the statements made herein and information provided are, to the best of their belief and knowledge, a true and complete representation of the purpose and intent of this application.*

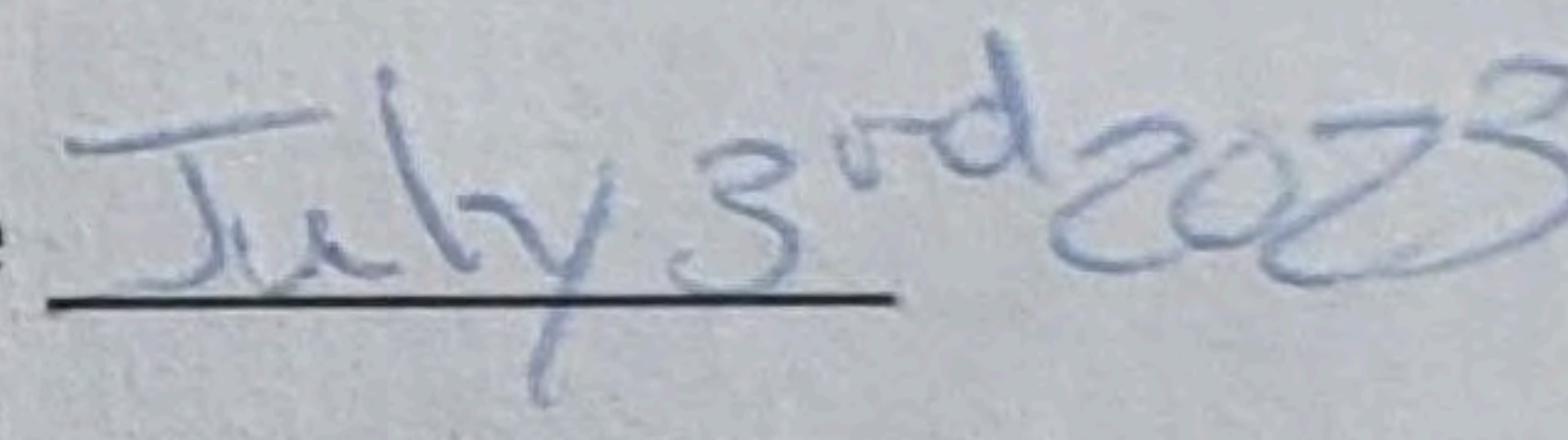
*The applicant agrees that the proposed work shall be done in accordance with this application, including attachments, and understands that the issuance of the Heritage Alteration Permit under the Ontario Heritage Act shall not be a waiver of any of the provisions of any By-Law of the Corporation of the City of Windsor, or the requirements of the Building Code Act, RSO 1980, c51.*

*The applicant acknowledges that in the event a permit is issued, any departure from the conditions imposed by the Council of the Corporation of the City of Windsor, or plans and specifications approved is prohibited and could result in the permit being revoked. The applicant further agrees that if the Heritage Alteration Permit is revoked for any cause of irregularity, in the relation to non-conformance with the said agreements, By-Laws, acts or regulations that, in consideration of the issuance of the permit, all claims against the City for any resultant loss or damage are hereby expressly waived.*

**APPLICANT** Signature(s) \_\_\_\_\_



Date \_\_\_\_\_



Date \_\_\_\_\_



**SCHEDULE A**

**A. Authorization of Registered Owner for Agent to Make the Application**

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

I, \_\_\_\_\_, am the registered owner of the land that is  
name of registered owner  
subject of this application for a Heritage Alteration Permit and I authorize  
\_\_\_\_\_ to make this application on my behalf.  
name of agent

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

\_\_\_\_\_  
Date

If Corporation – I have authority to bind the corporation.

**B. Consent to Enter Upon the Subject Lands and Premises**

I, Scott Mayrand, hereby authorize the members of the Windsor Heritage Committee and City Council and staff of the Corporation of the City of Windsor to enter upon the subject lands and premises described in Section 3 of the application form for the purpose of evaluating the merits of this application and subsequently to conduct any inspections on the subject lands that may be required as condition of approval. This is their authority for doing so.

Scott Mayrand  
Signature of Registered Owner

July 3<sup>rd</sup> 2023  
Date

If Corporation – I have authority to bind the corporation.

**C. Acknowledgement of Applicant**

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

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

Scott Mayrand  
Signature of Applicant

July 3<sup>rd</sup> 2023  
Date



**DO NOT COMPLETE BELOW – STAFF USE ONLY**

**Approval Record**

Date Received by Heritage Planner: \_\_\_\_\_

Building Permit Application Date, if needed: \_\_\_\_\_

☐ Application Approval (City Council):

Development & Heritage Standing Committee: \_\_\_\_\_

City Council: \_\_\_\_\_

☐ Application Approval (City Planner):

Heritage Planner: \_\_\_\_\_

Staff Decision Appealed to City Council: \_\_\_\_\_

If so, Date to City Council: \_\_\_\_\_

Council Decision Appealed: \_\_\_\_\_

Additional Notes / Conditions:

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

**DECISION**

Heritage Permit No.: \_\_\_\_\_ Date: \_\_\_\_\_

Council Motion or City Planner's Signature: \_\_\_\_\_

Please contact Heritage Planning to request inspections at [ktang@citywindsor.ca](mailto:ktang@citywindsor.ca)

**CONTACT INFORMATION**

Planning Department - Planning Policy  
Corporation of the City of Windsor  
Suite 320 - 350 City Hall Square West  
Windsor ON N9A 6S1  
[planningdept@citywindsor.ca](mailto:planningdept@citywindsor.ca)  
519-255-6543 x 6179  
519-255-6544 (fax)  
<http://www.citywindsor.ca>



CITY OF WINDSOR  
COMMUNITY HERITAGE FUND

APPLICATION FOR LOAN AND/OR GRANT  
(To be completed in full)

APPLICANT/AGENT/OWNER INFORMATION

1. APPLICANT(S): Natalie Delia Deband  
Address, City: 546 Devonshire Rd Postal Code: N8Y 2C7  
Email: [REDACTED] Telephone: [REDACTED]
2. AGENT/ARCHITECT/ENGINEER/SOLICITOR: \_\_\_\_\_  
Address, City: \_\_\_\_\_ Postal Code: \_\_\_\_\_  
Email: \_\_\_\_\_ Telephone: \_\_\_\_\_
3. REGISTERED OWNER(S): \_\_\_\_\_  
Address, City: \_\_\_\_\_ Postal Code: \_\_\_\_\_  
Email: \_\_\_\_\_ Telephone: \_\_\_\_\_

PROPERTY FOR WHICH HERITAGE FUND ASSISTANCE IS REQUESTED

4. HERITAGE NAME OF PROPERTY \_\_\_\_\_
5. MUNICIPAL ADDRESS \_\_\_\_\_
6. LEGAL DESCRIPTION (Lot and Plan) \_\_\_\_\_
7. ASSESSMENT ROLL NUMBER(S) \_\_\_\_\_
8. EXISTING USE residential
9. THIS PROPERTY IS DESIGNATED UNDER THE ONTARIO HERITAGE ACT  
YES ☐ By-law No. \_\_\_\_\_ Date \_\_\_\_\_

REQUESTED HERITAGE FUND ASSISTANCE

10. AMOUNT AND TYPE OF FINANCIAL ASSISTANCE REQUESTED:

Loan \$ \_\_\_\_\_ 30% of roof = \$18,224.76 30% of  
Grant \$ 28,869.79 TOTAL \$ 28,869.79 siding = \$10,645.03

NOTE: Details for loan/grant are set out in the attached pamphlet "Windsor's Community Heritage Fund".

11. If a loan is requested, please indicate your term of repayment: \_\_\_\_\_ years.
12. Are there any outstanding mortgages or liens against this property?  
NO ☐  
YES ☐ Amount: \_\_\_\_\_ Institution: \_\_\_\_\_
13. If your application for a loan, grant or loan/grant combination is in an amount not to exceed \$15,000, you may be required to obtain a property appraisal from a real estate agent or certified appraiser. If your application is in an amount in excess of \$15,000, you may be required to obtain an appraisal from a certified appraiser.
14. Have you previously received assistance from the City for the property named above?  
NO ☒



YES ☐ Amount: \_\_\_\_\_ Date: \_\_\_\_\_  
Source of funds: \_\_\_\_\_

**REASONS FOR REQUESTING HERITAGE FUND ASSISTANCE**

**A. Rehabilitation of Owner's designated property:**

15. Describe fully here (or on attached sheets) the proposed work to be undertaken:

Per the quotes, cedar shake siding and  
roof replacement

16. The applicant is responsible for providing at least two written estimates from qualified contractors and/or qualified design consultants for the proposed restoration work. The estimates should contain sufficient detail to permit a review of individual components of the proposed work. Attach estimates to this form when filing. (Some specifications are available from the Heritage Planner – see contact information at the bottom of this page.)

17. Describe any new uses of the property, if different from the existing use.

18. The application shall include recent, dated photographs of the property, to clearly illustrate the areas of the property that are the subject of the proposed work. Any available architectural drawings should be included as well.

19. Early photographs or drawings showing the property's original appearance should be submitted, if available, to assist in the review of the application.

**B. Purchase of designated property:**

20. Indicate the full price of the property you wish to purchase: \$ \_\_\_\_\_ and include a copy of the "offer to purchase."

21. Indicate your other sources of funding, the amount you will receive, and any subsequent liens/mortgages.

**C. Architectural/engineering study of Owner's designated property:**

22. Indicate the full price of the architectural/engineering study by a restoration specialist: \$ \_\_\_\_\_ and include a copy of the estimate or invoice from the study.

**SIGNATURES**

APPLICANT OR AGENT

Walter D. Dickard

Date

13 July 2023

REGISTERED OWNER(S)

Date

CHECKED/RECEIVED BY

HERITAGE PLANNER

Date

This application should be completed and filed with the:  
Planning Department  
Suite 320 - 350 City Hall Square West  
Windsor ON, N9A 6S1

For assistance and/or information on filing, please contact the Planning Department:  
Telephone 519-255-6543 x 6179 Fax 519-255-6544

**NOTICE WITH RESPECT TO COLLECTION OF PERSONAL INFORMATION:**

I/We also acknowledge that the information requested on this form is required in order to process the application to the Development & Heritage Standing Committee. Please be advised that the information in this application form may be released to the public in an electronic form, i.e. web site and/or paper format, i.e. agenda or minutes.

Dated: \_\_\_\_\_

Signed: \_\_\_\_\_

Signature of Applicant



CITY OF WINDSOR  
COMMUNITY HERITAGE FUND

APPLICATION FOR LOAN AND/OR GRANT  
(To be completed in full)

APPLICANT/AGENT/OWNER INFORMATION

1. APPLICANT(S): Scott Mayrand  
Address: 7618-550 Devonshire rd Postal Code: N8Y 2L7  
Email: [REDACTED] Telephone: [REDACTED]
2. AGENT/ARCHITECT/ENGINEER/SOLICITOR: \_\_\_\_\_  
Address, City: \_\_\_\_\_ Postal Code: \_\_\_\_\_  
Email: \_\_\_\_\_ Telephone: \_\_\_\_\_
3. REGISTERED OWNER(S): \_\_\_\_\_  
Address, City: \_\_\_\_\_ Postal Code: \_\_\_\_\_  
Email: \_\_\_\_\_ Telephone: \_\_\_\_\_

PROPERTY FOR WHICH HERITAGE FUND ASSISTANCE IS REQUESTED

4. HERITAGE NAME OF PROPERTY \_\_\_\_\_
5. MUNICIPAL ADDRESS \_\_\_\_\_
6. LEGAL DESCRIPTION (Lot and Plan) \_\_\_\_\_
7. ASSESSMENT ROLL NUMBER(S) \_\_\_\_\_
8. EXISTING USE \_\_\_\_\_
9. THIS PROPERTY IS DESIGNATED UNDER THE ONTARIO HERITAGE ACT  
YES ☐ By-law No. \_\_\_\_\_ Date \_\_\_\_\_

REQUESTED HERITAGE FUND ASSISTANCE

10. AMOUNT AND TYPE OF FINANCIAL ASSISTANCE REQUESTED:

Loan \$ \_\_\_\_\_ \$28,869.79 \$28,869.79  
Grant \$ 25,489.81 TOTAL \$ 25,489.81

30% of roof =  
\$18,224.76  
30% of siding =  
\$10,645.03

NOTE: Details for loan/grant are set out in the attached pamphlet "Windsor's Community Heritage Fund".

11. If a loan is requested, please indicate your term of repayment: \_\_\_\_\_ years.
12. Are there any outstanding mortgages or liens against this property?  
NO ☐  
YES ☐ Amount: \_\_\_\_\_ Institution: \_\_\_\_\_
13. If your application for a loan, grant or loan/grant combination is in an amount not to exceed \$15,000, you may be required to obtain a property appraisal from a real estate agent or certified appraiser. If your application is in an amount in excess of \$15,000, you may be required to obtain an appraisal from a certified appraiser.
14. Have you previously received assistance from the City for the property named above?  
NO ☒



YES ☐ Amount: \_\_\_\_\_ Date: \_\_\_\_\_

Source of funds: \_\_\_\_\_

**REASONS FOR REQUESTING HERITAGE FUND ASSISTANCE**

**A. Rehabilitation of Owner's designated property:**

15. Describe fully here (or on attached sheets) the proposed work to be undertaken:

cedar shake roof/siding (gables)

16. The applicant is responsible for providing at least two written estimates from qualified contractors and/or qualified design consultants for the proposed restoration work. The estimates should contain sufficient detail to permit a review of individual components of the proposed work. Attach estimates to this form when filing. (Some specifications are available from the Heritage Planner – see contact information at the bottom of this page.)
17. Describe any new uses of the property, if different from the existing use.

18. The application shall include recent, dated photographs of the property, to clearly illustrate the areas of the property that are the subject of the proposed work. Any available architectural drawings should be included as well.
19. Early photographs or drawings showing the property's original appearance should be submitted, if available, to assist in the review of the application.

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20. Indicate the full price of the property you wish to purchase: \$ \_\_\_\_\_ and include a copy of the "offer to purchase."
21. Indicate your other sources of funding, the amount you will receive, and any subsequent liens/mortgages.

**C. Architectural/engineering study of Owner's designated property:**

22. Indicate the full price of the architectural/engineering study by a restoration specialist: \$ \_\_\_\_\_ and include a copy of the estimate or invoice from the study.

**SIGNATURES**

APPLICANT OR AGENT \_\_\_\_\_ Date \_\_\_\_\_

REGISTERED OWNER(S) \_\_\_\_\_ Date \_\_\_\_\_

CHECKED/RECEIVED BY  
HERITAGE PLANNER \_\_\_\_\_ Date \_\_\_\_\_

**This application should be completed and filed with the:**

Planning Department  
Suite 320 - 350 City Hall Square West  
Windsor ON, N9A 6S1

**For assistance and/or information on filing, please contact the Planning Department:**  
Telephone 519-255-6543 x 6179 Fax 519-255-6544

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I/We also acknowledge that the information requested on this form is required in order to process the application to the Development & Heritage Standing Committee. Please be advised that the information in this application form may be released to the public in an electronic form, i.e. web site and/or paper format, i.e. agenda or minutes.

Dated: July 13, 2023

Signed: Scott Maynard  
Signature of Applicant



## **546, 548, and 550 Devonshire Rd – Windsor, Ontario**

Thank you to the Heritage Planner, Kristina Tang, for giving us the opportunity to walk the Heritage Board and the City Council through the heritage project on our home, the Mason-Rice semi-detached at 546-550 Devonshire Rd. We – Natalie Delia Deckard and Scott Maynard – are the homeowners of these beautiful heritage homes, and we are dedicated to maintaining and restoring the properties so that the City of Windsor can continue to have pride in our community heritage. We are grateful that the City is willing to partner with us, as the cost of doing justice to owning these homes is substantial. Only through programs like these are we able to preserve our heritage, and we are happy to be moving forward in tandem.

### **The Home**

The property is a beautiful building comprised of two semi-detached homes – one of which is a single residence (546) and one of which was divided into two units (548 and 550) many years ago. The home has three storeys, and the bottom two are brick. The top, third floor is externally covered by a combination of roof and siding, and includes a number of gables and dormers. At present, the 30-year old roof is leaking at 550, and extraordinarily worn on both sides. The siding is also in need of replacement, especially on the southern, 548 and 550, side of the building. At present, there is a variety of siding material, including the original cedar shake and a type of vinyl siding, and a variety of paint on some parts of the siding. This inconsistency has degraded the heritage value of the home, and made it less a testimony to the history of the neighborhood and City than it should be.

### **The Project**

We are replacing the roof and siding of the home, returning them to the original cedar shake shingle. The roof needs to be done immediately, and after reviewing the options for synthetic cedar shake products, we have chosen (with City financial support) to replace the roof in the original heritage material of cedar shake. We also seek to replace the siding over all currently sided areas, including gables and dormers, on the entire building – again, replacing them with the original cedar shake throughout. We seek City support to engage in this major, and urgently necessary, restoration project.

### **The Cost**

We have struggled to find tradespeople who are able to expertly install cedar shake on the scale of a project of this magnitude. We are also attentive to the need to have a reliable and established contractor on this project, rather than a fly-by-night company that makes promises they are unable or unwilling to fulfill. To this end, we have secured two roof quotes with well-regarded roofers – Dayus Roofing and Heritage Roofing. Heritage is not available for the siding project, and we have struggled to find a siding contractor that can do cedar shake. Dayus is able to complete the siding work, and has offered us a price that is competitive in recognition of the fact that they will be able to do all of the work and thus achieve an economy of scale on the project as a whole. We are confident that the prices of the quotes offered are the best possible prices given the scope of work and its historical importance.

Thank you for your consideration.





2023-05-25

**Dear Natalie,**

We are pleased you have taken the time to review re-roofing your home with us at Dayus.

Today, there are numerous roofing systems and roofing contractors – each one with just the answer for you. Customers are often confused by similarities in contractors' specifications, overlooking the key differences that are critical to a quality roof installation.

Hundreds of homeowners have lost thousands of dollars in home damage and/or having to replace new roofs because they selected the cheapest roof quoted to them. Furthermore, 95% of roofing contractors go out of business within 10 years leaving many customers without warranty support.

All contractors are not alike! Dayus Roofing has been **On Top Since 1920** and we assure you a job second to none. We employ qualified, experienced roofers who will see to a safe, neat and professional installation.

I, Frank Dayus IV, have had the privilege of learning the roofing industry from three generations of expertise. Our goal at Dayus Roofing is to ensure you peace of mind with your roofing system. After all, your roof is responsible for protecting everything underneath it.

I sincerely hope our proposal meets with your approval. If there is any further information you require, please feel free to contact your salesperson or myself.

Yours truly,

A handwritten signature in black ink, appearing to read "Frank Dayus IV", with a large, stylized flourish at the end.

Frank Dayus IV  
President





**Dayus Roofing**  
5120 Halford Dr - Oldcastle - ON - N9G 0B8  
Phone: (519) 737-1920 - Fax: (519) 790-0074

*On Top Since 1920*  
[www.dayusroofing.com](http://www.dayusroofing.com)

## QUOTE

Date	Quote #
05/25/23	FSF4Q11506
Rep:	Frank Dayus 4

**Sold To:** Deckard Residence  
Natalie Deckard  
546 Devonshire Road  
Windsor, Ontario N8Y 2L7  
**Phone:** [REDACTED]

**Ship To:** Deckard Residence  
Natalie Deckard  
546 Devonshire Road  
Windsor, Ontario N8Y 2L7  
**Phone:** [REDACTED]

We are pleased to submit a proposal as outlined herein

### #1 PERFECTION CEDAR SHINGLE ROOFING SYSTEM - NO SIDING INCLUDED

Total protection of homeowner's and neighbour's property.

Complete tear-off existing roof to sound deck and disposal of all related roofing rubbish.

Thorough deck inspection. Deteriorated plywood decking will be replaced for \$3.50 / sq ft (3/8")  
Required structural repairs are to be completed on a time and materials basis and are extra to contract.

Delivery of all materials to be supplied by Dayus Roofing.

Install new Aluminum Drip Edge to eave and gable edges of home

Install GAF Deck Armor Premium Breathable Deck Protection to entire roof surface

Install GAF Stormguard Leak Barrier to eave edges of home (3'), valleys and sidewall junctions

Install 18" #1 Perfection Cedar Shingles

Install 18" #1 Cedar shingle caps to hips and ridges of home

Install custom bent 26GA prefinished steel valley detail

Install 13 Lomanco 750 Slantback Roof Vents

Install Ultimate Pipe flashings/duroflo flashings to pipes through roof

Install new custom bent aluminum counter flashing at brick wall transitions

Install new custom bent chimney flashing with ice and watershield around base

**Supply and install roofing system as outlined above**

**\$107,520.72 + HST**

Specification Approved: \_\_\_\_\_

Date: \_\_\_\_\_





**Dayus Roofing**  
5120 Halford Dr - Oldcastle - ON - N9G 0B8  
Phone: (519) 737-1920 - Fax: (519) 790-0074

*On Top Since 1920*  
[www.dayusroofing.com](http://www.dayusroofing.com)

## QUOTE

Date	Quote #
05/25/23	FSF4Q11506
Rep:	Frank Dayus 4

**Sold To:** Deckard Residence  
Natalie Deckard  
546 Devonshire Road  
Windsor, Ontario N8Y 2L7  
**Phone:** [REDACTED]

**Ship To:** Deckard Residence  
Natalie Deckard  
546 Devonshire Road  
Windsor, Ontario N8Y 2L7  
**Phone:** [REDACTED]

We are pleased to submit a proposal as outlined herein

Supply & install materials as outlined in attached specification for base price of:

**\$107,520.72 + HST**

### Optional Items

\$0.00



Payment plans available for as low as **\$0.00** /month.

\* 50 year non-prorated coverage against manufacturers defects, labour included. See manufacturers warranty guide for details. Underlayment and Ice and Watershield manufactured by shingle manufacturer. 1/2" Plywood replacement is \$2.90/sqft.

<b>Sub-Total:</b>	<b>\$107,520.72</b>
<b>HST:</b>	<b>\$13,977.70</b>
<b>TOTAL :</b>	<b>\$121,498.42</b>

Colour Specification					
Shingle		Drip Edge		Trough	
Flat Roof		Chimney Flashing		Fascia	
Vents		Wall Flashing		Soffit	

Submitted by Dayus Roofing  
(herein after called the "Company")

Authorization to proceed with work  
(herein after called the "Customer")

By:   
Date: \_\_\_\_\_

By: \_\_\_\_\_  
Date: \_\_\_\_\_



## ADDENDUMS

1. All grievances must be reported to your Sales Representative immediately so that they can be resolved as efficiently as possible. Dayus Roofing cannot be held responsible for damages caused by delays in reporting concerns.
2. All coupons must be presented to a Dayus Roofing representative at the date/time of quotation in order to be honoured.
3. Dayus Roofing reserves the right to place a sign on the property as a form of advertising during the installation and extending a time period of 7 days after completion.
4. Dayus Roofing will require access to your driveway, walkway and other yard accesses while re-roofing your home. Please keep driveway clear of vehicles and unlock gates prior to arrival to allow Dayus Roofing access to the perimeter of your home. Any resulting setbacks are chargeable on time and materials basis.
5. Please remove all sensitive items from around the house including but not limited to pool/patio furniture, potted plants, garden equipment, to allow full access/avoid damage. Dayus Roofing cannot assume responsibility for damage to these items.
6. Dayus Roofing may have to trim back branches if they limit the workers ability to work effectively at the customer's expense.
7. Dayus Roofing recommends you check all hanging items and/or delicate items in your home to ensure they are secure. Dayus Roofing cannot assume responsibility for damage to these items.
8. Please inform Dayus Roofing if you have cathedral ceilings. Dayus Roofing will attempt to keep the vibrations to a minimum but cannot assume responsibility to cracking of the ceiling.
9. Dayus Roofing cannot be held responsible for cracking or sinking concrete, impressions in grass/soil, oil/grease stains, scratches to decks, burning to lawns, or any other unforeseen damages of that nature.
10. Some debris may fall through the sheathing boards and dust will be created during installation. Dayus Roofing recommends covering or removal of any items which require protection in your attic space. The cleaning of this minimal debris in the attic space is the responsibility of the customer.
11. Dayus Roofing will remove and re-install antennas and satellite dishes unless otherwise specified. Dayus Roofing cannot be held responsible for loss of reception during installation, physical damage or poor reception of the re-installed unit. Re-alignment may be required at the customer's expense.
12. The customer assumes responsibility for the removal and replacement of solar panels to accommodate the installation of the new roof.
13. Upon delivery of materials please notify Dayus Roofing immediately if the colour is not what you specified.
14. Please be aware that roof installations are noisy and prepare accordingly.
15. Customer agrees to allow Dayus Roofing the use of electrical power outlets as necessary to operate power tools.
16. Due to potential uneven surfaces of the roof that may be present due to rotting wood or age of home, Dayus Roofing cannot guarantee that the roofing materials will look perfectly straight or flat upon completion of the job. Dayus Roofing shall make every effort to make the materials as level and as straight as possible during installation.
17. Dayus Roofing will bring to your attention, if possible at the time of discovery, any hidden defects to the wood deck or framing. The company must carry out repairs required that would impair the re-roofing job. These repairs will be completed on a time and material basis.
18. Dayus Roofing will attempt to correct any ventilation deficiencies but cannot be held responsible for damages due to inadequate insulation or ventilation including but not limited to condensation, deck rot and mold formation.
19. Dayus Roofing will try to prevent ice damming issues but cannot be held responsible for damages as a result of ice damming.
20. Proper interior connection of kitchen, bathroom and other exhaust ventilation is the responsibility of the homeowner. Vibrations from the roof installation can cause connections to loosen or detach. It is advised that you check your exhaust ventilation after roof installation is complete.
21. Dayus Roofing uses trough guards to protect your eavestrough system wherever possible. However, Dayus Roofing cannot be held responsible for surface scratching or minor indentations which can result from roofing.
22. Dayus Roofing cannot be held responsible for damages to trough protection systems.
23. Extra charges may apply if additional layers of roofing material are discovered during tear-off unless otherwise specified on a time and materials basis.
24. When several layers of roofing are removed, a gap may be created between the siding transitions. Also, caulking marks may not be able to be removed from siding.
25. Dayus Roofing accepts responsibility of cleaning the exterior of the property of related roofing rubbish as best as possible. Small pieces of shingle, shingle granules, roofing nails and small pieces of other debris may be missed and are the responsibility of the homeowner. Dayus Roofing cannot be held responsible for damages caused by left over debris including nails.
26. Excess materials remains the sole property of Dayus Roofing, no credits will be given.
27. Customer agrees to allow images of property (roof) to be captured during work hours for marketing and promotional purposes. Customer understands that there will be no financial gain or exchange involved.

**The customer acknowledges and agrees to all addendums listed above as part of the contract.**

## CONDITIONS

This Agreement including any specifications, Terms and conditions, as set forth herein and any change orders issued by the customer, shall constitute the entire contract and shall be binding upon both parties regardless of any warranties, agreements or representations, written or verbal, expressed or implied.

This Agreement shall become binding upon written acceptance by the company commencing performance of the said work.

During the course of the work, should any unforeseeable site conditions, hidden defects, obstructions or unsound materials be discovered that would impair, hinder or delay the performance of the work, proper performance of the products or redesign of the system installation, the client here-by agrees to pay for the repair, alteration or removals as may be required on a time and materials spent basis. Should the Customer not be available for consultation, it is agreed that the Company carry out all required work to correct the condition or defect at the Customer's expense.

The Company's obligations under this contract are subject to unforeseeable delay, breakdown, strikes, labor disputes, accidents, casualty or any other cause or causes beyond the company's reasonable control, and the Company shall not be liable for any loss or damages of any kind suffered by any person as a result of such causes or any resulting delay.

Unless otherwise set-out in the agreement, it shall be the Customer's responsibility to obtain all necessary building permits, inspections and approvals as may be required.

The Company shall not be liable for costs associated with any revision as may be required by the Building Departments or other authorities having jurisdiction.

The customer is responsible for the costs incurred to investigate any leak and or defects not covered under the guarantee; for example, but not limited to: leaks caused by walls, siding, drains, chimneys and physical damage or alterations to the roof.

The Company and Customer hereby agree to indemnify, defend and hold harmless one another and their officers, directors and employees from and against all claims, demands, losses, liabilities, actions, lawsuits and other proceedings, judgments and awards and costs and expenses (including reasonable legal fees) arising directly or indirectly in whole or in part out of any action taken by one another within the scope of its duties or authority hereunder, excluding only such of the foregoing as result from the negligence or willful act of such person or any of its officers, directors, agents or employees

## GUARANTEE

The Company hereby guarantees to repair or correct, at no charge to the Customer, any defects resulting from faulty workmanship for a period of two years on roofing and one year on all other installations commencing 30 days after substantial completion. This Guarantee is a given and accepted subject to the following limitations:

- a) The Company's obligations under this guarantee represent the full extent of liability for or arising out of the work.
- b) The Company shall not be held liable in any way for the damage to the said building or to any contents thereof or for any interruption of business.
- c) The Company shall not be held liable for or to affect any repairs or replacements of the installations made necessary by any cause except through faulty workmanship on our part.
- d) For any claims under warranties, the client shall notify the company immediately in writing and should repairs be required under this guarantee, the client shall provide reasonable time to affect such repairs. Repairs shall be made during regular working hours by the Company's own forces.
- e) Repairs are not guaranteed. All other conditions remain as stated.
- f) The Company's officers, directors, agents, employees and servants shall not be liable to the buyer nor to any other party for any liability howsoever arising.
- g) This guarantee does not cover any changes to the services and products made by the customer.

The Company hereby assigns the benefit of all extended product guarantees or warranties offered by the manufacturers of the product delivered by the Company to the customer. The Company's guarantee does not cover any costs associated with manufacturer's warranty claims.

## TERMS

The Customer agrees to make payments upon substantial completion unless otherwise set-out in the agreement.

Interest shall be charged on all outstanding accounts at the rate of twenty-four (24%) percent per annum, compounded annually and shall be charged on any unpaid amounts of the contract from the date upon which such payments were due.

In the event of default by the Customer under the terms of this agreement, the customer hereby agrees that the Customer shall be responsible for all costs incurred by the Company and as a result of this default.

The Customer shall be responsible for all costs incurred by the Company as a result of cancellation of this agreement including all restocking charges, handling costs and all costs associated with purchasing and coordinating such work.

The customer confirms receipt of a duplicate original copy of this agreement. **City Council Agenda Tuesday September 5, 2023**





**Dayus Roofing**  
5120 Halford Dr - Oldcastle - ON - N9G 0B8  
Phone: (519) 737-1920 - Fax: (519) 790-0074

*On Top Since 1920*  
[www.dayusroofing.com](http://www.dayusroofing.com)

## QUOTE

Date	Quote #
06/28/23	FSF4Q11550
Rep:	Frank Dayus 4

**Sold To:** Deckard Residence  
Natalie Deckard  
546 Devonshire Road  
Windsor, Ontario N8Y 2L7  
**Phone:** [REDACTED]  
**E-mail:** [REDACTED]

**Ship To:** Deckard Residence  
Natalie Deckard  
546 Devonshire Road  
Windsor, Ontario N8Y 2L7  
**Phone:** [REDACTED]  
**E-mail:** [REDACTED]

We are pleased to submit a proposal as outlined herein

### PERFECTION CEDAR SHINGLE - LARGE GABLE END

Total protection of homeowner's and neighbour's property.

Complete tear-off existing siding to sound deck and disposal of all related roofing rubbish.

Delivery of all materials to be supplied by Dayus Roofing.

Thorough base wall inspection. Required structural repairs are to be completed on a time and materials basis and are extra to contract.

Install new breathable GAF Deck Armour to sidewalls

Install custom bent aluminum starter flashing to base of sidewall and headwall junction

Install 18" #1 Perfection Cedar Shingles as per cedar bureau recommended installation detail

Install custom bent friezeboard detail to top cut of cedar sidewall  
NOTE: Crown moulding details and options to be reviewed with owner

Install 18" #1 Perfection Cedar Shingles

Install GAF Deck Armor Premium Breathable Deck Protection to entire roof surface

**Supply and install cedar siding as outlined above** **\$21,430.82 + HST**

Specification Approved: \_\_\_\_\_

Date: \_\_\_\_\_





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Date	Quote #
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Rep:	Frank Dayus 4

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Natalie Deckard  
546 Devonshire Road  
Windsor, Ontario N8Y 2L7  
**Phone:** [REDACTED]  
**E-mail:** [REDACTED]

**Ship To:** Deckard Residence  
Natalie Deckard  
546 Devonshire Road  
Windsor, Ontario N8Y 2L7  
**Phone:** [REDACTED]  
**E-mail:** [REDACTED]

We are pleased to submit a proposal as outlined herein

Supply & install materials as outlined in attached specification for base price of:

**\$21,430.82 + HST**

### Optional Items

Rear facing gable siding replacement \$6,728.80 ☐

Install 18" #1 Perfection Cedar Shingles

Install GAF Deck Armor Premium Breathable Deck Protection to entire roof surface

Front dormer Siding Replacement \$3,241.64 ☐

Install 18" #1 Perfection Cedar Shingles

Install GAF Deck Armor Premium Breathable Deck Protection to entire roof surface



Payment plans available for as low as **\$0.00** /month.

\* 50 year non-prorated coverage against manufacturers defects, labour included. See manufacturers warranty guide for details. Underlayment and Ice and Watershield manufactured by shingle manufacturer. 1/2" Plywood replacement is \$4.00/sqft subject to market price changes.

<b>Sub-Total:</b>	<b>\$21,430.82</b>
<b>HST:</b>	<b>\$2,786.01</b>
<b>TOTAL :</b>	<b>\$24,216.83</b>

Colour Specification					
Shingle		Drip Edge		Valley	
Flat Roof		Chimney Flashing		Trough	
Vents		Wall Flashing		Fascia	

Submitted by Dayus Roofing  
(herein after called the "Company")

Authorization to proceed with work  
(herein after called the "Customer")

By:   
Date: \_\_\_\_\_

By: \_\_\_\_\_  
Date: \_\_\_\_\_





## ADDENDUMS

1. All grievances must be reported to your Sales Representative immediately so that they can be resolved as efficiently as possible. Dayus Roofing cannot be held responsible for damages caused by delays in reporting concerns.
2. All coupons must be presented to a Dayus Roofing representative at the date/time of quotation in order to be honoured.
3. Dayus Roofing reserves the right to place a sign on the property as a form of advertising during the installation and extending a time period of 7 days after completion.
4. Dayus Roofing will require access to your driveway, walkway and other yard accesses while re-roofing your home. Please keep driveway clear of vehicles and unlock gates prior to arrival to allow Dayus Roofing access to the perimeter of your home. Any resulting setbacks are chargeable on time and materials basis.
5. Please remove all sensitive items from around the house including but not limited to pool/patio furniture, potted plants, garden equipment, to allow full access/avoid damage. Dayus Roofing cannot assume responsibility for damage to these items.
6. Dayus Roofing may have to trim back branches if they limit the workers ability to work effectively at the customer's expense.
7. Dayus Roofing recommends you check all hanging items and/or delicate items in your home to ensure they are secure. Dayus Roofing cannot assume responsibility for damage to these items.
8. Please inform Dayus Roofing if you have cathedral ceilings. Dayus Roofing will attempt to keep the vibrations to a minimum but cannot assume responsibility to cracking of the ceiling.
9. Dayus Roofing cannot be held responsible for cracking or sinking concrete, impressions in grass/soil, oil/grease stains, scratches to decks, burning to lawns, or any other unforeseen damages of that nature.
10. Some debris may fall through the sheathing boards and dust will be created during installation. Dayus Roofing recommends covering or removal of any items which require protection in your attic space. The cleaning of this minimal debris in the attic space is the responsibility of the customer.
11. Dayus Roofing will remove and re-install antennas and satellite dishes unless otherwise specified. Dayus Roofing cannot be held responsible for loss of reception during installation, physical damage or poor reception of the re-installed unit. Re-alignment may be required at the customer's expense.
12. The customer assumes responsibility for the removal and replacement of solar panels to accommodate the installation of the new roof.
13. Upon delivery of materials please notify Dayus Roofing immediately if the colour is not what you specified.
14. Please be aware that roof installations are noisy and prepare accordingly.
15. Customer agrees to allow Dayus Roofing the use of electrical power outlets as necessary to operate power tools.
16. Due to potential uneven surfaces of the roof that may be present due to rotting wood or age of home, Dayus Roofing cannot guarantee that the roofing materials will look perfectly straight or flat upon completion of the job. Dayus Roofing shall make every effort to make the materials as level and as straight as possible during installation.
17. Dayus Roofing will bring to your attention, if possible at the time of discovery, any hidden defects to the wood deck or framing. The company must carry out repairs required that would impair the re-roofing job. These repairs will be completed on a time and material basis.
18. Dayus Roofing will attempt to correct any ventilation deficiencies but cannot be held responsible for damages due to inadequate insulation or ventilation including but not limited to condensation, deck rot and mold formation.
19. Dayus Roofing will try to prevent ice damming issues but cannot be held responsible for damages as a result of ice damming.
20. Proper interior connection of kitchen, bathroom and other exhaust ventilation is the responsibility of the homeowner. Vibrations from the roof installation can cause connections to loosen or detach. It is advised that you check your exhaust ventilation after roof installation is complete.
21. Dayus Roofing uses trough guards to protect your eavestrough system wherever possible. However, Dayus Roofing cannot be held responsible for surface scratching or minor indentations which can result from roofing.
22. Dayus Roofing cannot be held responsible for damages to trough protection systems.
23. Extra charges may apply if additional layers of roofing material are discovered during tear-off unless otherwise specified on a time and materials basis.
24. When several layers of roofing are removed, a gap may be created between the siding transitions. Also, caulking marks may not be able to be removed from siding.
25. Dayus Roofing accepts responsibility of cleaning the exterior of the property of related roofing rubbish as best as possible. Small pieces of shingle, shingle granules, roofing nails and small pieces of other debris may be missed and are the responsibility of the homeowner. Dayus Roofing cannot be held responsible for damages caused by left over debris including nails.
26. Excess materials remains the sole property of Dayus Roofing, no credits will be given.
27. Customer agrees to allow images of property (roof) to be captured during work hours for marketing and promotional purposes. Customer understands that there will be no financial gain or exchange involved.

**The customer acknowledges and agrees to all addendums listed above as part of the contract.**

## CONDITIONS

This Agreement including any specifications, Terms and conditions, as set forth herein and any change orders issued by the customer, shall constitute the entire contract and shall be binding upon both parties regardless of any warranties, agreements or representations, written or verbal, expressed or implied.

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The Company and Customer hereby agree to indemnify, defend and hold harmless one another and their officers, directors and employees from and against all claims, demands, losses, liabilities, actions, lawsuits and other proceedings, judgments and awards and costs and expenses (including reasonable legal fees) arising directly or indirectly in whole or in part out of any action taken by one another within the scope of its duties or authority hereunder, excluding only such of the foregoing as result from the negligence or willful act of such person or any of its officers, directors, agents or employees

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- c) The Company shall not be held liable for or to affect any repairs or replacements of the installations made necessary by any cause except through faulty workmanship on our part.
- d) For any claims under warranties, the client shall notify the company immediately in writing and should repairs be required under this guarantee, the client shall provide reasonable time to affect such repairs. Repairs shall be made during regular working hours by the Company's own forces.
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The customer confirms receipt of a duplicate original copy of this agreement. **City Council Agenda Tuesday, September 5, 2023**





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Phone: (519) 737-1920 - Fax: (519) 790-0074

*On Top Since 1920*  
[www.dayusroofing.com](http://www.dayusroofing.com)

## QUOTE

Date	Quote #
07/13/23	FSF4Q11570
Rep:	Frank Dayus 4

**Sold To:** Mayrand Residence  
Scott Mayrand  
548-550 Devonshire Road  
Windsor, Ontario N8Y 2L7  
**Phone:** [REDACTED]  
**E-mail:** [REDACTED]

**Ship To:** Mayrand Residence  
Scott Mayrand  
548-550 Devonshire Road  
Windsor, Ontario N8Y 2L7  
**Phone:** [REDACTED]  
**E-mail:** [REDACTED]

We are pleased to submit a proposal as outlined herein

### PERFECTION CEDAR SHINGLE - LARGE GABLE END

Total protection of homeowner's and neighbour's property.

Complete tear-off existing siding to sound deck and disposal of all related roofing rubbish.

Delivery of all materials to be supplied by Dayus Roofing.

Thorough base wall inspection. Required structural repairs are to be completed on a time and materials basis and are extra to contract.

Install new breathable GAF Deck Armour to sidewalls

Install custom bent aluminum starter flashing to base of sidewall and headwall junction

Install 18" #1 Perfection Cedar Shingles as per cedar bureau recommended installation detail

Install custom bent friezeboard detail to top cut of cedar sidewall  
NOTE: Crown moulding details and options to be reviewed with owner

Install 18" #1 Perfection Cedar Shingles

Install GAF Deck Armor Premium Breathable Deck Protection to entire roof surface

**Supply and install cedar siding as outlined above**

**\$21,430.82 + HST**

Specification Approved: \_\_\_\_\_

Date: \_\_\_\_\_







Dayus Roofing  
5120 Halford Dr - Oldcastle - ON - N9G 0B8  
Phone: (519) 737-1920 - Fax: (519) 790-0074

*On Top Since 1920*  
[www.dayusroofing.com](http://www.dayusroofing.com)

## QUOTE

Date	Quote #
07/13/23	FSF4Q11570
Rep:	Frank Dayus 4

**Sold To:** Mayrand Residence  
Scott Mayrand  
548-550 Devonshire Road  
Windsor, Ontario N8Y 2L7  
**Phone:** [REDACTED]  
**E-mail:** [REDACTED]

**Ship To:** Mayrand Residence  
Scott Mayrand  
548-550 Devonshire Road  
Windsor, Ontario N8Y 2L7  
**Phone:** [REDACTED]  
**E-mail:** [REDACTED]

We are pleased to submit a proposal as outlined herein

Supply & install materials as outlined in attached specification for base price of:

**\$31,401.26 + HST**

### Optional Items

Rear facing gable siding replacement \$6,728.80 ☐  
Install 18" #1 Perfection Cedar Shingles  
Install GAF Deck Armor Premium Breathable Deck Protection to entire roof surface  
Front dormer Siding Replacement \$3,241.64 ☐  
Install 18" #1 Perfection Cedar Shingles  
Install GAF Deck Armor Premium Breathable Deck Protection to entire roof surface



Payment plans available for as low as **\$0.00** /month.

\* 50 year non-prorated coverage against manufacturers defects, labour included. See manufacturers warranty guide for details. Underlayment and Ice and Watershield manufactured by shingle manufacturer. 1/2" Plywood replacement is \$4.00/sqft subject to market price changes.

<b>Sub-Total:</b>	<b>\$31,401.26</b>
<b>HST:</b>	<b>\$4,082.16</b>
<b>TOTAL :</b>	<b>\$35,483.42</b>

Colour Specification				
Shingle		Drip Edge		Valley
Flat Roof		Chimney Flashing		Trough
Vents		Wall Flashing		Fascia

Submitted by Dayus Roofing  
(herein after called the "Company")

Authorization to proceed with work  
(herein after called the "Customer")

By:   
Date: \_\_\_\_\_

By: \_\_\_\_\_  
Date: \_\_\_\_\_





## ADDENDUMS

1. All grievances must be reported to your Sales Representative immediately so that they can be resolved as efficiently as possible. Dayus Roofing cannot be held responsible for damages caused by delays in reporting concerns.
2. All coupons must be presented to a Dayus Roofing representative at the date/time of quotation in order to be honoured.
3. Dayus Roofing reserves the right to place a sign on the property as a form of advertising during the installation and extending a time period of 7 days after completion.
4. Dayus Roofing will require access to your driveway, walkway and other yard accesses while re-roofing your home. Please keep driveway clear of vehicles and unlock gates prior to arrival to allow Dayus Roofing access to the perimeter of your home. Any resulting setbacks are chargeable on time and materials basis.
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13. Upon delivery of materials please notify Dayus Roofing immediately if the colour is not what you specified.
14. Please be aware that roof installations are noisy and prepare accordingly.
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16. Due to potential uneven surfaces of the roof that may be present due to rotting wood or age of home, Dayus Roofing cannot guarantee that the roofing materials will look perfectly straight or flat upon completion of the job. Dayus Roofing shall make every effort to make the materials as level and as straight as possible during installation.
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The customer is responsible for the costs incurred to investigate any leak and or defects not covered under the guarantee; for example, but not limited to: leaks caused by walls, siding, drains, chimneys and physical damage or alterations to the roof.

The Company and Customer hereby agree to indemnify, defend and hold harmless one another and their officers, directors and employees from and against all claims, demands, losses, liabilities, actions, lawsuits and other proceedings, judgments and awards and costs and expenses (including reasonable legal fees) arising directly or indirectly in whole or in part out of any action taken by one another within the scope of its duties or authority hereunder, excluding only such of the foregoing as result from the negligence or willful act of such person or any of its officers, directors, agents or employees

## GUARANTEE

The Company hereby guarantees to repair or correct, at no charge to the Customer, any defects resulting from faulty workmanship for a period of two years on roofing and one year on all other installations commencing 30 days after substantial completion. This Guarantee is a given and accepted subject to the following limitations:

- a) The Company's obligations under this guarantee represent the full extent of liability for or arising out of the work.
- b) The Company shall not be held liable in any way for the damage to the said building or to any contents thereof or for any interruption of business.
- c) The Company shall not be held liable for or to affect any repairs or replacements of the installations made necessary by any cause except through faulty workmanship on our part.
- d) For any claims under warranties, the client shall notify the company immediately in writing and should repairs be required under this guarantee, the client shall provide reasonable time to affect such repairs. Repairs shall be made during regular working hours by the Company's own forces.
- e) Repairs are not guaranteed. All other conditions remain as stated.
- f) The Company's officers, directors, agents, employees and servants shall not be liable to the buyer nor to any other party for any liability howsoever arising.
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The Company hereby assigns the benefit of all extended product guarantees or warranties offered by the manufacturers of the product delivered by the Company to the customer. The Company's guarantee does not cover any costs associated with manufacturer's warranty claims.

## TERMS

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In the event of default by the Customer under the terms of this agreement, the customer hereby agrees that the Customer shall be responsible for all costs incurred by the Company and as a result of this default.

The Customer shall be responsible for all costs incurred by the Company as a result of cancellation of this agreement including all restocking charges, handling costs and all costs associated with purchasing and coordinating such work.

The customer confirms receipt of a duplicate original copy of this agreement, terms and conditions and any attachments thereto.



# Heritage Roofing

**You're Covered With Us!**

2203 County Road 18

Kingsville, Ontario

Office: 519-324-9690



## Homeowner(s) Info:

Name: Natalie Delia Deckard

Address: 546 Devonshire Rd

Contact Number: [REDACTED]

## Job Location:

Address: 546 Devonshire Rd

Town: Windsor Ont

Quote is good for 30 days

## Your Sales Representative:

George Elachkar

Specialty and Commercial Estimating

Cell: 519 791 5412

Email: georgee@heritageroofingltd.com

Layers on roof:

1

Roof Decking:

Boards

Roof Pitch(es):

12/12

## Project Specifications:

Remove existing cedar shingles and dispose from site

Install new drip edge at all edges

Install 3ft ice and water at eaves, valleys and walls

Install full synthetic felt

Install new 24 ga metal valleys

Install new step flashings on walls

Install tapered 18" cedar shingles with 5" exposer and 3/8" thick

Install new chimney and wall flashings

Install Scaffolding to do the roof

Project Cost: \$ 167,000.00

HST: \$ 21,710.00

Total: \$ 188,710.00

Upgrades Added:                     

Complete Total:                     

## Additional Products Quoted:

plus HST  
plus HST  
plus HST

## Upgrades to Specifications:

Plus HST  
Plus HST



# Heritage Roofing

**You're Covered With Us!**

2203 County Road 18  
Kingsville, Ontario  
Office: 519-324-9690

## **Extra Work:**

Any extra work on the project will be agreed to by homeowner(s) and a change order will be needed.

## **Plywood:**

Any plywood that will be added to the job will be charged at \$75/sheet for 3/8" and \$85/sheet for 1/2"

## **Labour Warranty:**

Heritage Roofing Inc. warrants the labour on job, after completion, for a time period of TEN (10) years.  
This labour warranty **DOES NOT** include repairs.

## **Insurance:**

Heritage Roofing Inc. has current WSIB and liability insurance.

## **Acceptance of Proposal:**

\_\_\_\_\_  
Signature of Homeowner(s)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Sales Representative (on behalf of Heritage Roofing Inc.)

\_\_\_\_\_  
Date

**Please note that due to market volatility, quote pricing will be held for a maximum of 30 days**





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Initial for approval:

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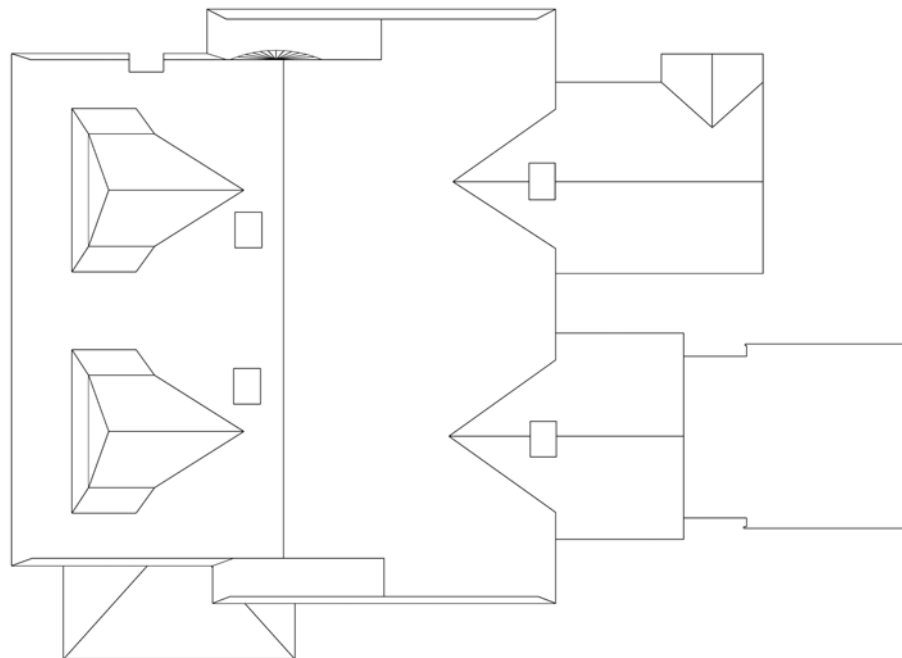
[VIEW 3D MODEL](#)



Roof	Area	Total	Length
Roof Facets	3793 ft <sup>2</sup>	46	
Ridges / Hips		26	189' 6"
Valleys		16	116' 10"
Rakes		17	214' 3"
Eaves		36	345' 6"
Flashing		34	169' 8"
Step Flashing		39	131' 2"
Drip Edge/Perimeter			559' 9"

Roof Pitch*	Area	Percentage
9 / 12	2041 ft <sup>2</sup>	53.81%
14 / 12	652 ft <sup>2</sup>	17.19%
12 / 12	319 ft <sup>2</sup>	8.41%
2 / 12	278 ft <sup>2</sup>	7.33%

\* Only top 4 values shown. Reference Roof Pitch page for all values.

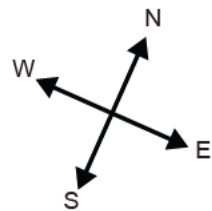


### Example Waste Factor Calculations

	Zero Waste	+5%	+10%	+15%	+20%
Area	3793 ft <sup>2</sup>	3983 ft <sup>2</sup>	4172 ft <sup>2</sup>	4362 ft <sup>2</sup>	4552 ft <sup>2</sup>
Squares	38	40	42	43⅓	45⅓

The table above provides the total roof area of a given property using waste percentages as noted. Please consider that area values and specific waste factors can be influenced by the size and complexity of the property, captured image quality, specific roofing techniques, and your own level of expertise. Additions to square footage for Hip Ridge and Starter shingles are not included in this waste factor and will require additional materials. This table is only intended to make common waste calculations easier and should not be interpreted as recommendations.

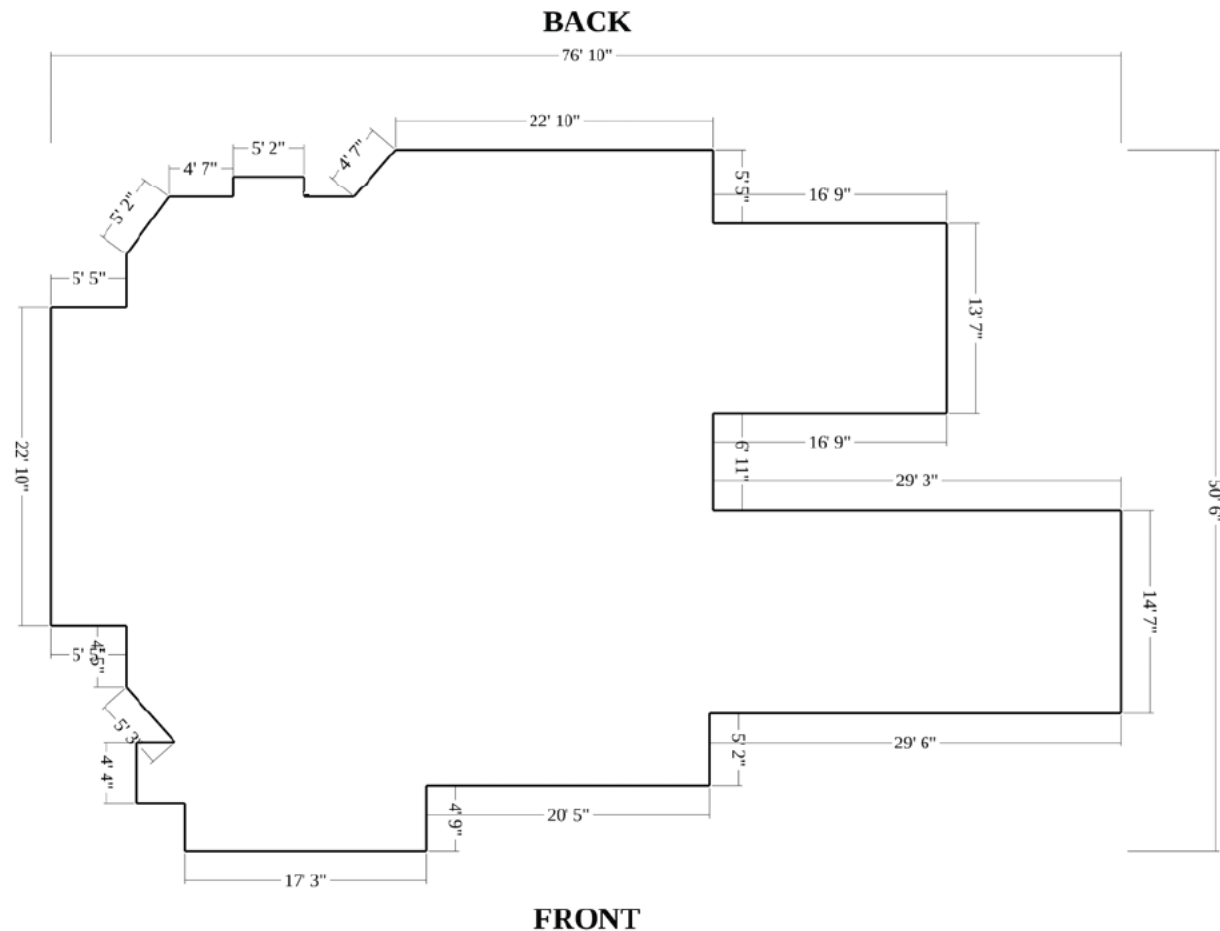




Number of Stories: > 1

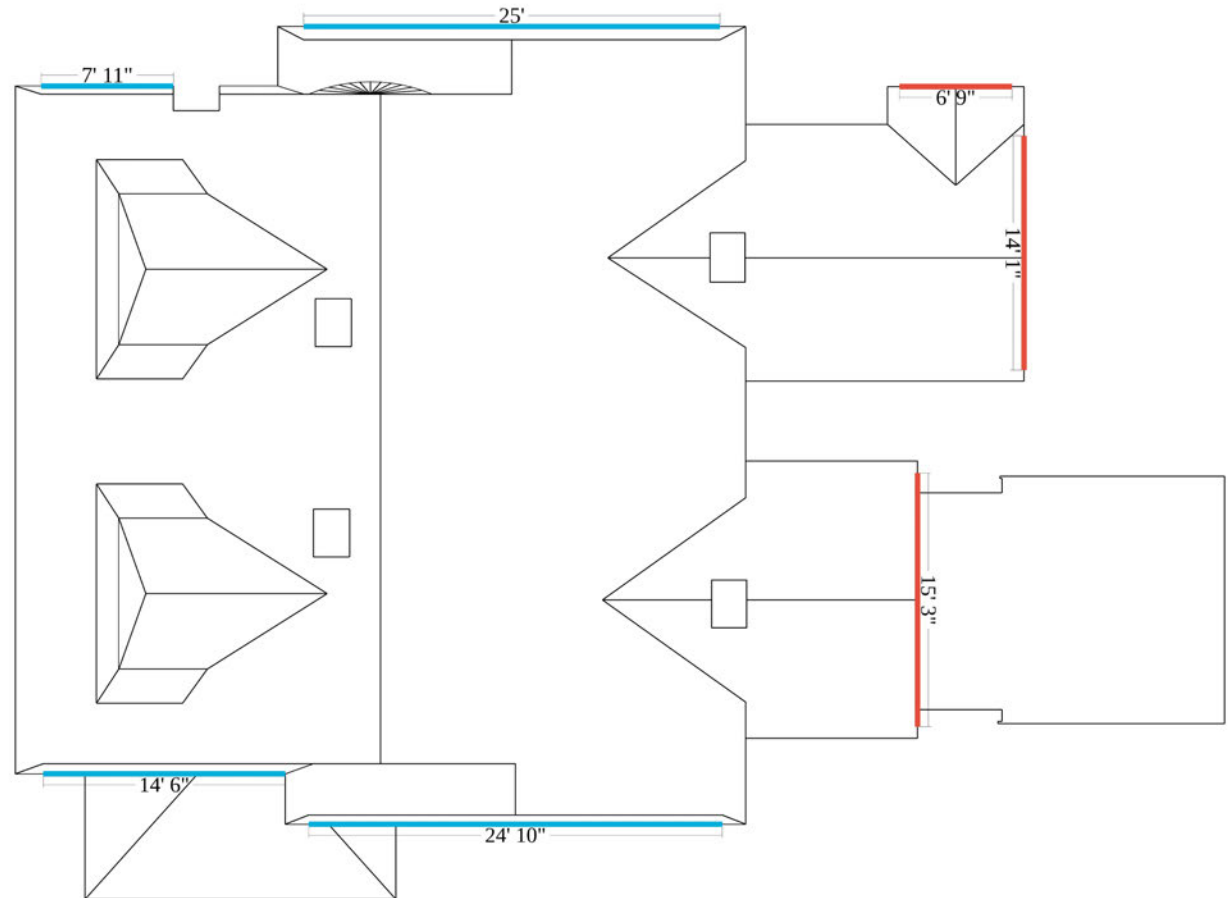
Footprint Perimeter: 290' 7"

Footprint Area: 2719 ft<sup>2</sup>





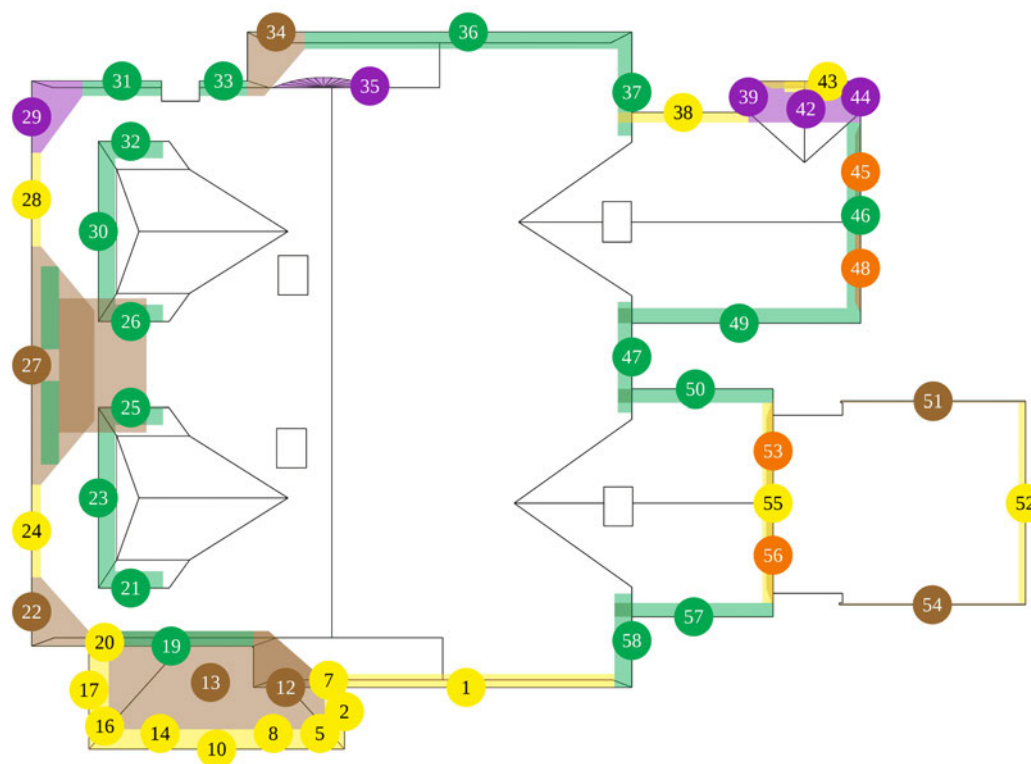
	Cornice Strips	Length	Count
<span style="color: red;">■</span>	Strips Story 1	36'	3
<span style="color: blue;">■</span>	Strips Story 2	72'	4
	<b>Total</b>	<b>108'</b>	<b>7</b>





## Soffit Summary

Depth	Type	Count	Total Length	Total Area
1" 6"	rakes	4	42' 9"	18 ft <sup>2</sup>
6" 12"	rakes	8	12' 10"	7 ft <sup>2</sup>
	eaves	17	131' 8"	99 ft <sup>2</sup>
12" 18"	eaves	17	161' 1"	183 ft <sup>2</sup>
24" 48"	eaves	5	18' 6"	39 ft <sup>2</sup>
> 48"	eaves	7	43' 6"	213 ft <sup>2</sup>
Totals			410' 4"	558 ft <sup>2</sup>





### Soffit Breakdown

	num	Type	Depth	Length	Area	Pitch
●	1	eave	12"	21' 8"	21 ft <sup>2</sup>	23 / 12
●	2	eave	10"	5' 6"	5 ft <sup>2</sup>	5 / 12
⚡	3	eave	7"	8"	0 ft <sup>2</sup>	5 / 12
⚡	4	rake	8"	7"	0 ft <sup>2</sup>	5 / 12
●	5	rake	8"	7"	0 ft <sup>2</sup>	5 / 12
⚡	6	eave	7"	2' 11"	2 ft <sup>2</sup>	5 / 12
●	7	rake	8"	7"	0 ft <sup>2</sup>	5 / 12
●	8	eave	7"	6' 4"	4 ft <sup>2</sup>	5 / 12
⚡	9	rake	8"	7"	0 ft <sup>2</sup>	5 / 12
●	10	eave	10"	17'	14 ft <sup>2</sup>	5 / 12
⚡	11	eave	7"	1'	1 ft <sup>2</sup>	5 / 12
●	12	eave	50"	4' 8"	14 ft <sup>2</sup>	23 / 12
●	13	eave	86"	15' 9"	106 ft <sup>2</sup>	5 / 12
●	14	eave	7"	6' 4"	4 ft <sup>2</sup>	5 / 12
⚡	15	eave	7"	8"	0 ft <sup>2</sup>	5 / 12
●	16	rake	8"	7"	0 ft <sup>2</sup>	5 / 12
●	17	eave	10"	8' 8"	7 ft <sup>2</sup>	5 / 12
⚡	18	eave	7"	5' 8"	3 ft <sup>2</sup>	5 / 12
●	19	eave	13"	12' 1"	13 ft <sup>2</sup>	24 / 12

	num	Type	Depth	Length	Area	Pitch
●	20	rake	8"	7"	0 ft <sup>2</sup>	5 / 12
●	21	eave	15"	4' 9"	6 ft <sup>2</sup>	6 / 12
●	22	eave	50"	5'	14 ft <sup>2</sup>	9 / 12
●	23	eave	15"	10' 8"	13 ft <sup>2</sup>	10 / 12
●	24	eave	8"	6' 9"	5 ft <sup>2</sup>	9 / 12
●	25	eave	15"	4' 9"	6 ft <sup>2</sup>	6 / 12
●	26	eave	15"	4' 9"	6 ft <sup>2</sup>	6 / 12
●	27	eave	55"	13' 7"	61 ft <sup>2</sup>	9 / 12
●	28	eave	8"	6' 10"	5 ft <sup>2</sup>	9 / 12
●	29	eave	45"	5' 3"	13 ft <sup>2</sup>	9 / 12
●	30	eave	15"	10' 8"	13 ft <sup>2</sup>	10 / 12
●	31	eave	13"	5' 9"	6 ft <sup>2</sup>	28 / 12
●	32	eave	15"	4' 9"	6 ft <sup>2</sup>	6 / 12
●	33	eave	13"	3' 6"	4 ft <sup>2</sup>	28 / 12
●	34	eave	56"	4' 2"	15 ft <sup>2</sup>	17 / 12
●	35	eave	31"	2' 2"	4 ft <sup>2</sup>	28 / 12
●	36	eave	15"	23' 11"	29 ft <sup>2</sup>	17 / 12
●	37	eave	12"	6' 4"	7 ft <sup>2</sup>	9 / 12
●	38	eave	9"	9' 7"	7 ft <sup>2</sup>	14 / 12

	num	Type	Depth	Length	Area	Pitch
●	39	eave	31"	3'	6 ft <sup>2</sup>	11 / 12
⚡	40	rake	6"	4' 8"	2 ft <sup>2</sup>	11 / 12
⚡	41	eave	9"	3'	2 ft <sup>2</sup>	20 / 12
●	42	eave	27"	5' 1"	10 ft <sup>2</sup>	11 / 12
●	43	rake	6"	4' 8"	2 ft <sup>2</sup>	11 / 12
●	44	eave	30"	3'	6 ft <sup>2</sup>	11 / 12
●	45	rake	5"	10' 7"	4 ft <sup>2</sup>	14 / 12
●	46	eave	12"	13' 7"	14 ft <sup>2</sup>	31 / 12
●	47	eave	12"	8' 1"	8 ft <sup>2</sup>	9 / 12
●	48	rake	5"	10' 3"	4 ft <sup>2</sup>	14 / 12
●	49	eave	13"	17' 9"	20 ft <sup>2</sup>	14 / 12
●	50	eave	12"	11' 4"	11 ft <sup>2</sup>	12 / 12
●	51	eave	164"	2"	2 ft <sup>2</sup>	2 / 12
●	52	eave	6"	14' 7"	7 ft <sup>2</sup>	2 / 12
●	53	rake	6"	11'	5 ft <sup>2</sup>	12 / 12
●	54	eave	165"	2"	2 ft <sup>2</sup>	2 / 12
●	55	eave	9"	14' 7"	11 ft <sup>2</sup>	34 / 12
●	56	rake	6"	11'	5 ft <sup>2</sup>	12 / 12
●	57	eave	12"	11' 7"	12 ft <sup>2</sup>	12 / 12

Feature s too sma to abe on the p an d agram





### Soffit Breakdown (cont.)

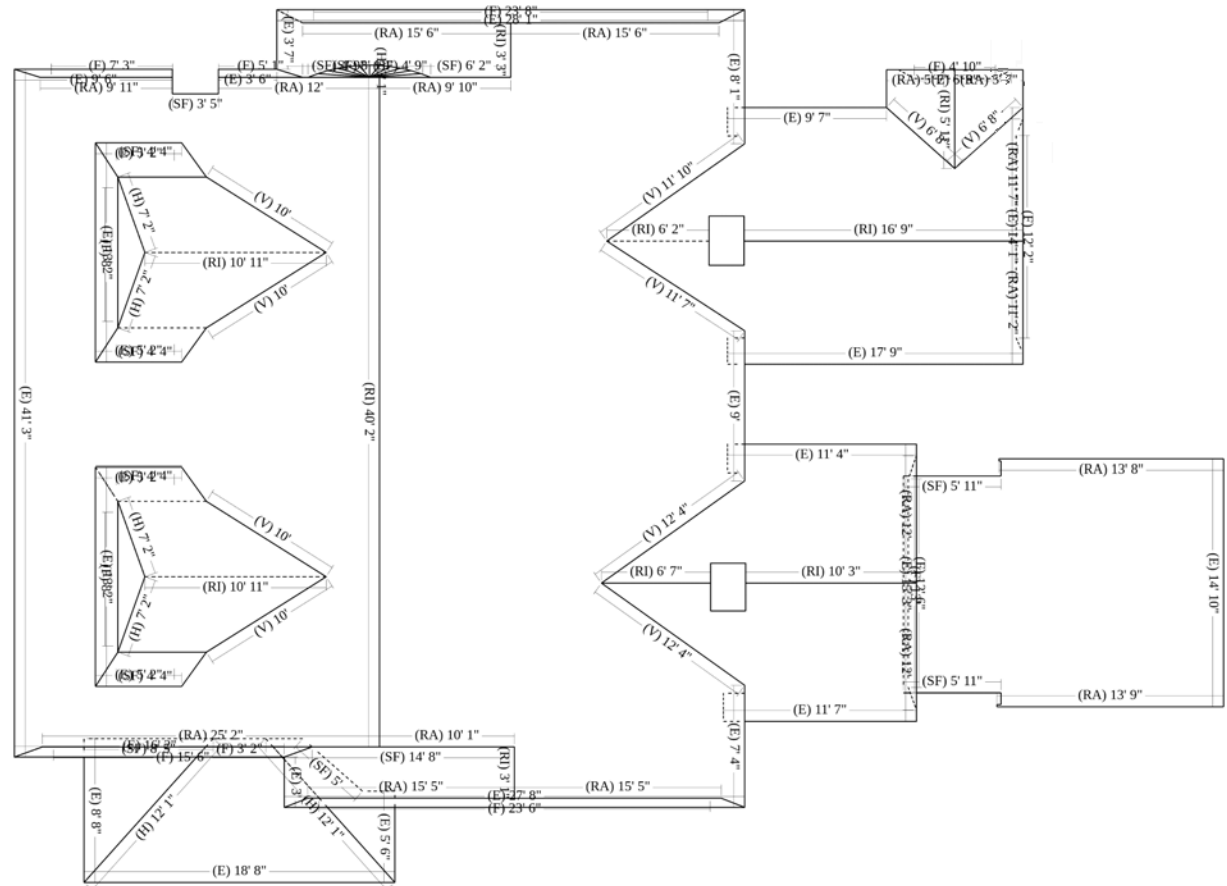
num	Type	Depth	Length	Area	Pitch
58	eave	15"	6' 10"	9 ft <sup>2</sup>	9 / 12

Feature is too small to appear on the plan diagram



Roof	Length
Ridges (RI)	113' 11"
Hips (H)	75' 6"
Valleys (V)	116' 10"
Rakes (RA)	214' 3"
Eaves (E)	345' 6"
Flashing (F)	169' 8"
Step Flashing (SF)	131' 2"
Transition Line (TL)	

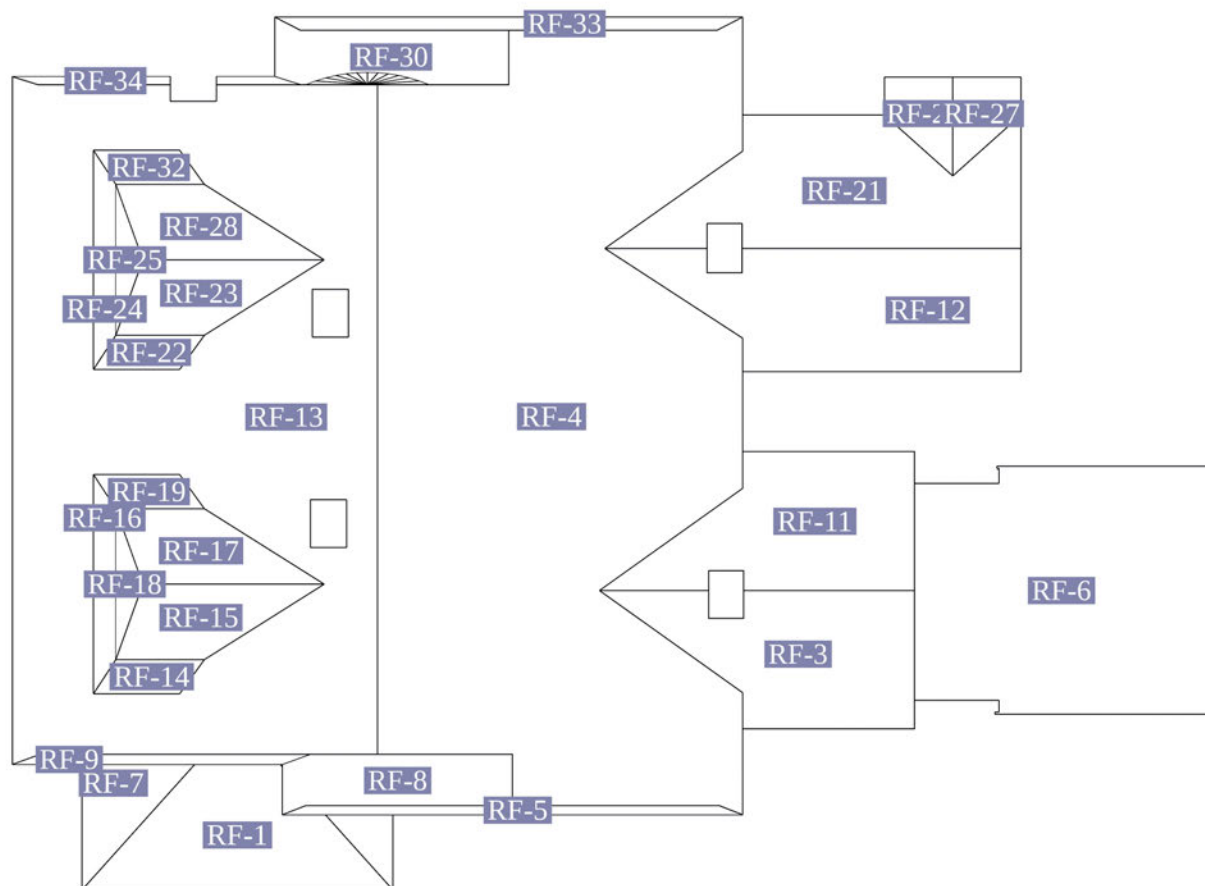
\*Please view the 3D mode for more details e.g. flashing, step flashing and some other roof lines may be difficult to see on the PDF)





#### Roof Facets

Facet	Area	Pitch
RF 1	101 ft <sup>2</sup>	5/12
RF 2	24 ft <sup>2</sup>	5/12
RF 3	159 ft <sup>2</sup>	12/12
RF 4	1083 ft <sup>2</sup>	9/12
RF 5	31 ft <sup>2</sup>	23/12
RF 6	278 ft <sup>2</sup>	2/12
RF 7	36 ft <sup>2</sup>	5/12
RF 8	53 ft <sup>2</sup>	9/12
RF 9	22 ft <sup>2</sup>	24/12
RF 10	21 ft <sup>2</sup>	34/12
RF 11	160 ft <sup>2</sup>	12/12
RF 12	219 ft <sup>2</sup>	14/12
RF 13	848 ft <sup>2</sup>	9/12
RF 14	12 ft <sup>2</sup>	6/12
RF 15	57 ft <sup>2</sup>	14/12
RF 16	19 ft <sup>2</sup>	10/12
RF 17	57 ft <sup>2</sup>	14/12
RF 18	25 ft <sup>2</sup>	39/12
RF 19	12 ft <sup>2</sup>	6/12

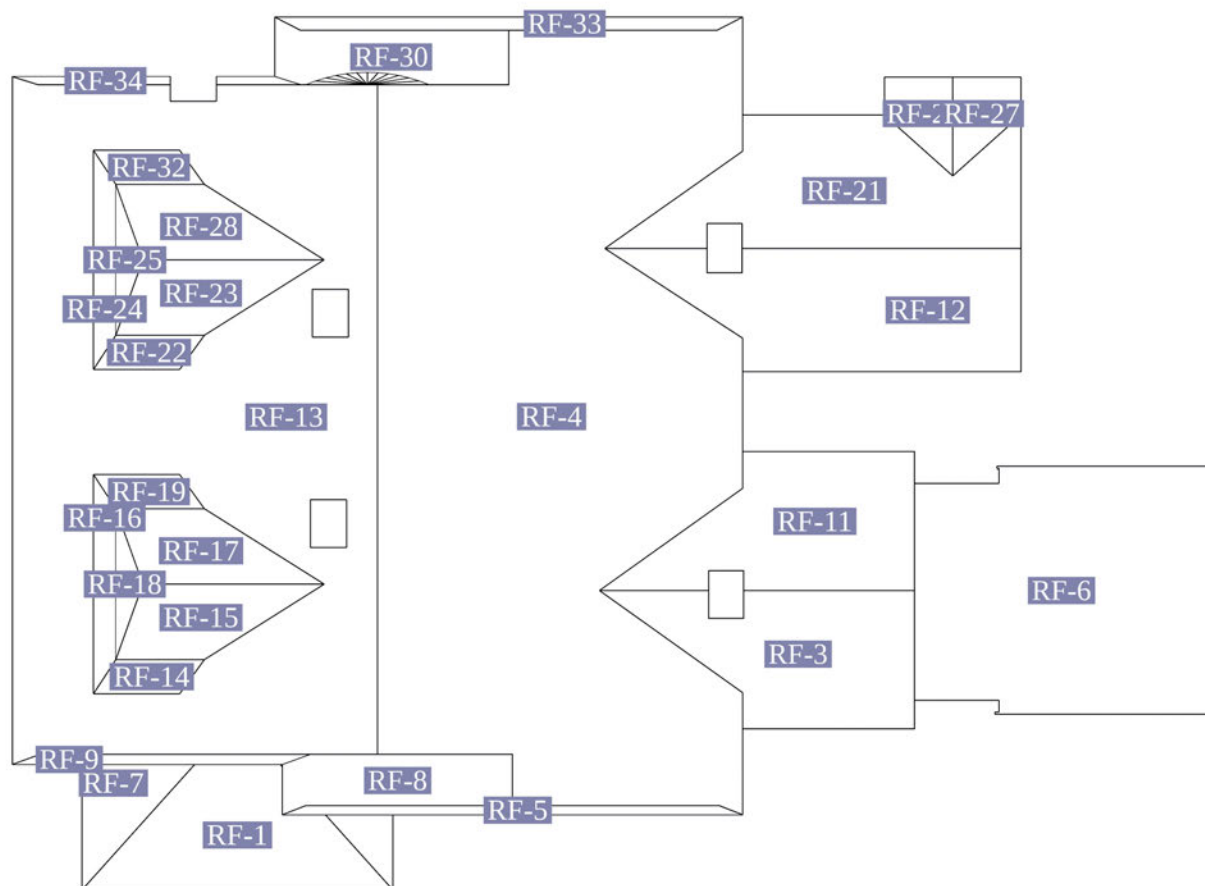




#### Roof Facets (cont.)

Facet	Area	Pitch
RF 20	15 ft <sup>2</sup>	31/12
RF 21	205 ft <sup>2</sup>	14/12
RF 22	12 ft <sup>2</sup>	6/12
RF 23	57 ft <sup>2</sup>	14/12
RF 24	19 ft <sup>2</sup>	10/12
RF 25	25 ft <sup>2</sup>	39/12
RF 26	23 ft <sup>2</sup>	11/12
RF 27	23 ft <sup>2</sup>	11/12
RF 28	57 ft <sup>2</sup>	14/12
RF 29	6 ft <sup>2</sup>	20/12
RF 30	57 ft <sup>2</sup>	9/12
RF 31	5 ft <sup>2</sup>	28/12
RF 32	12 ft <sup>2</sup>	6/12
RF 33	37 ft <sup>2</sup>	17/12
RF 34	11 ft <sup>2</sup>	28/12
RF 35	1 ft <sup>2</sup>	28/12
RF 36	1 ft <sup>2</sup>	28/12
RF 37	1 ft <sup>2</sup>	32/12
RF 38	1 ft <sup>2</sup>	32/12

\* Facets not visible due to size or location see **Small Facets** in summary table below



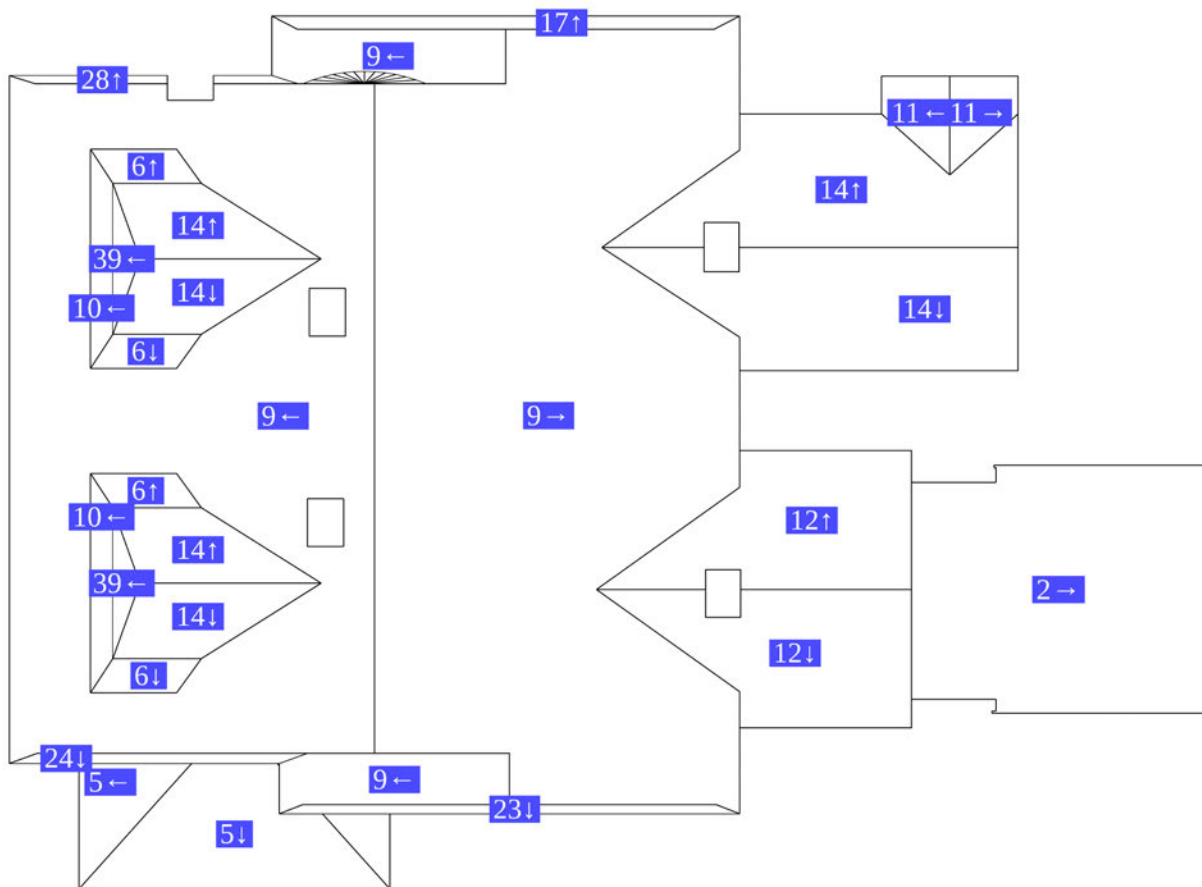


Roof	Facets	Total
Labeled Facets	34	3781 ft <sup>2</sup>
Small Facets	12	12 ft <sup>2</sup>
<b>Total</b>	<b>46</b>	<b>3793 ft<sup>2</sup></b>

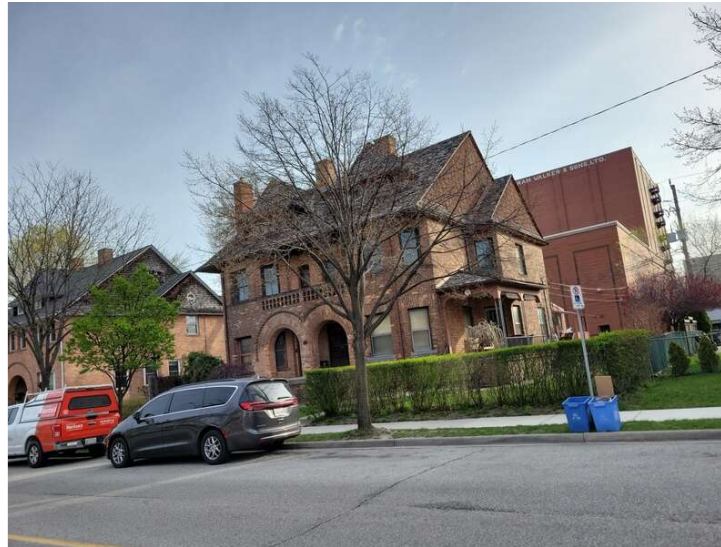




Roof Pitch	Area	Percentage
9 / 12	2041 ft <sup>2</sup>	53.81%
14 / 12	652 ft <sup>2</sup>	17.19%
12 / 12	319 ft <sup>2</sup>	8.41%
2 / 12	278 ft <sup>2</sup>	7.33%
5 / 12	161 ft <sup>2</sup>	4.24%
39 / 12	50 ft <sup>2</sup>	1.32%
6 / 12	48 ft <sup>2</sup>	1.27%
11 / 12	46 ft <sup>2</sup>	1.21%
10 / 12	38 ft <sup>2</sup>	1%
17 / 12	37 ft <sup>2</sup>	0.98%
23 / 12	31 ft <sup>2</sup>	0.82%
24 / 12	22 ft <sup>2</sup>	0.58%
34 / 12	21 ft <sup>2</sup>	0.55%
28 / 12	18 ft <sup>2</sup>	0.47%
31 / 12	15 ft <sup>2</sup>	0.4%
20 / 12	6 ft <sup>2</sup>	0.16%
32 / 12	2 ft <sup>2</sup>	0.05%
38 / 12	2 ft <sup>2</sup>	0.05%
43 / 12	2 ft <sup>2</sup>	0.05%
47 / 12	2 ft <sup>2</sup>	0.05%
49 / 12	2 ft <sup>2</sup>	0.05%













## Appendix D – Additional Photos of 546 and 548-550 Devonshire Road

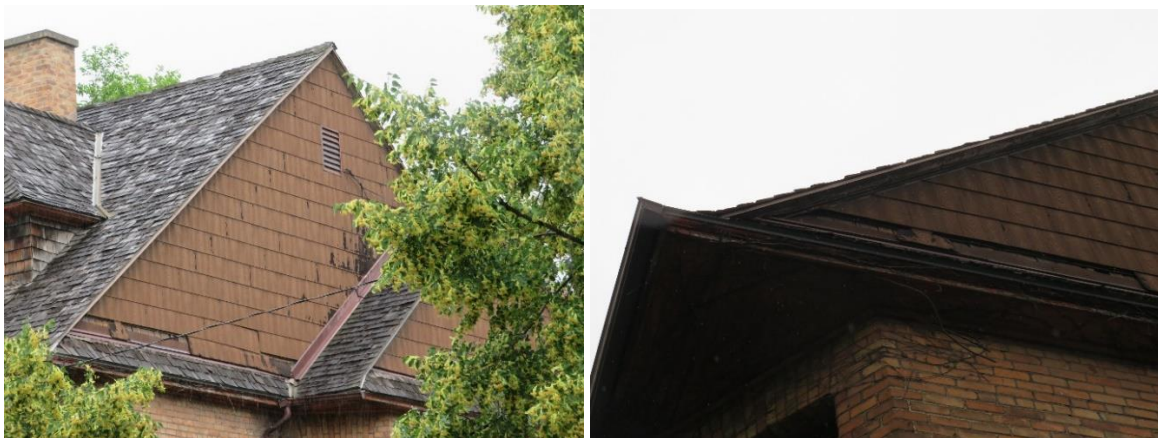
All photographs taken by City Staff on June 23, 2023



The north facing elevation of 546 Devonshire Road, and close up of the wood-clad dormer



Close-up of the wood shingle siding and “dragon teeth” edging details on the north (side) gable face of 546 Devonshire Road



Close-up of the horizontal synthetic siding on the south (side) gable face of 548-550 Devonshire Road





Various close-up photographs of the cedar wood shingle roof and gable ends from the rear of both properties



Photograph of the cedar roof and front dormers at the junction of both properties; and photograph of the cedar shingle roof over the side porch of 548-550 Devonshire Road



## Item No. 8.13



### Committee Matters: SCM 218/2023

#### **Subject: 160 Askin Avenue – Request for Partial Demolition of a Heritage Listed Property (Ward 2)**

Moved by: Councillor Mark McKenzie

Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 537**

- I. THAT Council **BE INFORMED** of the proposed removal of the rear detached garage structure, rear porch and canopy to facilitate the construction of a two-storey attached additional dwelling unit to the existing dwelling and erection of a detached two-storey additional dwelling unit at the rear of 160 Askin Avenue.

Carried.

Member William Tape discloses an interest and abstains from voting on this matter.

Report Number: S 87/2023

Clerk's File:MBA/14622

#### **Clerk's Note:**

1. The recommendation of the Development & Heritage Standing Committee and Administration are the same.
2. Please refer to Item 10.2 from the Development & Heritage Standing Committee held on August 1, 2023.
3. To view the stream of this Standing Committee meeting, please refer to:  
<http://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20230801/-1/9422>



**Subject: 160 Askin Avenue – Request for Partial Demolition of a Heritage Listed Property (Ward 2)**

**Reference:**

Date to Council: August 1, 2023  
Author: Tracy Tang  
Planner II - Revitalization & Policy Initiatives  
ttang@citywindsor.ca  
519-255-6543 x 6449

Kristina Tang, MCIP, RPP  
Heritage Planner  
ktang@citywindsor.ca  
519-255-6543 x 6179  
Planning & Building Services  
Report Date: July 7, 2023  
Clerk's File #: MBA/14622

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

**Recommendation:**

- I. THAT Council **BE INFORMED** of the proposed removal of the rear detached garage structure, rear porch and canopy to facilitate the construction of a two-storey attached additional dwelling unit to the existing dwelling and erection of a detached two-storey additional dwelling unit at the rear of 160 Askin Avenue.

**Executive Summary: N/A**

**Background:**

The property at 160 Askin Avenue was listed on the Windsor Municipal Heritage Register on December 21, 2020. It is identified on the Register as a Colonial Revival style house built circa 1912.

On behalf of the Property Owner, the Agent submitted a Notice of Intent to Demolish which includes a Heritage Permit application form and an architectural drawing set to remove the porch and canopy at the rear of the existing dwelling, and to demolish a one-storey detached garage structure at the rear of the property. These partial demolitions are proposed to accommodate the construction of a two-storey addition containing one additional dwelling unit (ADU) and erection of a detached two-storey



ADU at the rear of the subject property. The proposed works are illustrated within Appendix 'A', in the revised set submitted on July 14, 2023.

Under the *Ontario Heritage Act*, there are no alteration restrictions for heritage listed properties, unless designation is initiated. The *Act* requires that notification be provided for the demolition/partial demolition. The only action available to Council is to initiate designation. Designation is not recommended in this report. Nevertheless, in the authors' opinion, the current proposal is considered compatible with the heritage character of the building and appropriate in the mature neighbourhood area.

### **Legal Provisions:**

The subject property is listed on the Windsor Municipal Heritage Register, but not designated. Section 27 of Part IV of the *Ontario Heritage Act* states that "the register may include property ... that the council of the municipality believes to be of cultural heritage value or interest", without being designated. Also, "[T]he owner of the property shall not demolish or remove a building or structure on the property or permit the demolition or removal of the building or structure unless the owner gives the council of the municipality at least 60 days notice in writing of the owner's intention to demolish or remove the building or structure or to permit the demolition or removal of the building or structure." The 60 days only begins after notice is received accompanying plans and information as Council may require. City of Windsor Council approved "Requirements and Procedures, Application for Demolition of Heritage-Listed Properties" (Council Decision # M163-2015) which outlines the required information for demolition, and notes that Administration has 30 days to evaluate if the information submitted is sufficient. Only after determination has been made that the required information has been submitted, does the 60 day count begin.

During the 60 days after notice, City Council (with Committee consultation) may initiate designation, or decide to take no action. If a property is proposed for designation, a notice of intent to designate must include a statement explaining the cultural heritage value or interest of the property and a description of the heritage attributes of the property, which are those features that are considered important to retain if any alterations to the property are proposed after designation. "Cultural heritage value or interest" is to be considered according to Ontario Regulation 9/06.

There is no explicit provision in the *Act* for the Committee or Council to comment on additions to or new erections on a heritage-listed, non-designated property, other than in the case of complete removal/ demolition of structures from the Register. There is also no explicit provision in the *Act* for approval of demolition subject to stated conditions. Council only has the option to designate the property should it be Council's desire to influence the design of the alterations.



## **Discussion:**

### **Property Description:**

The subject property is located on the east side of Askin Avenue within the block bounded by Riverside Drive West to the north and University Avenue West to the south. It is located in close proximity to the University of Windsor and to the Windsor Sculpture Park along the riverfront park. The two storey dwelling was constructed circa 1912 in Colonial Revival style with a symmetrical facade and a hooded pediment. The building is clad in horizontal siding and has a side gable roof. The property has a rear parking access off of an alley to the north of the property. Secondary buildings and structures more than forty years old, such as detached garages, are included in the Windsor Municipal Heritage Register unless otherwise stated. See Appendix 'B' for additional photos of the property.



Front elevation of 160 Askin Avenue (Photo taken July 12, 2023)

Furthermore, the property is located within a Mature Neighbourhood as per Schedule A-1 Special Policy Areas of the Official Plan. As per Policy 1.51.1 of Volume II, Chapter I Special Policy Areas: Infill and intensification within Mature Neighbourhoods shall be consistent with the built form, height, massing, architectural and landscape of the area.

### **Proposal:**

The heritage permit for 160 Askin Avenue is submitted as part of the complete Notice of Intent to Demolish package. The heritage permit application details the request to remove the rear porch and canopy and demolish the rear detached garage to facilitate the construction of a two-storey attached ADU to the existing dwelling and erection of a detached two-storey ADU at the rear of the subject property. Within Appendix 'A' are architectural drawings showing the proposed works on the subject property.





Photographs of the rear detached garage and rear porch and canopy that are proposed to be demolished (Photo on left taken by Agent on April 5, 2023; photo on right taken by Staff on July 12, 2023)

Both the new addition ADU and the detached ADU are modelled after the front historic portion of the existing dwelling. They are both proposed to be located in alignment behind the existing dwelling, and equivalent in height and subordinate in massing to allow the main historic structure to continue being the prominent view from Askin Avenue. The alignment of the ADUs behind the existing dwelling makes them more discreet. They would not be visible from a straight front-on view from Askin Avenue, though they would still be visible from certain angles along Askin Avenue.



Photograph of the existing dwelling at an angle showing the front and south side facades, where the proposed ADUs at the rear may be visible from (Photo taken July 12, 2023)

To match the character of the Mature Neighbourhood and meet the *Standards* of compatibility, traditional-looking design and materials have been recommended. The Property Owner is proposing horizontal siding cladding in a colour that matches what is



on the existing dwelling. All new windows, doors, fascia boards, roof shingles, and hooded pediment over the front door are also proposed to match what is on the existing dwelling. Both ADUs would have entrances from the ground floor, with parking area provided in the rear off of the alley to the north side of the subject property.

The current zoning of the subject property is Residential District 2.2 (RD2.2). The residential use proposed is permitted through the zoning by-law and the *Planning Act*. Through the newly adopted Bill 23, every property across Ontario is now permitted to have up to 3 residential dwelling units as-of-right. This includes properties that are identified on a Municipal Heritage Register (conditional to required parameters). Thus, under Bill 23, the two proposed ADUs would be permitted as-of-right so long as they meet the municipal zoning by-law requirements and receive all necessary permits.

The proposed development has not yet undergone a zoning review to ensure that it complies with the zoning regulations of the current zoning Residential District 2.2 (RD2.2). Through the zoning review, any *Planning Act* processes that would be required to execute the proposal would be identified. A Building Permit is required for the new construction, which the Property Owner is in the process of applying for, and is subject to the Heritage application decision. The Property Owner may proceed with the Building Permit unless Council decides to initiate heritage designation of the property.

### **Heritage Considerations:**

Although there is no ability to require alterations through a Heritage Permit on a listed property, the Property Owner's Agent was receptive to Heritage Planning Staff's courtesy recommendations of changes to the proposed design in an effort to steer the project towards a more heritage compatible outcome.

In review of the proposal, Heritage Planning staff are of the opinion that the development appears to be designed to be heritage compatible, is concealed from views, and does not adversely impact the heritage property. For the proposed scope of work, the most relevant references from the *Standards & Guidelines for Conservation of Historic Places* have been considered.

11. Conserve the *heritage value* and *character-defining elements* when creating any new additions to an *historic place* or any related new construction. Make the new work physically and visually compatible with, subordinate to and distinguishable from the historic place.

Other heritage principles, such as from the National Parks Services, Preservation Brief on "Designing a New Exterior Addition to a Historic Building" were also considered:

- A new addition should not be highly visible from the public right of way; a rear or other secondary elevation is usually the best location for a new addition.



- The construction materials and the color of the new addition should be harmonious with the historic building materials.

**Risk Analysis:**

The partial demolitions proposed would allow the Owner to proceed with their desired renovation plans for the property. The alternative is to initiate designation of the property which would put a hold on any building permits and require Council approval for a heritage permit to construct the addition and new accessory structure. Although designation of the property does not require the consent of the Owner, the risk is that a property owner or any person can object to the designation and appeal can be made to the Ontario Land Tribunals (OLT) for a final binding decision on the matter.

**Climate Change Risks**

**Climate Change Mitigation: N/A**

**Climate Change Adaptation: N/A**

**Financial Matters:**

There is no cost to the City; the Property Owner is paying the full cost of the proposal for the construction of the addition and the detached ADU. The proposed work may increase the assessed value of the property.

**Consultations:**

Heritage Planning Staff have been in discussion with the Property Owner's Agent, Haddad Morgan & Associates Ltd. and conducted a site visit in July 2023. Planning and Building Department Staff were consulted in the preparation of this report.

**Conclusion:**

Council is to be informed of the proposed partial removal of the rear porch and canopy and detached garage structure at the rear of the subject property at 160 Askin Avenue, to accommodate the construction of an addition to the existing dwelling and a detached ADU at the rear of the subject property.

**Planning Act Matters: N/A**



**Approvals:**

<b>Name</b>	<b>Title</b>
Kristina Tang	Heritage Planner
Greg Atkinson	Acting City Planner / Executive Director Planning & Building
Wira Vendrasco	Deputy City Solicitor
Jelena Payne	Commissioner of Economic Development & Innovation
Joe Mancina	Chief Administrative Officer

**Notifications:**

<b>Name</b>	<b>Address</b>	<b>Email</b>
Sam Dawood		
Matt Zhao		

**Appendices:**

- 1 Appendix A – Notice of Intent to Demolish Application Package
- 2 Appendix B - Additional Photos of 160 Askin Avenue



**CORPORATION OF THE CITY OF WINDSOR**

Planning Dept., Suite 320-350 City Hall Sq W, Windsor ON N9A 6S1  
519-255-6543 | 519-255-6544 (fax) | [planningdept@citywindsor.ca](mailto:planningdept@citywindsor.ca)

**1. Applicant, Agent and Registered Owner Information**

Provide in full the name of the applicant, registered owner and agent, the name of the contact person, and address, postal code, phone number, fax number and email address. If the applicant or registered owner is a numbered company, provide the name of the principals of the company. If there is more than one applicant or registered owner, copy this page, complete in full and submit with this application.

**APPLICANT**

Contact Name(s) Matt Zhao  
Company or Organization 2442521 Ontario Ltd.  
Mailing Address 80 Glenheron Cres, Maple, Ontario L6A 1W7  
\_\_\_\_\_  
Email [REDACTED] Postal Code \_\_\_\_\_  
Phone(s) [REDACTED]

**REGISTERED OWNER IF NOT APPLICANT**

Contact Name(s) Matt Zhao  
Company or Organization 2442521 Ontario Ltd  
Mailing Address 80 Glenheron Cres  
\_\_\_\_\_  
Email [REDACTED] Postal Code L6A 1W7  
Phone(s) [REDACTED]

**AGENT AUTHORIZED BY REGISTERED OWNER TO FILE THE APPLICATION**

Contact Name(s) Sam Dawood  
Company or Organization Haddad, Morgan and Associates Ltd.  
Mailing Address 1316 Ouellette Ave., Windsor, Ontario  
\_\_\_\_\_  
Email [REDACTED] Postal Code N8X 1J8  
Phone(s) [REDACTED]

**Who is the primary contact?**

☐ Applicant ☐ Registered Owner ☒ Agent







## 5. PROPOSED WORK

*Provide a detailed written description of work to be done, including any conservation methods you plan to use. Provide details, drawings, and written specifications such as building materials, measurements, window sizes and configurations, decorative details, etc.. Attach site plans, elevations, product spec sheets, etc. to illustrate, if necessary.*

Work will include the addition of an attached ADU and a Detached ADU on the property, in order to facilitate the addition, existing detached accessory structure (garage) will be demolished and removed. Existing main building will be preserved and all new building exterior cladding and colours will match the existing main building. Entrances to both ADU's will have porches and columns that will mimic the main building entrance treatment

## 6. HERITAGE PERMIT RATIONALE

*Explain the reasons for undertaking the proposed work and why it is necessary.*

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*Describe the potential impacts to the heritage attributes of the property.*

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## 7. CHECKLIST OF MATERIALS SUBMITTED

Check all that apply:

Required:

- ☒ Photographs (showing the current condition and context of existing buildings, structures, and heritage attributes that are affected by the application)
- ☒ Site plan/ Sketch (showing buildings on the property and location of proposed work)
- ☒ Drawings of proposed work (e.g. existing and proposed elevations, floor plans, roof plans, etc., as determined by Heritage Planning staff)
- ☐ Specifications of proposed work (e.g. construction specification details)

Potentially required (to be determined by Heritage Planning staff):

- ☐ Registered survey
- ☐ Material samples, brochures, product data sheets etc.
- ☐ Cultural Heritage Evaluation Report
- ☐ Heritage Impact Assessment (HIA)
- ☐ Heritage Conservation Plan
- ☐ Building Condition Assessment



**8. NOTES FOR DECLARATION**

*The applicant hereby declares that the statements made herein and information provided are, to the best of their belief and knowledge, a true and complete representation of the purpose and intent of this application.*

*The applicant agrees that the proposed work shall be done in accordance with this application, including attachments, and understands that the issuance of the Heritage Alteration Permit under the Ontario Heritage Act shall not be a waiver of any of the provisions of any By-Law of the Corporation of the City of Windsor, or the requirements of the Building Code Act, RSO 1980, c51.*

*The applicant acknowledges that in the event a permit is issued, any departure from the conditions imposed by the Council of the Corporation of the City of Windsor, or plans and specifications approved is prohibited and could result in the permit being revoked. The applicant further agrees that if the Heritage Alteration Permit is revoked for any cause of irregularity, in the relation to non-conformance with the said agreements, By-Laws, acts or regulations that, in consideration of the issuance of the permit, all claims against the City for any resultant loss or damage are hereby expressly waived.*

**APPLICANT** Signature(s) \_\_\_\_\_Date 2023-06-28  
Date \_\_\_\_\_

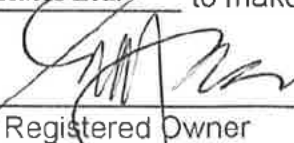


**SCHEDULE A**

**A. Authorization of Registered Owner for Agent to Make the Application**

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

I, 2442521 Ontario Ltd./Matt Zhao, am the registered owner of the land that is  
name of registered owner  
subject of this application for a Heritage Alteration Permit and I authorize  
Haddad, Morgan and Associates Ltd. to make this application on my behalf.  
name of agent

  
\_\_\_\_\_  
Signature of Registered Owner      2023-06-28  
Date

If Corporation – I have authority to bind the corporation.

**B. Consent to Enter Upon the Subject Lands and Premises**

I, 2442521 Ontario Ltd./Matt Zhao, hereby authorize the members of the Windsor Heritage Committee and City Council and staff of the Corporation of the City of Windsor to enter upon the subject lands and premises described in Section 3 of the application form for the purpose of evaluating the merits of this application and subsequently to conduct any inspections on the subject lands that may be required as condition of approval. This is their authority for doing so.

  
\_\_\_\_\_  
Signature of Registered Owner      2023-06-28  
Date

If Corporation – I have authority to bind the corporation.

**C. Acknowledgement of Applicant**

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

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

  
\_\_\_\_\_  
Signature of Applicant      2023-06-28  
Date



## DO NOT COMPLETE BELOW – STAFF USE ONLY

### Approval Record

Date Received by Heritage Planner: \_\_\_\_\_

Building Permit Application Date, if needed: \_\_\_\_\_

☐ Application Approval (City Council):

Development & Heritage Standing Committee: \_\_\_\_\_

City Council: \_\_\_\_\_

☐ Application Approval (City Planner):

Heritage Planner: \_\_\_\_\_

Staff Decision Appealed to City Council: \_\_\_\_\_

If so, Date to City Council: \_\_\_\_\_

Council Decision Appealed: \_\_\_\_\_

Additional Notes / Conditions:

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### DECISION

Heritage Permit No.: \_\_\_\_\_ Date: \_\_\_\_\_

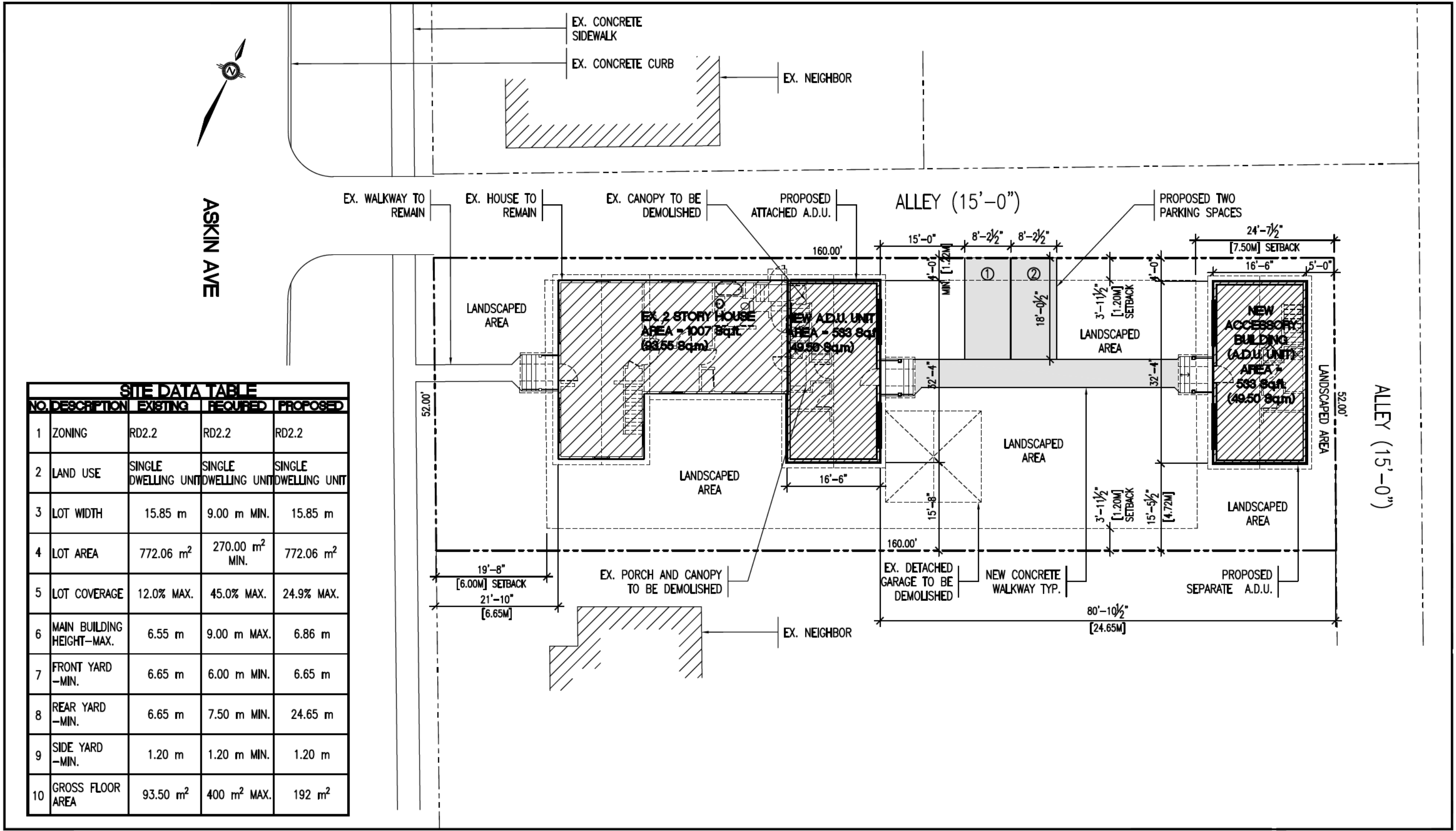
Council Motion or City Planner's Signature: \_\_\_\_\_

Please contact Heritage Planning to request inspections at [ktang@citywindsor.ca](mailto:ktang@citywindsor.ca)

### CONTACT INFORMATION

Planning Department - Planning Policy  
Corporation of the City of Windsor  
Suite 320 - 350 City Hall Square West  
Windsor ON N9A 6S1  
[planningdept@citywindsor.ca](mailto:planningdept@citywindsor.ca)  
519-255-6543 x 6179  
519-255-6544 (fax)  
<http://www.citywindsor.ca>





SITE DATA TABLE				
NO.	DESCRIPTION	EXISTING	REQUIRED	PROPOSED
1	ZONING	RD2.2	RD2.2	RD2.2
2	LAND USE	SINGLE DWELLING UNIT	SINGLE DWELLING UNIT	SINGLE DWELLING UNIT
3	LOT WIDTH	15.85 m	9.00 m MIN.	15.85 m
4	LOT AREA	772.06 m <sup>2</sup>	270.00 m <sup>2</sup> MIN.	772.06 m <sup>2</sup>
5	LOT COVERAGE	12.0% MAX.	45.0% MAX.	24.9% MAX.
6	MAIN BUILDING HEIGHT-MAX.	6.55 m	9.00 m MAX.	6.86 m
7	FRONT YARD-MIN.	6.65 m	6.00 m MIN.	6.65 m
8	REAR YARD-MIN.	6.65 m	7.50 m MIN.	24.65 m
9	SIDE YARD-MIN.	1.20 m	1.20 m MIN.	1.20 m
10	GROSS FLOOR AREA	93.50 m <sup>2</sup>	400 m <sup>2</sup> MAX.	192 m <sup>2</sup>

JUL 12, 2023	1	PERMIT
DATE	NO.	ISSUED FOR

PROJECT :  
**160 ASKIN AVE  
DEVELOPMENT**

DWG. TITLE :  
**PROPOSED SITE PLAN**

DATE : JUL 12, 2023  
DR. BY : SA  
SCALE : 1/16"=1'-0"

HADDAD, MORGAN AND  
ASSOCIATES LTD.  
CONSULTING ENGINEERS  
WINDSOR ONTARIO

23-a/09  
**SK-01**

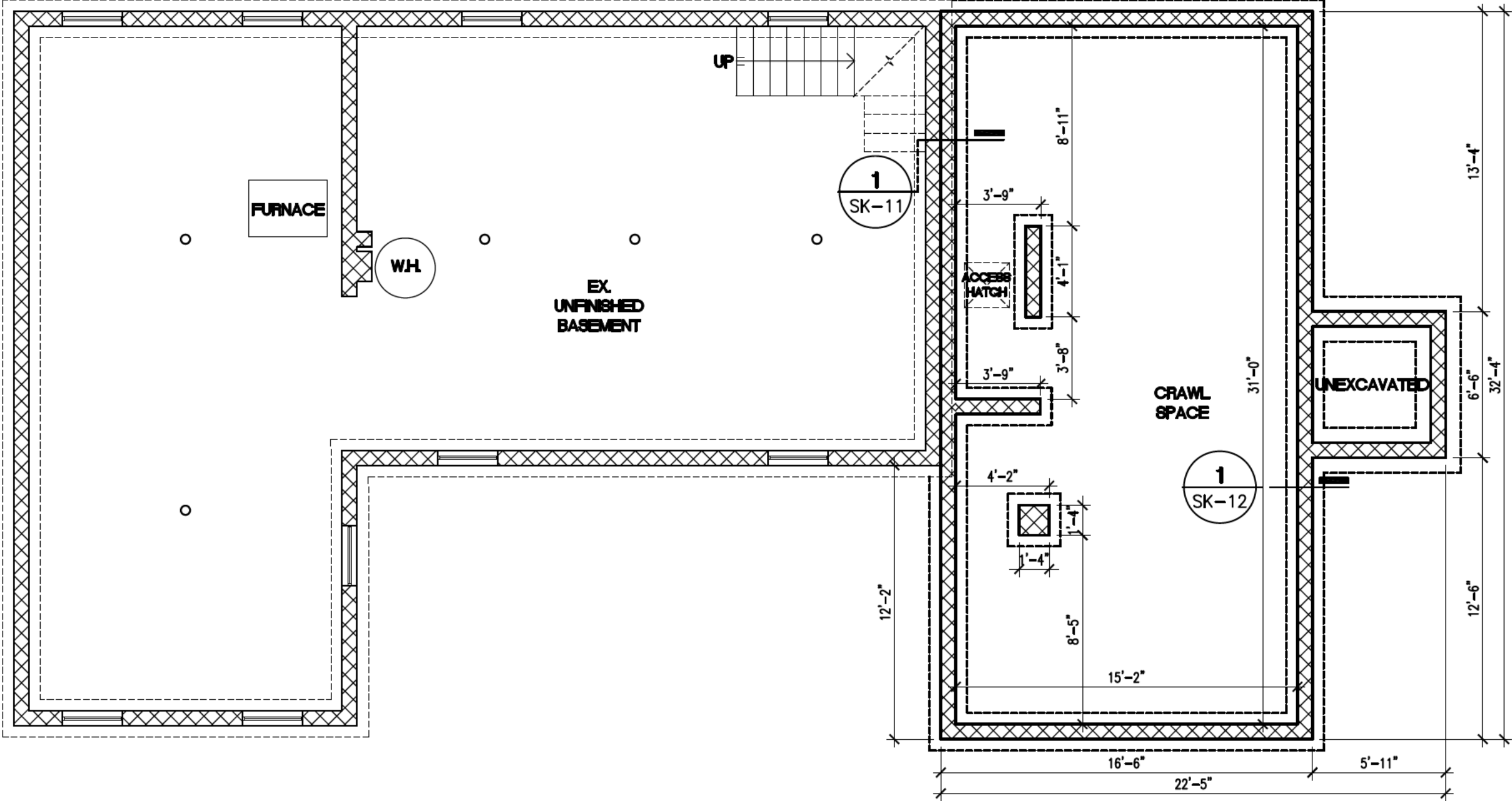












JUL 12, 2023	1	PERMIT
DATE	NO.	ISSUED FOR

PROJECT :
160 ASKIN AVE DEVELOPMENT

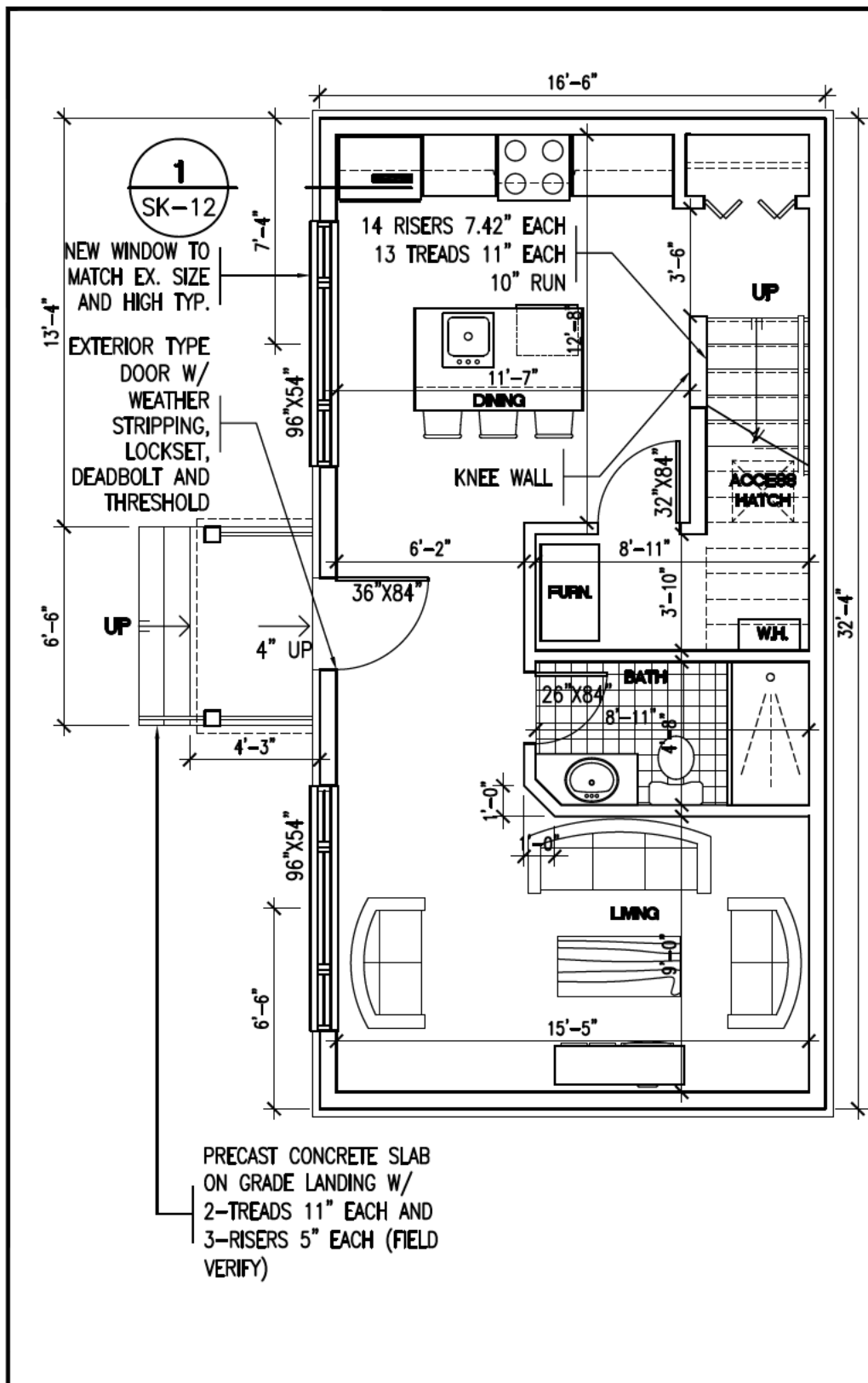
DWG. TITLE :
PROPOSED BASEMENT FLOOR PLAN, HOUSE ADDITION (A.D.U.)

DATE :	JUL 12, 2023
DR. BY :	SA
SCALE :	3/16"=1'-0"

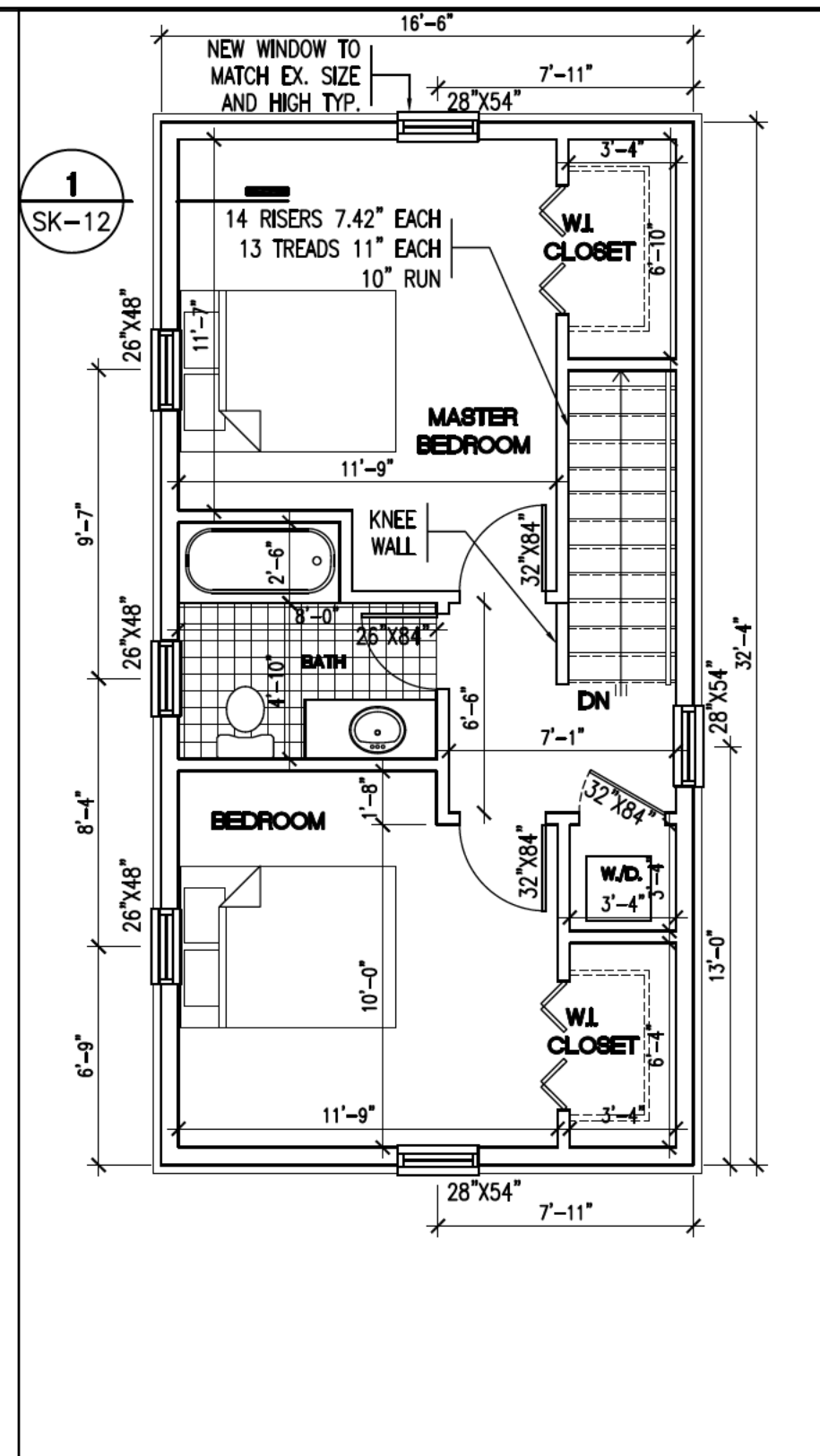
HADDAD, MORGAN AND ASSOCIATES LTD.	
CONSULTING ENGINEERS WINDSOR	ONTARIO

23-a/09
SK-04

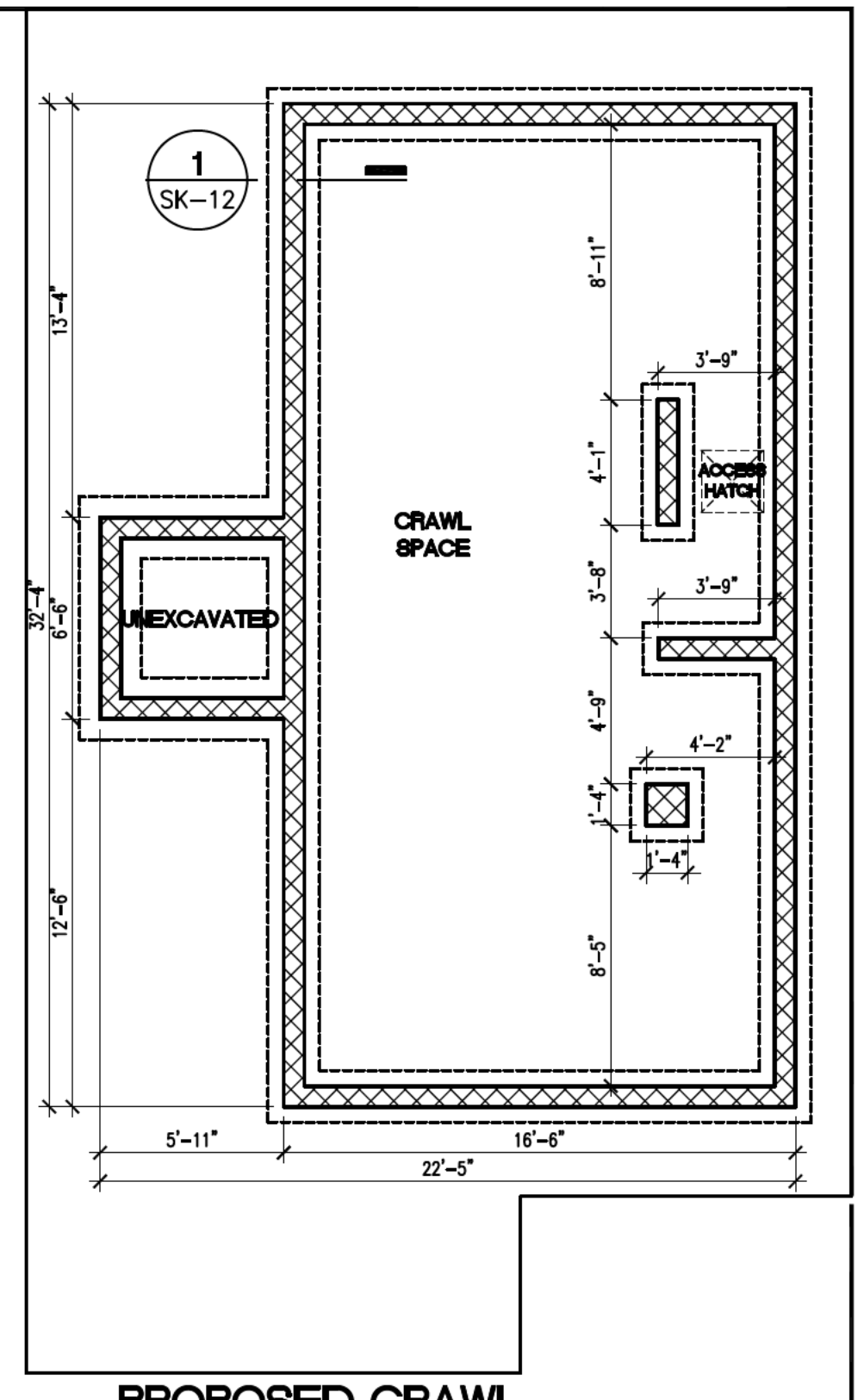




# 1 PROPOSED FIRST FLOOR PLAN



**2** **PROPOSED SECOND FLOOR**  
SK-05  $3/16'' = 1'-0''$



**PROPOSED CRAWL SPACE PLAN**

SK-05  $3/16'' = 1'-0''$

JUL 12, 2023	1	PERMIT
DATE	NO.	ISSUED FOR

**PROJECT :**  
**160 ASKIN AVE**  
**DEVELOPMENT**

DWG. TITLE :  
PROPOSED ACCESSORY  
BUILDING (A.D.U.)  
FLOOR PLANS

DATE : JUL 12, 2023

DR.BY : SA

SCALE : 3/16"=1'-0"

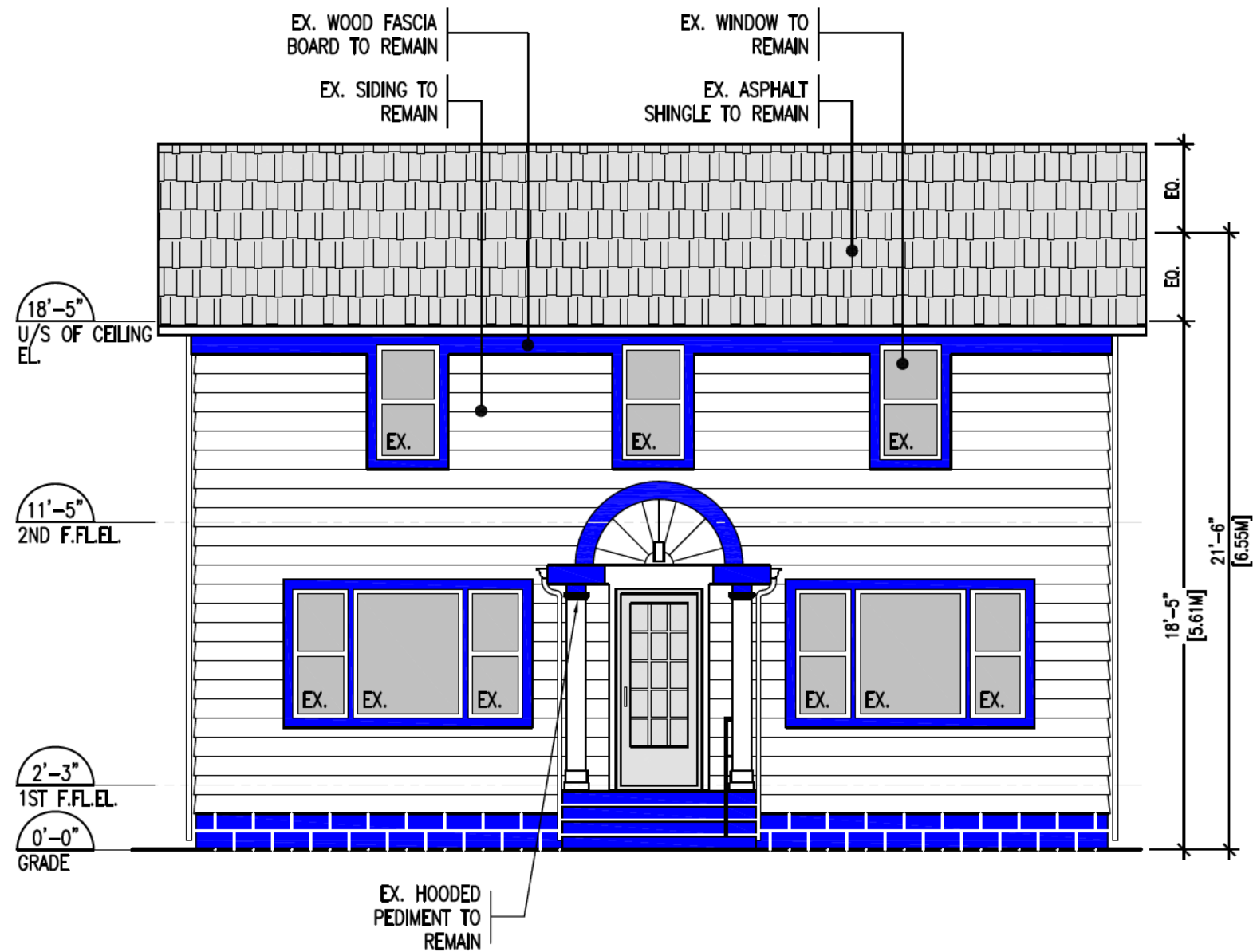
**HADDAD, MORGAN AND  
ASSOCIATES LTD.**

**CONSULTING ENGINEERS**  
**WINDSOR                      ONTARIO**

23-a109

SK-05





JUL 12, 2023	1	PERMIT
DATE	NO.	ISSUED FOR

PROJECT :
160 ASKIN AVE DEVELOPMENT

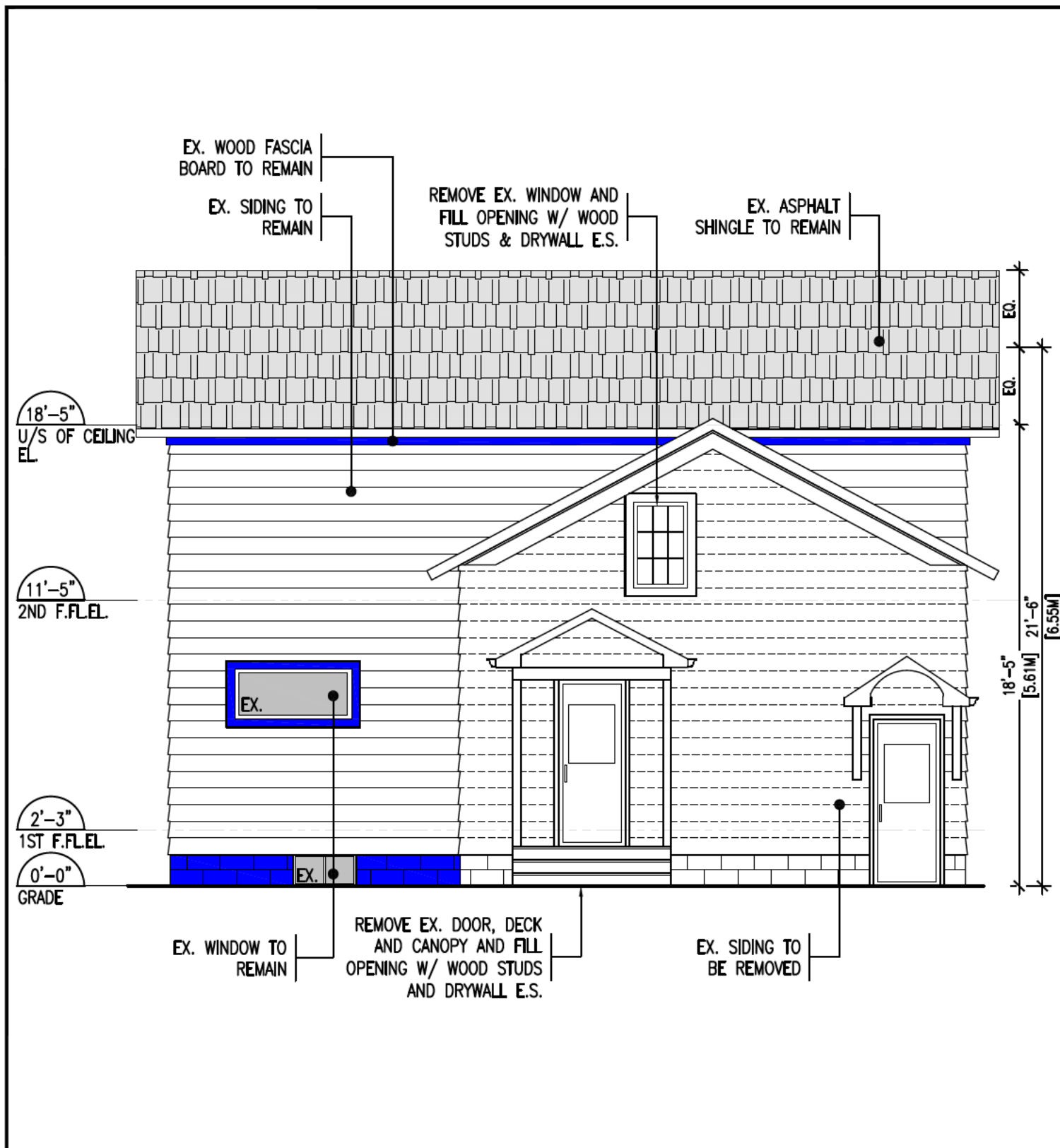
DWG. TITLE :
EXISTING WEST ELEVATION

DATE :	JUL 12, 2023
DR.BY :	SA
SCALE :	3/16"=1'-0"

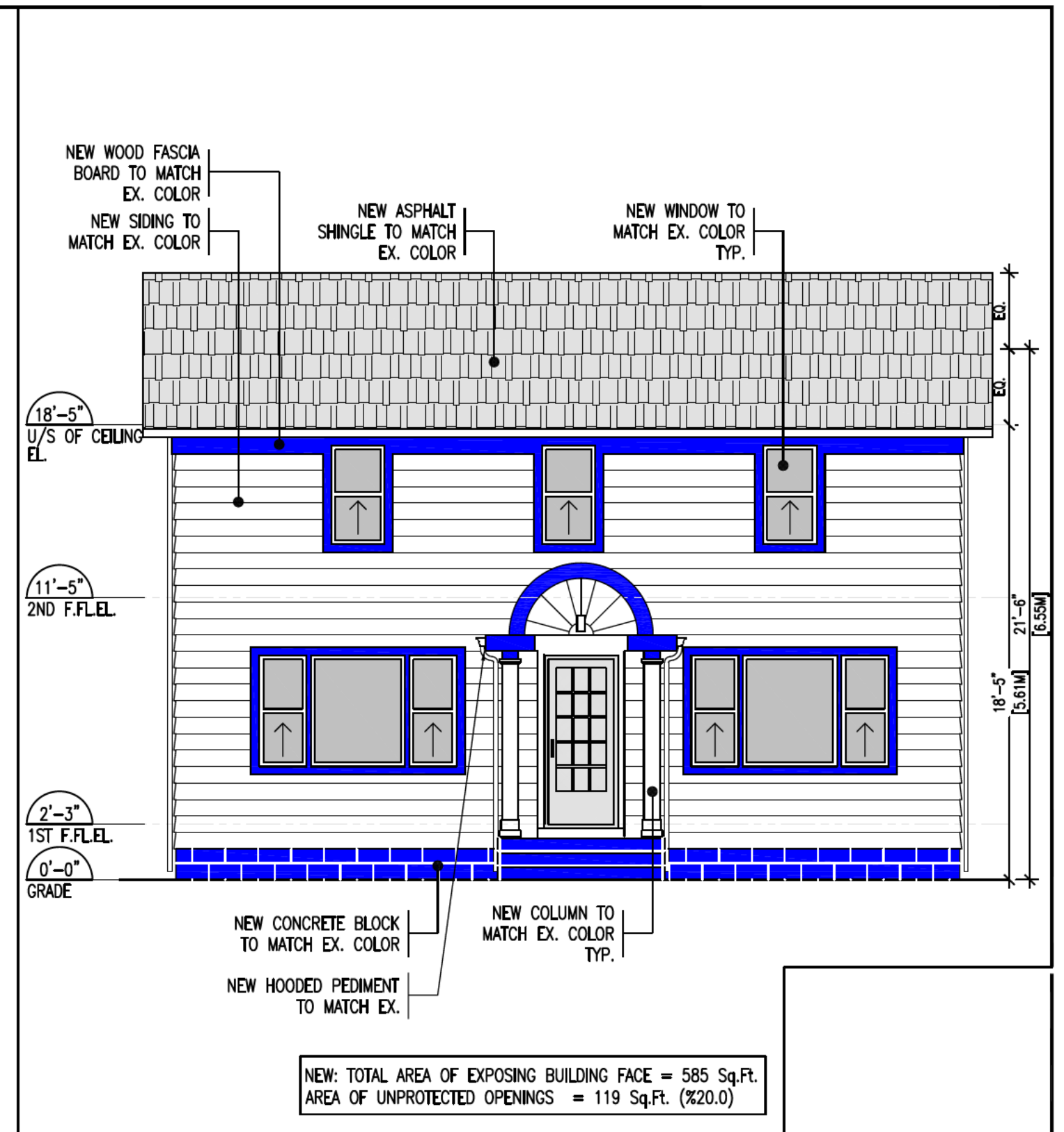
HADDAD, MORGAN AND ASSOCIATES LTD.
CONSULTING ENGINEERS WINDSOR ONTARIO

23-a/09
SK-06





**1 EXISTING EAST ELEVATION**  
SK-02 3/16" = 1'-0"



**2 PROPOSED EAST ELEVATION**  
SK-02 3/16" = 1'-0"

JUL 12, 2023	1	PERMIT
DATE	NO.	ISSUED FOR

PROJECT :
<b>160 ASKIN AVE DEVELOPMENT</b>

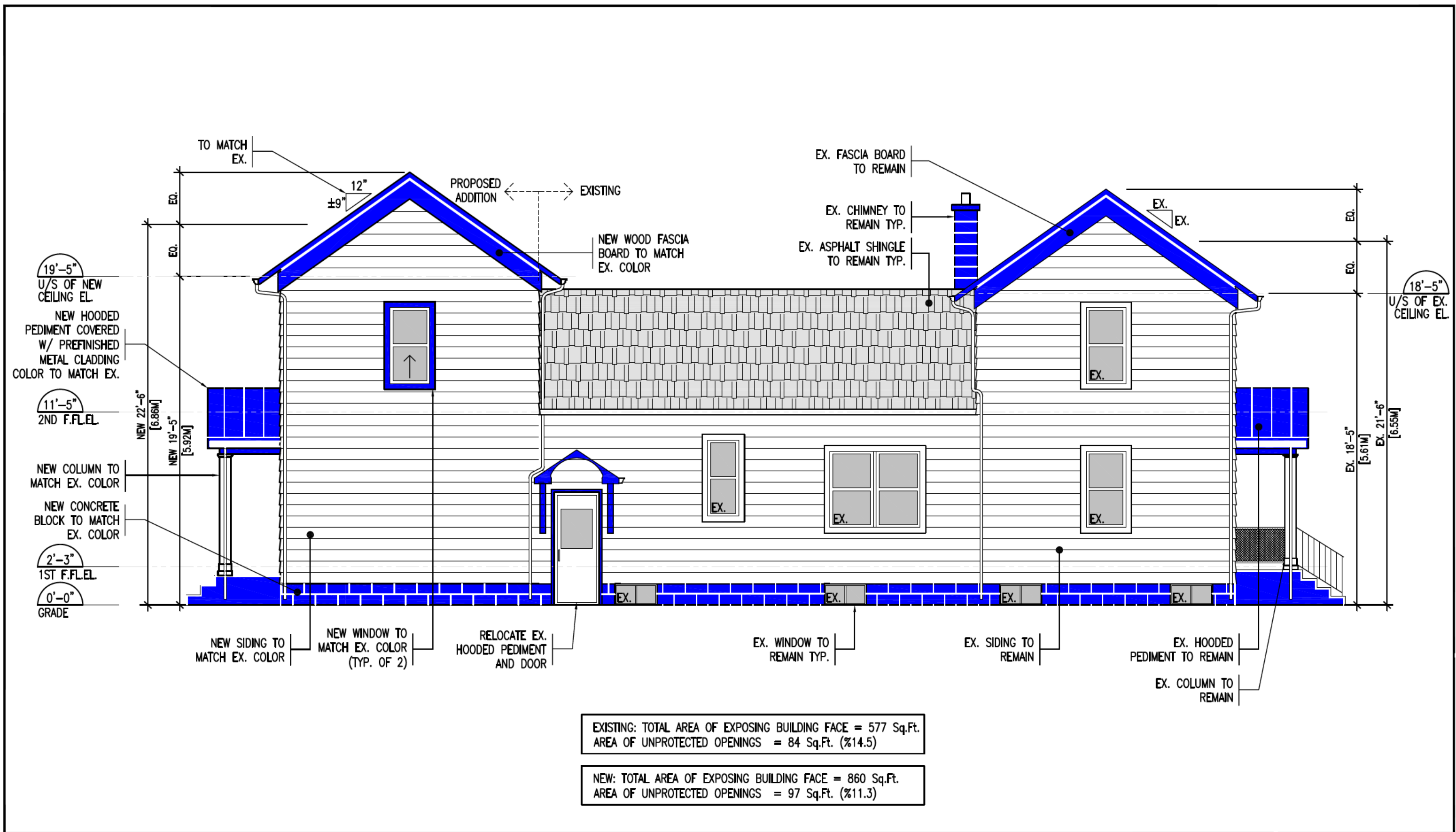
DWG. TITLE :
<b>EXISTING AND PROPOSED EAST ELEVATION</b>

DATE :	JUL 12, 2023
DR.BY :	SA
SCALE :	3/16"=1'-0"

<b>HADDAD, MORGAN AND ASSOCIATES LTD.</b>
CONSULTING ENGINEERS WINDSOR ONTARIO

<b>23-a/09</b>
<b>SK-07</b>





JUL 12, 2023	1	PERMIT
DATE	NO.	ISSUED FOR

PROJECT :
<b>160 ASKIN AVE DEVELOPMENT</b>

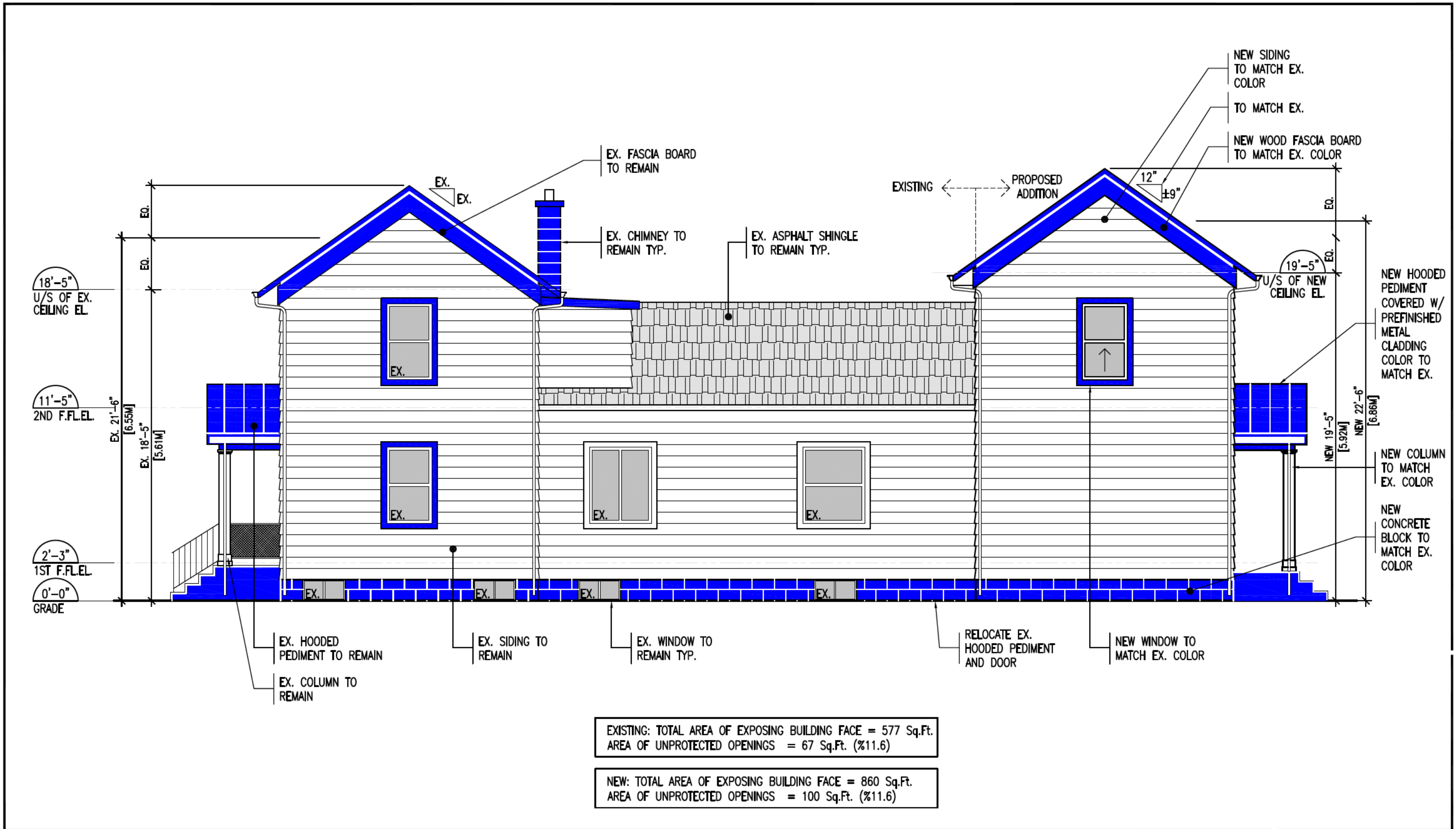
DWG. TITLE :
<b>PROPOSED NORTH ELEVATION</b>

DATE :	JUL 12, 2023
DR.BY :	SA
SCALE :	3/16"=1'-0"

<b>HADDAD, MORGAN AND ASSOCIATES LTD.</b>
CONSULTING ENGINEERS WINDSOR ONTARIO

<b>23-a/09</b>
<b>SK-08</b>











## Appendix B – Additional Photos of 160 Askin Avenue



Front elevation of the existing dwelling (Photo on left taken by Agent on April 5, 2023; photo on right taken by Staff on July 12, 2023)



The existing dwelling at an angle showing the front and side (south) facades. The proposed ADUs at the rear may be visible from this angle (Photo on left taken by Agent on April 5, 2023; photo on right taken by Staff on July 12, 2023)





The side (north) facade of the existing dwelling that is to be retained (Photo on left taken by Agent on April 5, 2023; photo on right taken by Staff on July 12, 2023)



The side (south) facade of the existing dwelling that is to be retained (Photo taken by Staff on July 12, 2023)



Photographs of the rear porch and canopy that are proposed to be removed (Photos taken by Staff on July 12, 2023)





Photographs of the rear detached garage that is proposed to be demolished (Photo on left taken by Agent on April 5, 2023; photo on right taken by Staff on July 12, 2023)



Photograph of the rear detached garage with the rear porch and canopy in the background that are proposed to be demolished, facing west toward Askin Avenue (Photo on left taken by Agent on April 5, 2023; photo on right taken by Staff on July 12, 2023)





**Committee Matters: SCM 219/2023**

**Subject: Windsor Municipal Heritage Register: Strategies in Response to Provincial Bill 23 (City-wide)**

Moved by: Kieran McKenzie

Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 538**

- I. THAT City Council **APPROVE** the Heritage Register Evaluation Strategies formulated in response to Provincial Bill 23; and
  - Strategy 1: Designation through Walkerville Heritage Conservation District Study
  - Strategy 2: Designation through Development Review and Incentive Programs
  - Strategy 3: Designation of properties of “strongest” and/or missing representation of Cultural Heritage Value/Interest:
  - Strategy 4: Exploring new ways to designate
  - Strategy 5: Protection of City-Owned Heritage resources through Council direction
  - Strategy 6: Protections through Demolition Control Bylaw
  - Strategy 7: Continued recognition of heritage properties through a Windsor Heritage Inventory; and,
- II. THAT Administration **BE DIRECTED** to implement the Heritage Register Evaluation Strategies to the existing 884 ‘listed’ properties on the Windsor Municipal Heritage Register; and,
- III. THAT City Council **COMMIT TO** protecting Heritage properties that are city-owned in the same fashion as pre-Bill 23, even if properties are removed as a result of Bill 23, and **TO ENCOURAGE** a high degree of heritage sensitivity by all City Departments in conformance with the City of Windsor Official Plan; and,
- IV. THAT Administration **BE DIRECTED** to keep a Municipal Heritage Inventory of all non-designated properties that are removed from the Heritage Register as a result of Bill 23 for recognition, records, and information purposes; and,
- V. THAT Administration **BE REQUESTED** to send a letter to the Premier along with all appropriate Ministers, local MPP’S, Association of Municipalities of Ontario (AMO), and any other advocacy organization indicating the challenges the City of Windsor is facing with respect to heritage assets in the context of the tight timelines regarding new *Heritage Act* legislation to address housing challenges in Ontario.

Carried.

Report Number: S 88/2023  
Clerk’s File:MBA/14619



**Clerk's Note:**

1. The recommendation of the Development & Heritage Standing Committee and Administration are **NOT** the same.
2. Please refer to Item 10.3 from the Development & Heritage Standing Committee held on August 1, 2023.
3. To view the stream of this Standing Committee meeting, please refer to:  
<http://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20230801/-1/9422>



**Subject: Windsor Municipal Heritage Register: Strategies in Response to Provincial Bill 23 (City-wide)**

**Reference:**

Date to Council: August 1, 2023  
Author: Kristina Tang, MCIP, RPP  
Heritage Planner  
ktang@citywindsor.ca  
519-255-6543 x 6179  
Planning & Building Services

Tracy Tang, MCIP, RPP  
Planner II - Revitalization & Policy Initiatives  
ttang@citywindsor.ca  
519-255-6543 x 6449  
Planning & Building Services  
Report Date: July 10, 2023  
Clerk's File #: MBA/14619

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

**Recommendation:**

- I. THAT City Council **APPROVE** the Heritage Register Evaluation Strategies formulated in response to Provincial Bill 23:
  - Strategy 1: Designation through Walkerville Heritage Conservation District Study
  - Strategy 2: Designation through Development Review and Incentive Programs
  - Strategy 3: Designation of properties of “strongest” and/or missing representation of Cultural Heritage Value/Interest:
  - Strategy 4: Exploring new ways to designate
  - Strategy 5: Protection of City-Owned Heritage resources through Council direction
  - Strategy 6: Protections through Demolition Control Bylaw



- Strategy 7: Continued recognition of heritage properties through a Windsor Heritage Inventory; and,
- II. THAT Administration **BE DIRECTED** to implement the Heritage Register Evaluation Strategies to the existing 884 'listed' properties on the Windsor Municipal Heritage Register; and,
  - III. THAT City Council **COMMIT TO** protecting Heritage properties that are city-owned in the same fashion as pre-Bill 23, even if properties are removed as a result of Bill 23, and **TO ENCOURAGE** a high degree of heritage sensitivity by all City Departments in conformance with the City of Windsor Official Plan; and,
  - IV. THAT Administration **BE DIRECTED** to keep a Municipal Heritage Inventory of all non-designated properties that are removed from the Heritage Register as a result of Bill 23 for recognition, records, and information purposes.

### **Executive Summary: N/A**

### **Background:**

In 2007, City Council adopted the Windsor Municipal Heritage Register. Under the provisions of the *Ontario Heritage Act*, the Register is a mechanism made available to Ontario municipalities to protect and preserve built heritage. Over the past 16 years, City Council has approved additions to the Register, growing it to a total of 1,272 properties. 388 of these properties are 'designated' heritage properties (individual designations or Heritage Conservation District designations), which allows for the highest level of protection under the Ontario Heritage Act.

The remaining 884 properties on the Register had been approved by City Council to be 'listed'. This classification identified properties that Council believes to be of cultural heritage value or interest, and may have the potential to be 'designated' by City Council. A 'listed' property is protected from demolition through review by City Council. These 884 'listed' properties are the subject of this report.

On October 25, 2022, *Bill 23, More Homes Built Faster Act* was introduced by the Provincial government and received Royal Assent on November 28, 2022. The Bill introduced amendments to nine different Acts including the *Ontario Heritage Act*. A summary of the impacts of the Bill were brought to Council through Council Report C 19/ 2023.

A significant change to the *Ontario Heritage Act* requires that properties 'listed' on a Municipal Heritage Register be removed from the Register if Council does not issue a notice of intention to designate the property by January 1, 2025. Once removed, the property cannot be 'listed' again on the Register for a period of five years. After January 1, 2025, City Council can, however, consider the designation of a property that was removed from the Register as long as the designation of the property is based on prescribed criteria.



If no action is taken, the 884 'listed' properties will effectively lose all heritage protection on January 1, 2025. Once unprotected, these built heritage resources could be the subject of demolition. Therefore, Administration is recommending strategies to evaluate the 884 'listed' properties on the heritage register for potential designation.

See Appendix 'A' for Extracts from the *Ontario Heritage Act*. The criteria for designation has also been referenced in Appendix 'A'.

## Discussion:

The total number of properties recognized on the Windsor Municipal Heritage Register is 1,272. Table 1 below shows the breakdown of properties with heritage status through the *Ontario Heritage Act*. The majority of the properties are listed (non-designated) properties counting to 884 properties. There are 132 individually designated properties in Windsor, a small number of which are also within a Heritage Conservation District (HCD). 256 additional properties are HCD designated.

Table 1: Heritage Status of Properties on the Windsor Municipal Heritage Register

Heritage Status	Counts
Register 'listed' (focus of this report)	884
Designated	132
Designated through a Heritage Conservation District (Prado or Sandwich)	256
<b>Total</b>	<b>1272</b>

Designations have been discussed as a natural option to provide heritage protection for properties since listed properties will lose their status by 2025. However, based on a survey of Ontario municipalities' heritage inventories and designations conducted by the City of Toronto (see Appendix 'B'), on average, similarly sized and staffed municipalities across Ontario designate a few properties per year. Many of these designations are initiated by property owners who want to see their property designated. The designation process and requirements governed through the *Ontario Heritage Act* are criteria-based and involve in-depth research through the archives, local history centre, various historical sources, site visits of the property, etc., before the report is prepared to present a recommendation to Heritage Committee and Council. Following this, there are also statutory processes of notifications, preparation of the by-law, registration, and potential appeals.

Municipalities across Ontario are also facing the same struggles to respond to the implications of Bill 23 based on their volume of 'listed' properties and typical capacity to designate (See Appendix 'B' for statistics by Ministry of Citizenship & Multiculturalism. Note though that the statistic for City of Windsor designated properties is not accurate.) Appendix 'C' tabulates examples of how other municipalities are responding, some choosing to tackle their heritage evaluations by hiring additional staff resources to assist with a target number of designations, or starting Heritage Conservation District Studies, or eliciting voluntary designations of property owners.



The following section of the report provides a brief overview of recommended strategies for Council's consideration. They are based on a combination of: work already underway; an Administrative review of properties potentially at risk of demolition; and, best practises being implemented elsewhere in Ontario.

## **Heritage Register Evaluation Strategies**

### **Strategy 1: Designation through Walkerville Heritage Conservation District Study**

Of the 884 'listed' properties, approximately 300 properties are located within the Walkerville Heritage Area (generally bound by Lincoln Rd, Ottawa St, Walker Rd, Detroit River). This represents an estimated 34% of all 'listed' properties on the register and speaks to the unique history, architecture and fabric that defines this heritage-rich and significant area.

City Council will recall that the work on the Walkerville Districting Plan was recently completed. Council may also recall that (CR334/2019 and CR32/2021) directed the Planning Department to begin work on the Walkerville HCD study following the Districting Plan. Administration has been working to confirm a preferred consultant to prepare the Walkerville HCD Study. The HCD Study will include a considerable amount of public engagement and consultation. The study's recommendations will ultimately require consideration by both the Development & Heritage Standing Committee and City Council.

It is too soon to identify what the study will recommend, but the potential exists for as many as 300 'listed' properties on the current register to be protected by designation within an HCD.

### **Strategy 2: Designation through Development Review and Incentive Programs**

Some listed properties with designation interest or merits are captured through the development review process. When a development application is received associated with or impacting listed (non-designated) properties, Heritage Planning staff are circulated and have the ability to request Heritage Impact Assessments, which contain some evaluations for heritage merits and may result in recommendations for designation. Redevelopment, or whenever change is triggered, often presents risks of loss of the heritage resource, or opportunities for the heritage resource to be conserved and adaptively reused. Additionally, heritage-sensitive conservation and designation can be encouraged when applications are made for other financial incentive programs such as the City's Community Improvement Plans. Administration will continue focusing on properties that can be designated and protected through the development process. It must be noted though that once listed properties are removed from the Heritage Register, Council would not be able to designate properties that are not already on the heritage register when a Development Application is triggered.

### **Strategy 3: Designation of properties of "strongest" and/or missing representation of Cultural Heritage Value/Interest:**

Administration has undertaken an overview categorization of the properties on the Heritage Register (that are not captured under the Walkerville Heritage Area). There







could be upwards of 200 properties which have merits for designation. The properties with heritage merits can be divided into broad categories in Table 2 below.

Table 2: Categories of Heritage Listed Properties







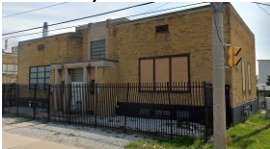
Categories of Heritage Listed Properties	Counts
Institutional (Government & Education)	65
Places of Worship/Industrial	63
Community Landmarks/unique Architecture/History	35
Victoria Ave (between 600 block to 2200 Block)	58
Area based (not including Walkerville or Victoria)	60
Risk from Development pressure	24

Institutional properties are those often owned by large landowners such as the City of Windsor, School Board, and the University of Windsor. Places of Worship and important industrial properties often have outstanding architecture, and are instrumental in Windsor's community development, often representing a large investment of and in the community. Another category would be other community heritage resources or one-of-a-kind structures, or those associated with significant Windsor history. Victoria Avenue contains a rich cluster of heritage properties and is recognized by Council as a Heritage Area in the Official Plan (no status/powers under the *Ontario Heritage Act*), however there is no funding direction or plan to conduct a HCD Study for Victoria Avenue. Other areas of interest could include the Old Town Historic Core (pocket of historic houses around Janette Ave, Pitt St. W., Bruce Ave, and Chatham St. W.), and properties along main streets such as Ouellette Avenue, and Riverside West/ University area. The final category considered are those that are at risk from potential redevelopment, which Administration continues to monitor through development applications.

Examples of heritage listed Properties from each Category

Institutional			
Assumption College*	Dillon Hall*	W. C. Kennedy High School	Waterworks Pk. Pump House
			
Places of Worship/Industrial			
Synagogue Shaar Hashomayim	All Saint's Church	Ford Powerhouse	Monarch Liqueurs / W.L. Webster Mfg. *



			
<b>Community Landmarks</b>			
<p>Cenotaph</p> 	<p>Windsor Grove Cemetery</p> 	<p>Yorktown Square Sign</p> 	<p>Pierre Belleperche House (c1812 French Farm House)</p> 
<b>Victoria Ave</b>			
<p>Clarke-Bowlby House (806)*</p> 	<p>Pacaud-Bowlby House (824)</p> 	<p>W.A. Watts-Emery House (1185-1193)*</p> 	<p>F.W. Patton House (1519)</p> 
<b>Area-based</b>			
<p>Old Town Historic Core</p> 	<p>Riverside/University West Area</p> 	<p>Casa del Mara Apartments (1338 Ouellette Ave)</p> 	<p>Pascoe Bldg. (507-19 Ouellette Ave)</p> 
<b>Redevelopment Pressure/Risk/Opportunity</b>			
<p>Elmwood Casino/ Elmwood Motor Hotel/ Brentwood Residence</p> 	<p>Former St Jules School</p> 	<p>Former Gordon McGregor School</p> 	<p>Substations (eg. 885 Wyandotte St. W.).</p> 

\*Photo from Planning Department. All other photos sourced from Google Streetview and Google Earth.



At the same time, staff undertook a general review of the profile of current Part IV designations in Windsor. Table 3 below shows “Residence” as the largest category of properties designated, with low numbers for some categories such as “Education” properties. Counts of designations by year constructed (ranges) show a peak in the early 1900s which is a natural reflection of the population increase and construction boom in Windsor. It also indicates a low number of designated properties from the 1940s onwards, which likely indicates a rarity of recognition of mid-century architecture.

Table 3: Current Part IV individually designated properties in Windsor

Historic Function	Counts of Designated Property	Year Constructed (Range)	Counts of Designated Property
<b>Residence</b>	72	1700s	3
<b>Religion</b>	15	1800s	10
<b>Commercial</b>	9	1800s - late	29
<b>Government</b>	6	1900 - 1909	18
<b>Industry</b>	6	1910 - 1919	14
<b>Community</b>	4	1920 - 1929	37
<b>Education</b>	3	1930 - 1939	9
<b>Leisure</b>	3	1940 - onwards	3
<b>Defence/residential</b>	2		
<b>Transportation</b>	1		
<b>Health/commercial (offices)</b>	1		
<b>Defence</b>	1		

Though Windsor has hundreds of properties with potential for designation, with current staff capacity, Administration would only be able to produce a limited number of designation reports before the January 2025 deadline. Administration will concentrate on designating properties of the strongest cultural heritage value or interest while also providing comprehensive representation across the different categories of heritage properties. Staff will also leverage the applicability of the existing financial incentives programs which are eligible only to designated properties to encourage listed (non-designated) property owners to give favourable consideration to designations.

#### **Strategy 4: Exploring new ways to designate**

Keeping in mind the statutory criteria, procedures, and requirements for designation, Staff will also investigate approaches to speed up the designation process (such as “batch designations” that are grouped for efficiency), or monitor for innovative approaches such as designating properties with no heritage attributes (preventing demolition of the property while not requiring regulation over alterations). Staff hope to begin consulting with large institutional landowners to collaborate on the designation of significant heritage listed education properties, to increase consensus and reduce potential appeals and delays. Staff may explore the option of creating an official working



group to add labour resource capacity for conducting historical research for the designations.

### **Strategy 5: Protection of City-Owned Heritage resources through Council direction**

Given the limited timing for designations, it is suggested that designation efforts for city-owned properties be conducted in batches where possible. City-owned properties can additionally be protected through Council's leadership and resolution in Recommendation III "to continue to protect Heritage properties that are city-owned in the same fashion as pre-Bill 23 even if properties are removed as a result of Bill 23, and to encourage a high degree of heritage sensitivity by all City Departments in conformance with the City of Windsor Official Plan". This is aligned with the Official Plan objective for the City to lead the community by example through proper conservation and stewardship of municipally-owned heritage properties (Section 9.2.3).

### **Strategy 6: Protections through Demolition Control Bylaw**

Planning staff will explore the use of Section 33 Demolition Control By-laws under the Planning Act over targeted geographic areas where there are collections of heritage resources. The purpose of s.33 of the Planning Act is to preserve residential housing or provide replacement residential housing and not for preservation or restoration of heritage resources. However, Demolition Control Bylaw may provide temporary protection or discouragement for demolition to heritage resources.

### **Strategy 7: Continued recognition of heritage properties through a Windsor Heritage Inventory**

It is inevitable that many of the heritage listed properties would be stripped of any *Ontario Heritage Act* status after Bill 23's removal requirements come to maturity on January 1, 2025. Administration will continue to keep a list of Windsor's Heritage Inventory so as to manage a list of properties that the Windsor community can continue to look to for information and awareness of the heritage resources within the community.

### **Official Plan Policy:**

The Windsor Official Plan preamble in Chapter 9 reads "A community's identity and civic pride is rooted in physical and cultural links to its past. In order to celebrate Windsor's rich history, Council is committed to recognizing, conserving and enhancing heritage resources." The Official plan includes: "

(9.2.3.) To lead the community in the protection, improvement, utilization and management of heritage resources by using municipally owned heritage properties as examples of proper conservation and stewardship.

(9.2.4.) To increase awareness and appreciation of Windsor's heritage resources and encourage participation by individuals, organizations and other levels of government in heritage conservation.



(9.3.2.1.) Council will identify Windsor's heritage resources by:

- (b) Researching and documenting the history, and architectural and contextual merit of potential heritage resources on an area or neighbourhood basis in conjunction with Heritage Conservation District studies, secondary plans or other special studies as may be appropriate;
- (c) Researching and documenting the history, and architectural and contextual merit of potential heritage resources on an individual property basis;
- (d) Encouraging and supporting individuals and groups in recommending potential heritage resources.

(9.3.3.1.) Council will recognize Windsor's heritage resources by:

- (a) Designating individual buildings, structures, sites and landscapes as heritage properties under the Ontario Heritage Act;
- (b) Designating groups of buildings and areas as Heritage Conservation Districts under the Ontario Heritage Act;
- (c) Maintaining a list of designated heritage properties;

(9.3.3.4.) Council will identify heritage resources by:

- (a) Maintaining and updating the list of built heritage resources known as the Windsor Municipal Heritage Register; and
- (b) Identifying neighbourhoods containing collections of important heritage resources such as Heritage Areas and Heritage Conservation Districts on Schedule 'G': Civic Image.

(9.3.6.1.) Council will manage heritage resources by:

- (a) Protecting, conserving and managing Municipally owned heritage resources in a manner which furthers the objectives and policies of this Plan and which sets an example of leadership for the community in the conservation of heritage resources;
- (b) Ensuring that the activities of all Municipal departments respect the character and significance of Windsor's heritage resources;
- (c) Encouraging public participation in the conservation of heritage resources;
- (d) Providing support and encouragement to organizations and individuals who undertake the conservation of heritage resources by private means;
- (e) Promoting public understanding, appreciation and enjoyment of Windsor's heritage resources through an on-going public awareness and education programme;
- (i) Creating a heritage resource information base to identify heritage resources."



## **Risk Analysis:**

The risk of inaction is the potential loss of recognition to more than 800 heritage listed properties. The risk also goes beyond identification and recognition to potential demolition and irreversible loss of Windsor's heritage resources that would be a detriment to current and future generations. The report proposes strategies to respond to these losses by conducting designations through various studies, initiatives, and innovative methods.

## **Climate Change Risks**

**Climate Change Mitigation: N/A**

**Climate Change Adaptation: N/A**

## **Financial Matters:**

There are no direct financial requests associated with the recommendations of this report or with conducting the evaluation of listed properties for designation potential. With current staff capacity, Administration expects to only be able to document and bring forward to City Council a limited number of individually designation reports to City Council. Should Council desire to increase resourcing to implement the Bill 23 Heritage Register Evaluation Strategies, additional Council direction and funding would be required.



## Consultations:

City of Toronto and the Ministry of Citizenship & Multiculturalism, Heritage Policy & Services, created the contents in Appendix B. Information on the approaches of other municipalities (referenced in Appendix C) were collected through the Ontario Heritage Planner's Network. Michael Cooke, former Deputy City Planner of Windsor, is an integral part of the team involved in formulating the strategies in this report.

## Conclusion:

Administration recommends that Council approve the Heritage Register Evaluation Strategies, including: Strategy 1: Designation through Walkerville Heritage Conservation District Study; Strategy 2: Designation through Development Review and Incentive Programs; Strategy 3: Designation of properties of "strongest" and/or missing representation of Cultural Heritage Value/Interest; Strategy 4: Exploring new ways to designate; Strategy 5: Protection of City-Owned Heritage resources through Council direction; Strategy 6: Protections through Demolition Control Bylaw; Strategy 7: Continued recognition of heritage properties through a Windsor Heritage Inventory, to provide Administration with the direction to respond to Provincial Bill 23 and impacts on 'listed' (non-designated) heritage properties.

**Planning Act Matters: N/A**

## Approvals:

Name	Title
Kristina Tang	Heritage Planner
Neil Robertson	Acting City Planner / Executive Director Planning & Building
Wira Vendrasco	Deputy City Solicitor
Jelena Payne	Commissioner of Economic Development & Innovation
Joe Mancina	Chief Administrative Officer

## Notifications:

Name	Address	Email

## Appendices:

- 1 Appendix A- Extracts from OHA
- 2 Appendix B- Municipal Registers Survey by City of Toronto & Heritage Register  
Statistics by Ministry of Citizenship & Multiculturalism
- 3 Appendix C - Municipalities Bill 23 Register Approach



## Appendix A- Extracts from the *Ontario Heritage Act*.

### **Section 27 Register**

#### **“Removal of non-designated property**

##### **Same**

(15) In the case of a property included in the register under subsection (3) on or after January 1, 2023, the council of a municipality shall remove the property from the register if the council of the municipality does not give a notice of intention to designate the property under subsection 29 (1) on or before the second anniversary of the day the property was included in the register. 2022, c. 21, Sched. 6, s. 3 (4).

##### **Same**

(16) In the case of a property included in the register under a predecessor of subsection (3), as of December 31, 2022, the council of a municipality shall remove the property from the register if the council of the municipality does not give a notice of intention to designate the property under subsection 29 (1) on or before January 1, 2025. 2022, c. 21, Sched. 6, s. 3 (4).

#### **Consultation not required**

(17) Despite subsection (4), the council of the municipality is not required to consult with its municipal heritage committee, if one has been established, before removing a property from the register under subsection (14), (15) or (16). 2022, c. 21, Sched. 6, s. 3 (4).

#### **Prohibition re including property in register, subss. (14) to (16)**

(18) If subsection (14), (15) or (16) requires the removal of a property from the register, the council of the municipality may not include the property again in the register under subsection (3) for a period of five years after the following date:

1. In the case of subsection (14), the day any of the circumstances described in paragraphs 1, 2 and 3 of that subsection exist.
2. In the case of subsection (15), the second anniversary of the day the property was included in the register.
3. In the case of subsection (16), January 1, 2025. 2022, c. 21, Sched. 6, s. 3 (4).”



## ONTARIO REGULATION 9/06

### CRITERIA FOR DETERMINING CULTURAL HERITAGE VALUE OR INTEREST

**Consolidation Period:** From January 1, 2023 to the e-Laws currency date.

Last amendment: 569/22.

#### **Criteria, s. 27 (3) (b) of the Act**

1. (1) The criteria set out in subsection (2) are prescribed for the purposes of clause 27 (3) (b) of the Act. O. Reg. 569/22, s. 1.

(2) Property that has not been designated under Part IV of the Act may be included in the register referred to in subsection 27 (1) of the Act on and after January 1, 2023 if the property meets one or more of the following criteria for determining whether it is of cultural heritage value or interest:

1. The property has design value or physical value because it is a rare, unique, representative or early example of a style, type, expression, material or construction method.
2. The property has design value or physical value because it displays a high degree of craftsmanship or artistic merit.
3. The property has design value or physical value because it demonstrates a high degree of technical or scientific achievement.
4. The property has historical value or associative value because it has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community.
5. The property has historical value or associative value because it yields, or has the potential to yield, information that contributes to an understanding of a community or culture.
6. The property has historical value or associative value because it demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.
7. The property has contextual value because it is important in defining, maintaining or supporting the character of an area.
8. The property has contextual value because it is physically, functionally, visually or historically linked to its surroundings.
9. The property has contextual value because it is a landmark. O. Reg. 569/22, s. 1.

(3) For clarity, subsection (2) does not apply in respect of a property that has not been designated under Part IV but was included in the register as of January 1, 2023. O. Reg. 569/22, s. 1.



**Criteria, s. 29 (1) (a) of the Act**

**2.** (1) The criteria set out in subsections (2) and (3) are prescribed for the purposes of clause 29 (1) (a) of the Act. O. Reg. 569/22, s. 1.

(2) Section 1, as it read immediately before January 1, 2023, continues to apply in respect of a property for which a notice of intention to designate it was given under subsection 29 (1.1) of the Act after January 24, 2006 and before January 1, 2023. O. Reg. 569/22, s. 1.

(3) In respect of a property for which a notice of intention to designate it is given under subsection 29 (1.1) of the Act on or after January 1, 2023, the property may be designated under section 29 of the Act if it meets two or more of the criteria for determining whether it is of cultural heritage value or interest set out in paragraphs 1 to 9 of subsection 1 (2). O. Reg. 569/22, s. 1.



## Municipal Heritage Registers: Listed Properties and Annual Part IV Designations (5 Year Avg.)

**Total # of Listed Properties = 31,466**

Information provided by the following 65 municipalities:

<ol style="list-style-type: none"><li>1. Ajax</li><li>2. Barrie</li><li>3. Belleville</li><li>4. Bluewater</li><li>5. Bradford West Gwillimbury</li><li>6. Brampton</li><li>7. Brantford</li><li>8. Brockville</li><li>9. Burlington</li><li>10. Caledon</li><li>11. Cambridge</li><li>12. Cavan Monaghan</li><li>13. Centre Wellington</li><li>14. Chatham-Kent</li><li>15. Cobourg</li><li>16. Collingwood</li><li>17. Cornwall</li><li>18. Goderich</li><li>19. Gravenhurst</li><li>20. Grimsby</li><li>21. Guelph</li><li>22. Halton Hills</li><li>23. Hamilton</li><li>24. Huntsville</li><li>25. Kawartha Lakes</li><li>26. King Twp.</li><li>27. Kingston</li><li>28. Kitchener</li><li>29. Leamington</li><li>30. Lincoln</li><li>31. London</li><li>32. Markham</li><li>33. Milton</li></ol>	<ol style="list-style-type: none"><li>34. Mississauga</li><li>35. New Tecumseth</li><li>36. Newmarket</li><li>37. Niagara Falls</li><li>38. Niagara-on-the-Lake</li><li>39. Oakville</li><li>40. Orillia</li><li>41. Oro-Medonte</li><li>42. Ottawa</li><li>43. Owen Sound</li><li>44. Penetanguishene</li><li>45. Peterborough</li><li>46. Port Colborne</li><li>47. Port Hope</li><li>48. Richmond Hill</li><li>49. Quinte West</li><li>50. Sault Ste. Marie</li><li>51. St. Catharines</li><li>52. St. Marys</li><li>53. St. Thomas</li><li>54. Stratford</li><li>55. Sudbury</li><li>56. Thorold</li><li>57. Timmins</li><li>58. Tiny</li><li>59. Trent Hills</li><li>60. Toronto</li><li>61. Vaughan</li><li>62. Whitby</li><li>63. Whitchurch-Stouffville</li><li>64. Waterloo</li><li>65. Windsor</li></ol>
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*NOTE: This information was collected and compiled by the City of Toronto Heritage Planning based on a questionnaire to municipal staff of the Ontario Heritage Planners Network (HPN).*



**Ajax**

0 listed (non-designated) properties

Designation (5 Year) Average: 1 designation per year

**Barrie**

42 listed (non-designated) properties

Designation (5 Year) Average: not available

**Belleville**

127 listed (non-designated) properties

Designation (5 Year) Average: 1 designation in progress

**Bluewater**

76 listed (non-designated) properties

Designation (5 Year) Average: 0 designations in the past 5 years

**Bradford West Gwillimbury**

444 listed (non-designated) properties

Designation (5 Year) Average: 1-2 designations per year

**Brampton**

384 listed (non-designated) properties

Designation (5 Year) Average: 4 per year, totalling 21 designations

**Brantford**

556 listed (non-designated) properties (of planned ~830)

Designation (5 Year) Average: 1 each in 2018 and 2019, none since.

**Brockville**

68 listed (non-designated) properties

Designation (5 Year) Average: 1

**Burlington**

206 Listed (Non-designated properties)

Designation (5 year) Average: Less than 1 per year (1 in 2022, 1 in 2019)

**Caledon**

1,115 non-designated properties listed

Designation (5 year) Average: 2-3 designations a year

**Cambridge**

665 listed (non-designated) properties

Designation (5 Year) Average: 3-4 designations per year.



**Cavan Monaghan**

0 listed (non-designated) properties

Designation (5 Year) Average: 0

**Centre Wellington**

934 listed (non-designated) properties - average of approx. 100 listings per year

Listed approx. 400 in 2017, and currently looking at adding a few hundred rural properties

Designation (5 Year) Average: 1-2 per year

**Chatham-Kent**

278 listed (non-designated) properties

Designation (5 Year) Average: 1 designation a year

**Clarington**

55 listed (non-designated) properties

Designation (5 Year) Average: 1 designation per year

**Cobourg**

213 listed (non-designated) properties

Designation (5 Year) Average: 1 per year (request from owner or development pressure)

**Collingwood**

1 listed (non-designated) properties

Designation (5 Year) Average: 1 designation per year

**Cornwall**

236 listed (non-designated) properties

Designation (5 Year) Average: not available

**Goderich**

58 listed (non-designated) properties

Designation (5 Year) Average: Less than 1 designation per year

**Gravenhurst**

14 listed (non-designated) properties

Designation (5 year) Average: 4 designations in last 5 years = less than 1 designation per year

**Grimsby**

531 Listed (non-designated) properties

Designation (5 Year) Average: 3 designations a year

**Guelph**

1,716 listed (non-designated) properties

Designation (5 Year) Average – 1 designation/year



**Halton Hills**

790 listed (non-designated) properties

Designation (5 Year) Average: 2-3 designations per year

**Hamilton**

2,345 listed (non-designated) properties

Designation (5 Year) Average: aim for 4 per year, some years with zero, and others with 10.

**Huntsville**

202 listed (non-designated) properties

Designation (5 Year) Average: 0 designations - no concrete plan to designate properties

**Kawartha Lakes**

289 listed (non-designated) properties

Designation (5 Year) Average: 4 designations per year

**King Twp.**

150 listed (non-designated) properties

Designation (5 Year) Average: 1-2 designations per year

**Kingston**

340 listed (non-designated) properties

Designation (5 Year) Average: 8 property designations a year

**Kitchener**

253 listed (non-designated) properties

Designation (5 Year) Average: 1-3 per year

**Leamington**

258 listed (non-designated) properties

Designation (5 Year) Average: 0 designations

**Lincoln**

247 listed (non-designated) properties

Designation (5 Year) Average: 1 designation

**London**

2,233 listed (non-designated) properties

Designation (5 Year) Average: 3 designations a year

**Markham**

340 listed (non-designated) properties

Designation (5 Year) Average: 3 designations a year

(+ 18 designation by-law amendments in 2021 to correct legal descriptions)



**Milton**

866 listed (non-designated) properties

Designation (5 Year) Average: 3-4 designations in progress

**Mississauga**

1,000 listed (non-designated) properties

Designation Average: 1 designation annually

**New Tecumseth**

32 listed (non-designated) properties

Designation (5 Year) Average: 1-2 designations

**Newmarket**

358 listed (non-designated) properties

Designation (5 Year) Average: 1 designation a year

**Niagara Falls**

100 listed (non-designated) properties

Designation (5 Year) Average: 1 designation a year

**Niagara-on-the-Lake**

225 listed (non-designated) properties

Designation (5 Year) Average: information not provide

**Oakville**

291 listed (non-designated) properties

Designation (5 Year) Average: 5 designations a year (forecasting 6-7 in coming years)

**Orillia**

14 listed (non-designated) properties

Designation (5 Year) Average: 1 designation in 2017

**Oro-Medonte**

63 listed (non-designated) properties

Designation (5 Year) Average: 1 designation per Committee's 4 year term

**Ottawa**

4,619 listed (non-designated) properties

Designation (5 Year) Average: 6 designations per year

**Owen Sound**

106 listed (non-designated) properties

Designation (5 Year) Average: 1-2 properties designated a year



**Penetanguishene**

10 listed (non-designated) properties

Designation (5 Year Average): 1 every 5 years

**Peterborough**

790 listed (non-designated) properties

Designation (5 Year) Average: 3 per year totaling 15 designations

**Port Colborne**

Approx. 300 listed (non-designated) properties

Designations (5 Year) Average: 0-1 a year

**Port Hope**

0 listed (non-designated) properties

Designation (5 Year) Average: 1 designation a year

**Richmond Hill**

236 listed (non-designated) properties

Designation (5 Year) Average: 0 designations per year

**Quinte West**

1 listed (non-designated) property

Designation (5 Year) Average: 0

**Sault Ste. Marie**

28 listed (non-designated) properties

Designation (5 Year) Average: 1 – designation in progress

**St. Catharines**

162 listed (non-designated) properties

Designation (5-year average) – 1 per year

**St. Marys**

115 listed (non-designated) properties

Designation (5 Year) Average: 0-1 new designations/year

**St. Thomas**

247 listed (non-designated) properties

Designation (5 Year) Average: not available

**Stratford**

36 listed (non-designated) properties

Designation (5 Year) Average: not available



**Sudbury**

7 listed (non-designated) properties

Designation (5 Year) Average: 0-1 new designation per year

**Thorhold**

105 listed (non-designated) properties + 1 designated

Designation (5 Year) Average: 1 – designation

**Timmins**

7 listed (non-designated) properties + 1 designated

Designation (5 Year) Average: 1 – designation

**Tiny**

31 listed (non-designated) properties

Designation (5 Year) Average: designate 1 every 3-5 years.

**Trent Hills**

565 listed (non-designated) properties

Designation (5 Year) Average: 0 – the last designation occurred in 2014.

**Toronto**

3,973 listed (non-designated) properties

Designation (5 Year) Average: 64 designations per year (51 buildings such as historic rows)

**Vaughan**

78 listed (non-designated) properties

Designation (5 Year) Average: 0 designations in nearly 2 decades.

**Whitby**

209 listed (non-designated) properties

Designation (5 year) average: around 1 per year at property owner's request

**Whitchurch-Stouffville**

689 listed (non-designated) properties

Designation (5 Year) Average: 3 designations in the past 5 years

**Waterloo**

153 listed (non-designated) properties

Designation (5 Year) Average: <1 designation a year in the past 5 years,

2 designations in the past 5 years

**Windsor**

884 listed (non-designated) properties

Designation (5 Year) Average: 1 designation a year



<b>Municipality</b>	<b>Municipal status</b>	<b>Geographic area</b>	<b>MHC</b>	<b>e-Register</b>	<b>HCDs</b>	<b>Designated Properties</b>	<b>Non-designated Properties</b>
Addington Highlands, Township of	Lower Tier	Lennox and Addington	N	N	0	0	0
Adelaide-Metcalf, Township of	Lower Tier	Middlesex	N	N	0	0	0
Adjala-Tosorontio, Township of	Lower Tier	Simcoe	N	N	0	0	0
Admaston/Bromley, Township of	Lower Tier	Renfrew	N	N	0	0	0
Ajax, Town of	Lower Tier	Durham	Y	Y	1	31	0
Alberton, Township of	Single Tier	Rainy River	N	N	0	0	0
Alfred and Plantagenet, Township of	Lower Tier	Prescott and Russell	N	N	0	0	0
Algonquin Highlands, Township of	Lower Tier	Haliburton	N	N	0	0	0
Alnwick/Haldimand, Township of	Lower Tier	Northumberland	N	Y	0	11	219
Amaranth, Township of	Lower Tier	Dufferin	N	N	0	0	0
Amherstburg, Town of	Lower Tier	Essex	Y	Y	0	51	132
Armour, Township of	Single Tier	Parry Sound	N	N	0	0	0
Armstrong, Township of	Single Tier	Timiskaming	N	N	0	0	0
Arnprior, Town of	Lower Tier	Renfrew	Y	N	1	2	0
Arran-Elderslie, Municipality of	Lower Tier	Bruce	N	N	0	18	0
Ashfield-Colborne-Wawanosh, Township of	Lower Tier	Huron	N	N	0	1	0
Asphodel-Norwood, Township of	Lower Tier	Peterborough	N	N	0	0	0
Assiginack, Township of	Single Tier	Manitoulin	N	N	0	0	0
Athens, Township of	Lower Tier	Leeds and Grenville	Y	N	0	1	0
Atikokan, Town of	Single Tier	Rainy River	N	N	0	0	0
Augusta, Township of	Lower Tier	Leeds and Grenville	N	N	0	2	0
Aurora, Town of	Lower Tier	York	Y	Y	1	68	373
Aylmer, Town of	Lower Tier	Elgin	Y	Y	0	5	28
Baldwin, Township of	Single Tier	Sudbury	N	N	0	0	0
Bancroft, Town of	Lower Tier	Hastings	N	N	0	0	0
Barrie, City of	Single Tier	Simcoe	Y	Y	0	21	42
Bayham, Municipality of	Lower Tier	Elgin	N	N	0	1	0
Beckwith, Township of	Lower Tier	Lanark	Y	N	0	1	0
Belleville, City of	Single Tier	Hastings	Y	Y	0	39	127
Billings, Township of	Single Tier	Manitoulin	N	N	0	0	0
Black River-Matheson, Township of	Single Tier	Cochrane	N	N	0	1	0



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Blandford-Blenheim, Township of	Lower Tier	Oxford	N	N	0	1	0
Blind River, Town of	Single Tier	Algoma	N	N	0	0	0
Bluewater, Municipality of	Lower Tier	Huron	Y	Y	1	5	76
Bonfield, Township of	Single Tier	Nipissing	N	N	0	0	0
Bonnechere Valley, Township of	Lower Tier	Renfrew	N	N	0	1	0
Bracebridge, Town of	Lower Tier	Muskoka	N	N	0	7	0
Bradford West Gwillimbury, Town of	Lower Tier	Simcoe	Y	Y	0	9	444
Brampton, City of	Lower Tier	Peel	Y	Y	1	133	384
Brant, County of	Single Tier	Brant	Y	Y	0	32	0
Brantford, City of	Single Tier	Brant	Y	Y	2	88	556
Brethour, Township of	Single Tier	Timiskaming	N	N	0	0	0
Brighton, Municipality of	Lower Tier	Northumberland	Y	Y	0	9	53
Brock, Township of	Lower Tier	Durham	N	N	0	10	0
Brockton, Municipality of	Lower Tier	Bruce	Y	Y	0	11	25
Brockville, City of	Single Tier	Leeds and Grenville	Y	Y	0	25	68
Brooke-Alvinston, Municipality of	Lower Tier	Lambton	N	N	0	1	0
Bruce, County of	Upper Tier	Bruce	N	N	0	0	0
Bruce Mines, Town of	Single Tier	Algoma	N	N	0	1	0
Brudenell, Lyndoch and Raglan, Township of	Lower Tier	Renfrew	N	N	0	1	0
Burk's Falls, Village of	Single Tier	Parry Sound	N	N	0	0	0
Burlington, City of	Lower Tier	Halton	N	Y	0	75	206
Burpee and Mills, Township of	Single Tier	Manitoulin	N	N	0	0	0
Caledon, Town of	Lower Tier	Peel	Y	Y	1	130	1115
Callander, Municipality of	Single Tier	Parry Sound	N	N	0	1	0
Calvin, Municipality of	Single Tier	Nipissing	N	N	0	0	0
Cambridge, City of	Lower Tier	Waterloo	Y	Y	3	138	665
Carleton Place, Town of	Lower Tier	Lanark	Y	Y	0	21	0
Carling, Township of	Single Tier	Parry Sound	N	N	0	0	0
Carlow/Mayo, Township of	Lower Tier	Hastings	N	N	0	0	0
Casey, Township of	Single Tier	Timiskaming	N	N	0	0	0
Casselman, Municipality of	Lower Tier	Prescott and Russell	N	N	0	0	0



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Cavan Monaghan, Township of	Lower Tier	Peterborough	Y	N	0	45	0
Central Elgin, Municipality of	Lower Tier	Elgin	Y	Y	0	24	32
Central Frontenac, Township of	Lower Tier	Frontenac	N	N	0	0	0
Central Huron, Municipality of	Lower Tier	Huron	N	N	0	12	0
Central Manitoulin, Municipality of	Single Tier	Manitoulin	N	N	0	1	0
Centre Hastings, Municipality of	Lower Tier	Hastings	N	N	0	3	0
Centre Wellington, Township of	Lower Tier	Wellington	Y	Y	1	102	934
Chamberlain, Township of	Single Tier	Timiskaming	N	N	0	0	0
Champlain, Township of	Lower Tier	Prescott and Russell	N	N	0	7	0
Chapleau, Township of	Single Tier	Sudbury	N	N	0	0	0
Chapple, Township of	Single Tier	Rainy River	N	N	0	0	0
Charlton and Dack, Municipality of	Single Tier	Timiskaming	N	N	0	0	0
Chatham-Kent, Municipality of	Single Tier	Chatham-Kent	Y	Y	0	92	278
Chatsworth, Township of	Lower Tier	Grey	N	N	0	1	0
Chisholm, Township of	Single Tier	Nipissing	N	N	0	0	0
Clarence-Rockland, City of	Lower Tier	Prescott and Russell	Y	N	0	8	0
Clarington, Municipality of	Lower Tier	Durham	Y	Y	1	84	55
Clearview, Township of	Lower Tier	Simcoe	Y	N	0	1	0
Cobalt, Town of	Single Tier	Timiskaming	N	N	0	29	0
Cobourg, Town of	Lower Tier	Northumberland	N	Y	4	59	213
Cochrane, Town of	Single Tier	Cochrane	N	N	0	0	45
Cockburn Island, Township of	Single Tier	Manitoulin	N	N	0	0	0
Coleman, Township of	Single Tier	Timiskaming	N	N	0	0	0
Collingwood, Town of	Lower Tier	Simcoe	Y	Y	1	31	1
Conmee, Township of	Single Tier	Thunder Bay	N	N	0	0	0
Cornwall, City of	Single Tier	Stormont, Dundas and G	Y	Y	0	21	236
Cramahe, Township of	Lower Tier	Northumberland	Y	Y	0	18	130
Dawn-Euphemia, Township of	Lower Tier	Lambton	N	N	0	0	0
Dawson, Township of	Single Tier	Rainy River	N	N	0	0	0
Deep River, Town of	Lower Tier	Renfrew	N	N	0	1	0
Deseronto, Town of	Lower Tier	Hastings	N	N	0	1	0



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Dorion, Township of	Single Tier	Thunder Bay	N	N	0	0	0
Douro-Dummer, Township of	Lower Tier	Peterborough	N	N	0	1	0
Drummond/North Elmsley, Township of	Lower Tier	Lanark	N	N	0	0	0
Dryden, City of	Single Tier	Kenora	N	N	0	0	0
Dubreuilville, Township of	Single Tier	Algoma	N	N	0	0	0
Dufferin, County of	Upper Tier	Dufferin	N	N	0	0	0
Durham, Regional Municipality of	Upper Tier	Durham	N	N	0	0	0
Dutton/Dunwich, Municipality of	Lower Tier	Elgin	Y	Y	0	7	81
Dysart et al, Municipality of	Lower Tier	Haliburton	N	N	0	3	0
Ear Falls, Township of	Single Tier	Kenora	N	N	0	0	0
East Ferris, Township of	Single Tier	Nipissing	N	N	0	0	0
East Garafraxa, Township of	Lower Tier	Dufferin	N	N	0	0	0
East Gwillimbury, Town of	Lower Tier	York	Y	Y	0	12	378
East Hawkesbury, Township of	Lower Tier	Prescott and Russell	N	N	0	0	0
East Zorra-Tavistock, Township of	Lower Tier	Oxford	N	N	0	1	0
Edwardsburgh/Cardinal, Township of	Lower Tier	Leeds and Grenville	N	N	0	2	0
Elgin, County of	Upper Tier	Elgin	N	N	0	0	0
Elizabethtown-Kitley, Township of	Lower Tier	Leeds and Grenville	Y	N	0	9	0
Elliot Lake, City of	Single Tier	Algoma	N	N	0	0	0
Emo, Township of	Single Tier	Rainy River	N	N	0	0	0
Englehart, Town of	Single Tier	Timiskaming	N	N	0	0	0
Enniskillen, Township of	Lower Tier	Lambton	N	N	0	1	0
Erin, Town of	Lower Tier	Wellington	Y	Y	0	3	0
Espanola, Town of	Single Tier	Sudbury	N	N	0	0	0
Essa, Township of	Lower Tier	Simcoe	N	N	0	1	0
Essex, County of	Upper Tier	Essex	N	N	0	0	0
Essex, Town of	Lower Tier	Essex	Y	N	0	13	0
Evanturel, Township of	Single Tier	Timiskaming	N	N	0	0	0
Faraday, Township of	Lower Tier	Hastings	N	N	0	0	0
Fauquier-Strickland, Township of	Single Tier	Cochrane	N	N	0	0	0
Fort Erie, Town of	Lower Tier	Niagara	Y	Y	0	22	36



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Fort Frances, Town of	Single Tier	Rainy River	N	N	0	3	0
French River, Municipality of	Single Tier	Sudbury	N	N	0	0	0
Front of Yonge, Township of	Lower Tier	Leeds and Grenville	N	N	0	1	0
Frontenac, County of	Upper Tier	Frontenac	N	N	0	0	0
Frontenac Islands, Township of	Lower Tier	Frontenac	N	N	0	0	0
Gananoque, Town of	Single Tier	Leeds and Grenville	Y	N	0	21	0
Gauthier, Township of	Single Tier	Timiskaming	N	N	0	0	0
Georgian Bay, Township of	Lower Tier	Muskoka	Y	N	0	0	0
Georgian Bluffs, Township of	Lower Tier	Grey	N	N	0	0	0
Georgina, Town of	Lower Tier	York	Y	Y	0	22	122
Gillies, Township of	Single Tier	Thunder Bay	N	N	0	0	0
Goderich, Town of	Lower Tier	Huron	Y	Y	3	49	58
Gordon/Barrie Island, Municipality of	Single Tier	Manitoulin	N	N	0	0	0
Gore Bay, Town of	Single Tier	Manitoulin	N	N	0	1	0
Grand Valley, Town of	Lower Tier	Dufferin	N	N	0	0	0
Gravenhurst, Town of	Lower Tier	Muskoka	Y	Y	0	17	14
Greater Madawaska, Township of	Lower Tier	Renfrew	N	N	0	0	0
Greater Napanee, Town of	Lower Tier	Lennox and Addington	Y	Y	0	18	0
Greater Sudbury, City of	Single Tier	Sudbury	Y	Y	0	10	7
Greenstone, Municipality of	Single Tier	Thunder Bay	N	N	0	1	0
Grey, County of	Upper Tier	Grey	N	N	0	0	0
Grey Highlands, Municipality of	Lower Tier	Grey	Y	N	0	9	0
Grimsby, Town of	Lower Tier	Niagara	Y	Y	0	40	531
Guelph, City of	Single Tier	Wellington	Y	Y	1	109	1716
Guelph/Eramosa, Township of	Lower Tier	Wellington	Y	Y	0	13	0
Haldimand County	Single Tier	Haldimand	Y	Y	0	47	0
Haliburton, County of	Upper Tier	Haliburton	N	N	0	0	0
Halton, Regional Municipality of	Upper Tier	Halton	N	N	0	0	0
Halton Hills, Town of	Lower Tier	Halton	Y	Y	1	30	790
Hamilton, City of	Single Tier	Hamilton	Y	Y	7	301	2345
Hamilton, Township of	Lower Tier	Northumberland	Y	Y	0	1	45



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Hanover, Town of	Lower Tier	Grey	Y	Y	0	30	80
Harley, Township of	Single Tier	Timiskaming	N	N	0	0	0
Harris, Township of	Single Tier	Timiskaming	N	N	0	0	0
Hastings, County of	Upper Tier	Hastings	N	N	0	0	0
Hastings Highlands, Municipality of	Lower Tier	Hastings	N	N	0	0	0
Havelock-Belmont-Methuen, Township of	Lower Tier	Peterborough	N	N	0	0	0
Hawkesbury, Town of	Lower Tier	Prescott and Russell	N	N	0	1	0
Head, Clara and Maria, Township of	Lower Tier	Renfrew	N	N	0	0	0
Hearst, Town of	Single Tier	Cochrane	N	N	0	11	0
Highlands East, Municipality of	Lower Tier	Haliburton	N	Y	0	0	0
Hilliard, Township of	Single Tier	Timiskaming	N	N	0	0	0
Hilton, Township of	Single Tier	Algoma	N	N	0	0	0
Hilton Beach, Village of	Single Tier	Algoma	N	N	0	0	0
Hornepayne, Township of	Single Tier	Algoma	N	N	0	0	0
Horton, Township of	Lower Tier	Renfrew	N	N	0	0	0
Howick, Township of	Lower Tier	Huron	N	N	0	0	0
Hudson, Township of	Single Tier	Timiskaming	N	N	0	0	0
Huntsville, Town of	Lower Tier	Muskoka	Y	Y	0	13	202
Huron, County of	Upper Tier	Huron	N	N	0	1	0
Huron East, Municipality of	Lower Tier	Huron	Y	N	1	32	0
Huron Shores, Municipality of	Single Tier	Algoma	N	N	0	0	0
Huron-Kinloss, Township of	Lower Tier	Bruce	N	N	0	0	0
Ignace, Township of	Single Tier	Kenora	N	N	0	0	0
Ingersoll, Town of	Lower Tier	Oxford	N	N	0	2	0
Innisfil, Town of	Lower Tier	Simcoe	Y	Y	1	9	50
Iroquois Falls, Town of	Single Tier	Cochrane	N	N	0	0	0
James, Township of	Single Tier	Timiskaming	N	N	0	0	0
Jocelyn, Township of	Single Tier	Algoma	N	N	0	0	0
Johnson, Township of	Single Tier	Algoma	N	N	0	0	0
Joly, Township of	Single Tier	Parry Sound	N	N	0	0	0
Kapuskasing, Town of	Single Tier	Cochrane	N	N	0	4	0



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Kawartha Lakes, City of	Single Tier	Kawartha Lakes	Y	Y	2	88	289
Kearney, Town of	Single Tier	Parry Sound	N	N	0	1	0
Kenora, City of	Single Tier	Kenora	Y	Y	0	9	26
Kerns, Township of	Single Tier	Timiskaming	N	N	0	0	0
Killaloe, Hagarty and Richards, Township of	Lower Tier	Renfrew	N	N	0	1	0
Killarney, Municipality of	Single Tier	Sudbury	N	N	0	0	0
Kincardine, Municipality of	Lower Tier	Bruce	Y	Y	0	45	0
King, Township of	Lower Tier	York	Y	Y	0	36	150
Kingston, City of	Single Tier	Frontenac	Y	Y	3	360	340
Kingsville, Town of	Lower Tier	Essex	Y	N	0	36	0
Kirkland Lake, Town of	Single Tier	Timiskaming	Y	N	0	2	0
Kitchener, City of	Lower Tier	Waterloo	Y	Y	4	104	253
La Vallee, Township of	Single Tier	Rainy River	N	N	0	0	0
LaSalle, Town of	Lower Tier	Essex	Y	N	0	0	0
Laird, Township of	Single Tier	Algoma	Y	N	0	0	0
Lake of Bays, Township of	Lower Tier	Muskoka	Y	N	0	13	0
Lake of the Woods, Township of	Single Tier	Rainy River	N	N	0	0	0
Lakeshore, Municipality of	Lower Tier	Essex	Y	N	0	7	0
Lambton, County of	Upper Tier	Lambton	N	N	1	0	0
Lambton Shores, Municipality of	Lower Tier	Lambton	N	N	0	0	0
Lanark, County of	Upper Tier	Lanark	N	N	0	0	0
Lanark Highlands, Township of	Lower Tier	Lanark	Y	N	0	6	0
Larder Lake, Township of	Single Tier	Timiskaming	N	N	0	0	0
Latchford, Town of	Single Tier	Timiskaming	Y	N	0	0	0
Laurentian Hills, Town of	Lower Tier	Renfrew	N	N	0	0	0
Laurentian Valley, Township of	Lower Tier	Renfrew	N	N	0	0	0
Leamington, Municipality of	Lower Tier	Essex	Y	Y	0	4	258
Leeds and Grenville, United Counties of	Upper Tier	Leeds and Grenville	N	N	0	0	0
Leeds and the Thousand Islands, Township of	Lower Tier	Leeds and Grenville	Y	N	0	16	0
Lennox and Addington, County of	Upper Tier	Lennox and Addington	N	N	0	0	0
Limerick, Township of	Lower Tier	Hastings	N	N	0	0	0



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Lincoln, Town of	Lower Tier	Niagara	Y	Y	0	22	247
London, City of	Single Tier	Middlesex	Y	Y	7	239	2233
Loyalist, Township of	Lower Tier	Lennox and Addington	Y	Y	1	42	31
Lucan Biddulph, Township of	Lower Tier	Middlesex	N	N	0	0	0
Macdonald, Meredith and Aberdeen Addition	Single Tier	Algoma	N	N	0	0	0
Machar, Township of	Single Tier	Parry Sound	N	N	0	0	0
Machin, Township of	Single Tier	Kenora	N	N	0	0	0
Madawaska Valley, Township of	Lower Tier	Renfrew	N	N	0	2	0
Madoc, Township of	Lower Tier	Hastings	N	N	0	3	0
Magnetawan, Municipality of	Single Tier	Parry Sound	N	N	0	0	0
Malahide, Township of	Lower Tier	Elgin	N	N	0	1	0
Manitouwadge, Township of	Single Tier	Thunder Bay	N	N	0	0	0
Mapleton, Township of	Lower Tier	Wellington	N	N	0	0	0
Marathon, Town of	Single Tier	Thunder Bay	N	N	0	0	0
Markham, City of	Lower Tier	York	Y	Y	4	249	340
Markstay-Warren, Municipality of	Single Tier	Sudbury	N	N	0	0	0
Marmora and Lake, Municipality of	Lower Tier	Hastings	N	N	0	0	0
Matachewan, Township of	Single Tier	Timiskaming	N	N	0	0	0
Mattawa, Town of	Single Tier	Nipissing	N	N	0	1	0
Mattawan, Municipality of	Single Tier	Nipissing	N	N	0	0	0
"Mattice-Val C��t��, Township of	Single Tier	Cochrane	N	N	0	0	0
McDougall, Township of	Single Tier	Parry Sound	N	N	0	0	0
McGarry, Township of	Single Tier	Timiskaming	N	N	0	0	0
McKellar, Township of	Single Tier	Parry Sound	N	N	0	0	0
McMurrich/Monteith, Township of	Single Tier	Parry Sound	N	N	0	0	0
McNab/Braeside, Township of	Lower Tier	Renfrew	N	N	0	0	0
Meaford, Municipality of	Lower Tier	Grey	Y	N	1	3	0
Melancthon, Township of	Lower Tier	Dufferin	N	N	0	0	0
Merrickville-Wolford, Village of	Lower Tier	Leeds and Grenville	Y	Y	0	32	0
Middlesex, County of	Upper Tier	Middlesex	N	N	0	0	0
Middlesex Centre, Municipality of	Lower Tier	Middlesex	N	Y	0	9	0



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Midland, Town of	Lower Tier	Simcoe	N	Y	0	8	0
Milton, Town of	Lower Tier	Halton	Y	Y	0	36	866
Minden Hills, Township of	Lower Tier	Haliburton	N	N	0	0	0
Minto, Town of	Lower Tier	Wellington	N	N	0	2	0
Mississauga, City of	Lower Tier	Peel	Y	Y	2	151	1000
Mississippi Mills, Municipality of	Lower Tier	Lanark	Y	Y	1	44	0
Mono, Town of	Lower Tier	Dufferin	Y	Y	0	4	300
Montague, Township of	Lower Tier	Lanark	N	N	0	1	0
Moonbeam, Township of	Single Tier	Cochrane	N	N	0	0	0
Moosonee, Town of	Single Tier	Cochrane	N	N	0	0	0
Morley, Township of	Single Tier	Rainy River	N	N	0	0	0
Morris-Turnberry, Municipality of	Lower Tier	Huron	N	N	0	1	0
Mulmur, Township of	Lower Tier	Dufferin	Y	Y	0	0	21
Muskoka, District Municipality of	Upper Tier	Muskoka	N	N	0	0	0
Muskoka Lakes, Township of	Lower Tier	Muskoka	Y	Y	1	9	0
Nairn and Hyman, Township of	Single Tier	Sudbury	N	N	0	0	0
Neebing, Municipality of	Single Tier	Thunder Bay	N	N	0	0	0
New Tecumseth, Town of	Lower Tier	Simcoe	Y	Y	0	8	32
Newbury, Village of	Lower Tier	Middlesex	N	N	0	0	0
Newmarket, Town of	Lower Tier	York	Y	Y	1	43	358
Niagara, Regional Municipality of	Upper Tier	Niagara	N	N	0	0	0
Niagara Falls, City of	Lower Tier	Niagara	Y	Y	0	43	100
Niagara-on-the-Lake, Town of	Lower Tier	Niagara	Y	Y	1	83	225
Nipigon, Township of	Single Tier	Thunder Bay	N	N	0	0	0
Nipissing, Township of	Single Tier	Parry Sound	N	N	0	0	0
Norfolk County of	Single Tier	Norfolk	Y	N	0	112	0
North Algona Wilberforce, Township of	Lower Tier	Renfrew	N	N	0	0	0
North Bay, City of	Single Tier	Nipissing	Y	y	0	2	23
North Dumfries, Township of	Lower Tier	Waterloo	Y	Y	1	26	0
North Dundas, Township of	Lower Tier	Stormont, Dundas and G	Y	N	0	3	0
North Frontenac, Township of	Lower Tier	Frontenac	N	N	0	0	0



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North Glengarry, Township of	Lower Tier	Stormont, Dundas and G	Y	Y	0	4	0
North Grenville, Municipality of	Lower Tier	Leeds and Grenville	Y	Y	0	20	0
North Huron, Township of	Lower Tier	Huron	N	Y	0	16	0
North Kawartha, Township of	Lower Tier	Peterborough	N	N	0	0	0
North Middlesex, Municipality of	Lower Tier	Middlesex	N	N	0	1	0
North Perth, Municipality of	Lower Tier	Perth	N	N	0	2	0
North Stormont, Township of	Lower Tier	Stormont, Dundas and G	N	Y	0	1	18
Northeastern Manitoulin and The Islands, To	Single Tier	Manitoulin	N	N	0	0	0
Northern Bruce Peninsula, Municipality of	Lower Tier	Bruce	N	N	0	0	0
Northumberland, County of	Upper Tier	Northumberland	N	N	0	0	0
Norwich, Township of	Lower Tier	Oxford	Y	Y	0	21	0
O'Connor, Township of	Single Tier	Thunder Bay	N	N	0	0	0
Oakville, Town of	Lower Tier	Halton	Y	Y	4	151	291
Oil Springs, Village of	Lower Tier	Lambton	Y	N	1	4	0
Oliver Paipoonge, Municipality of	Single Tier	Thunder Bay	N	N	0	0	0
Opasatika, Township of	Single Tier	Cochrane	N	N	0	0	0
Orangeville, Town of	Lower Tier	Dufferin	Y	Y	3	24	364
Orillia, City of	Single Tier	Simcoe	Y	Y	0	30	14
Oro-Medonte, Township of	Lower Tier	Simcoe	Y	Y	0	1	63
Oshawa, City of	Lower Tier	Durham	Y	Y	1	30	481
Otonabee-South Monaghan, Township of	Lower Tier	Peterborough	N	N	0	0	0
Ottawa, City of	Single Tier	Ottawa	Y	Y	21	345	4619
Owen Sound, City of	Lower Tier	Grey	Y	Y	0	31	106
Oxford, County of	Upper Tier	Oxford	N	N	0	0	0
Papineau-Cameron, Township of	Single Tier	Nipissing	N	N	0	0	0
Parry Sound, Town of	Single Tier	Parry Sound	N	N	0	24	0
Peel, Regional Municipality of	Upper Tier	Peel	N	N	0	0	0
Pelee, Township of	Single Tier	Essex	N	N	0	0	0
Pelham, Town of	Lower Tier	Niagara	Y	N	0	9	75
Pembroke, City of	Single Tier	Renfrew	N	N	0	7	0
Penetanguishene, Town of	Lower Tier	Simcoe	Y	Y	0	17	10



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Perry, Township of	Single Tier	Parry Sound	N	N	0	0	0
Perth, Town of	Lower Tier	Lanark	Y	Y	1	27	6
Perth, County of	Upper Tier	Perth	N	N	0	0	0
Perth East, Township of	Lower Tier	Perth	N	N	0	6	0
Perth South, Township of	Lower Tier	Perth	N	N	0	2	0
Petawawa, Town of	Lower Tier	Renfrew	N	N	0	0	0
Peterborough, County of	Upper Tier	Peterborough	N	N	0	0	0
Peterborough, City of	Single Tier	Peterborough	Y	Y	1	137	790
Petrolia, Town of	Lower Tier	Lambton	Y	Y	0	38	21
Pickering, City of	Lower Tier	Durham	Y	Y	1	18	9
Pickle Lake, Township of	Single Tier	Kenora	N	N	0	0	0
Plummer Additional, Township of	Single Tier	Algoma	Y	N	0	2	0
Plympton-Wyoming, Town of	Lower Tier	Lambton	N	N	0	0	0
Point Edward, Village of	Lower Tier	Lambton	N	N	0	0	0
Port Colborne, City of	Lower Tier	Niagara	Y	Y	0	17	300
Port Hope, Municipality of	Lower Tier	Northumberland	Y	Y	2	169	0
Powassan, Municipality of	Single Tier	Parry Sound	N	N	0	0	0
Prescott, Town of	Single Tier	Leeds and Grenville	Y	N	0	32	27
Prescott and Russell, United Counties of	Upper Tier	Prescott and Russell	N	N	0	0	0
Prince, Township of	Single Tier	Algoma	Y	N	0	3	0
Prince Edward, County of	Single Tier	Prince Edward	Y	Y	1	52	0
Puslinch, Township of	Lower Tier	Wellington	Y	Y	0	0	109
Quinte West, City of	Single Tier	Hastings	Y	Y	0	7	1
Rainy River, Town of	Single Tier	Rainy River	N	N	0	0	0
Ramara, Township of	Lower Tier	Simcoe	N	N	0	0	0
Red Lake, Municipality of	Single Tier	Kenora	N	N	0	0	0
Red Rock, Township of	Single Tier	Thunder Bay	N	N	0	0	0
Renfrew, County of	Upper Tier	Renfrew	N	N	0	0	0
Renfrew, Town of	Lower Tier	Renfrew	N	N	0	20	0
Richmond Hill, City of	Lower Tier	York	Y	Y	1	86	236
Rideau Lakes, Township of	Lower Tier	Leeds and Grenville	Y	Y	0	28	0



<b>Municipality</b>	<b>Municipal status</b>	<b>Geographic area</b>	<b>MHC</b>	<b>e-Register</b>	<b>HCDs</b>	<b>Designated Properties</b>	<b>Non-designated Properties</b>
Russell, Township of	Lower Tier	Prescott and Russell	N	N	0	2	0
Ryerson, Township of	Single Tier	Parry Sound	N	N	0	0	0
Sables-Spanish Rivers, Township of	Single Tier	Sudbury	N	N	0	0	0
Sarnia, City of	Lower Tier	Lambton	Y	Y	0	30	244
Saugeen Shores, Town of	Lower Tier	Bruce	Y	Y	0	15	121
Sault Ste. Marie, City of	Single Tier	Algoma	Y	Y	0	40	28
Schreiber, Township of	Single Tier	Thunder Bay	N	N	0	0	0
Scugog, Township of	Lower Tier	Durham	Y	Y	1	21	261
Seguin, Township of	Single Tier	Parry Sound	N	N	0	0	0
Selwyn, Township of	Lower Tier	Peterborough	Y	Y	0	11	52
Severn, Township of	Lower Tier	Simcoe	N	N	0	3	0
Shelburne, Town of	Lower Tier	Dufferin	Y	N	0	2	0
Shuniah, Municipality of	Single Tier	Thunder Bay	N	N	0	0	0
Simcoe, County of	Upper Tier	Simcoe	N	N	0	0	0
Sioux Lookout, Municipality of	Single Tier	Kenora	N	N	0	1	0
Sioux Narrows-Nestor Falls, Township of	Single Tier	Kenora	N	N	0	0	0
Smiths Falls, Town of	Single Tier	Lanark	Y	Y	0	17	0
Smooth Rock Falls, Town of	Single Tier	Cochrane	N	N	0	0	0
South Algonquin, Township of	Single Tier	Nipissing	N	N	0	0	0
South Bruce, Municipality of	Lower Tier	Bruce	N	N	0	0	0
South Bruce Peninsula, Town of	Lower Tier	Bruce	Y	Y	0	9	0
South Dundas, Municipality of	Lower Tier	Stormont, Dundas and G	N	N	0	0	0
South Frontenac, Township of	Lower Tier	Frontenac	Y	N	0	7	0
South Glengarry, Township of	Lower Tier	Stormont, Dundas and G	Y	N	0	7	0
South Huron, Municipality of	Lower Tier	Huron	Y	N	0	11	0
South River, Village of	Single Tier	Parry Sound	N	N	0	0	0
South Stormont, Township of	Lower Tier	Stormont, Dundas and G	N	Y	0	17	1
South-West Oxford, Township of	Lower Tier	Oxford	N	N	0	1	0
Southgate, Township of	Lower Tier	Grey	N	N	0	1	0
Southwest Middlesex, Municipality of	Lower Tier	Middlesex	Y	N	0	1	0
Southwold, Township of	Lower Tier	Elgin	N	N	0	0	0



<b>Municipality</b>	<b>Municipal status</b>	<b>Geographic area</b>	<b>MHC</b>	<b>e-Register</b>	<b>HCDs</b>	<b>Designated Properties</b>	<b>Non-designated Properties</b>
Spanish, Town of	Single Tier	Algoma	N	N	0	0	0
Springwater, Township of	Lower Tier	Simcoe	Y	Y	0	13	0
St. Catharines, City of	Lower Tier	Niagara	Y	Y	4	58	162
St. Clair, Township of	Lower Tier	Lambton	Y	N	0	0	0
St. Joseph, Township of	Single Tier	Algoma	N	N	0	1	0
St. Marys, Town of	Single Tier	Perth	Y	Y	1	36	115
St. Thomas, City of	Single Tier	Elgin	Y	Y	0	28	247
St.-Charles, Municipality of	Single Tier	Sudbury	N	N	0	0	0
Stirling-Rawdon, Township of	Lower Tier	Hastings	N	N	0	1	0
Stone Mills, Township of	Lower Tier	Lennox and Addington	N	Y	0	3	0
Stormont, Dundas and Glengarry, United Counties of	Upper Tier	Stormont, Dundas and Glengarry	N	Y	0	4	0
Stratford, City of	Single Tier	Perth	Y	Y	1	91	36
Strathroy-Caradoc, Municipality of	Lower Tier	Middlesex	N	N	0	4	0
Strong, Township of	Single Tier	Parry Sound	N	N	0	0	0
Sundridge, Village of	Single Tier	Parry Sound	N	N	0	0	0
Tarbutt, Township of	Single Tier	Algoma	N	N	0	0	0
Tay, Township of	Lower Tier	Simcoe	Y	Y	0	8	83
Tay Valley, Township of	Lower Tier	Lanark	N	Y	0	1	12
Tecumseh, Town of	Lower Tier	Essex	Y	Y	0	2	5
Tehkummah, Township of	Single Tier	Manitoulin	N	N	0	1	0
Temagami, Municipality of	Single Tier	Nipissing	N	N	0	0	0
Temiskaming Shores, City of	Single Tier	Timiskaming	Y	N	0	0	0
Terrace Bay, Township of	Single Tier	Thunder Bay	N	N	0	0	0
Thames Centre, Municipality of	Lower Tier	Middlesex	Y	Y	0	1	82
The Archipelago, Township of	Single Tier	Parry Sound	N	N	0	1	0
The Blue Mountains, Town of	Lower Tier	Grey	N	N	0	11	0
The Nation Municipality	Lower Tier	Prescott and Russell	N	N	0	2	0
The North Shore, Township of	Single Tier	Algoma	N	N	0	0	0
Thessalon, Town of	Single Tier	Algoma	N	N	0	3	0
Thornloe, Village of	Single Tier	Timiskaming	N	N	0	0	0
Thorold, City of	Lower Tier	Niagara	Y	Y	0	44	105



<b>Municipality</b>	<b>Municipal status</b>	<b>Geographic area</b>	<b>MHC</b>	<b>e-Register</b>	<b>HCDs</b>	<b>Designated Properties</b>	<b>Non-designated Properties</b>
Thunder Bay, City of	Single Tier	Thunder Bay	Y	Y	1	26	50
Tillsonburg, Town of	Lower Tier	Oxford	Y	N	0	13	0
Timmins, City of	Single Tier	Cochrane	Y	Y	0	1	7
Tiny, Township of	Lower Tier	Simcoe	Y	Y	0	4	65
Toronto, City of	Single Tier	Toronto	Y	Y	22	1052	3973
Trent Hills, Municipality of	Lower Tier	Northumberland	Y	Y	0	36	565
Trent Lakes, Municipality of	Lower Tier	Peterborough	N	N	0	0	0
Tudor and Cashel, Township of	Lower Tier	Hastings	N	N	0	0	0
Tweed, Municipality of	Lower Tier	Hastings	Y	N	0	2	0
Tyendinaga, Township of	Lower Tier	Hastings	N	N	0	0	0
Uxbridge, Township of	Lower Tier	Durham	Y	Y	0	20	26
Val Rita-Harty, Township of	Single Tier	Cochrane	N	N	0	0	0
Vaughan, City of	Lower Tier	York	Y	Y	4	51	78
Wainfleet, Township of	Lower Tier	Niagara	N	N	0	1	0
Warwick, Township of	Lower Tier	Lambton	N	N	0	0	0
Wasaga Beach, Town of	Lower Tier	Simcoe	Y	Y	0	1	0
Waterloo, Regional Municipality of	Upper Tier	Waterloo	N	N	0	0	0
Waterloo, City of	Lower Tier	Waterloo	Y	Y	1	35	153
Wawa, Municipality of	Single Tier	Algoma	N	N	0	1	0
Welland, City of	Lower Tier	Niagara	Y	Y	0	33	123
Wellesley, Township of	Lower Tier	Waterloo	Y	N	0	8	0
Wellington, County of	Upper Tier	Wellington	N	N	0	0	0
Wellington North, Township of	Lower Tier	Wellington	N	N	0	3	0
West Elgin, Municipality of	Lower Tier	Elgin	N	N	0	0	0
West Grey, Municipality of	Lower Tier	Grey	N	N	0	6	0
West Lincoln, Township of	Lower Tier	Niagara	Y	N	0	6	0
West Nipissing, Municipality of	Single Tier	Nipissing	Y	N	0	0	0
West Perth, Municipality of	Lower Tier	Perth	Y	N	0	4	0
Westport, Village of	Lower Tier	Leeds and Grenville	Y	N	0	3	0
Whitby, Town of	Lower Tier	Durham	Y	Y	2	69	209
Whitchurch-Stouffville, Town of	Lower Tier	York	Y	N	0	12	689



<b>Municipality</b>	<b>Municipal status</b>	<b>Geographic area</b>	<b>MHC</b>	<b>e-Register</b>	<b>HCDs</b>	<b>Designated Properties</b>	<b>Non-designated Properties</b>
White River, Township of	Single Tier	Algoma	N	N	0	1	0
Whitestone, Municipality of	Single Tier	Parry Sound	N	N	0	0	0
Whitewater Region, Township of	Lower Tier	Renfrew	N	N	0	1	0
Wilmot, Township of	Lower Tier	Waterloo	Y	Y	1	22	0
Windsor, City of	Single Tier	Essex	Y	Y	2	109	884
Wollaston, Township of	Lower Tier	Hastings	N	N	0	0	0
Woodstock, City of	Lower Tier	Oxford	Y	Y	0	32	0
Woolwich, Township of	Lower Tier	Waterloo	Y	Y	0	12	13
York, Regional Municipality of	Upper Tier	York	N	N	0	0	0
Zorra, Township of	Lower Tier	Oxford	N	N	0	0	0
					139	7725	35913



## Appendix C – Municipalities’ Bill 23 Register Approach

Table Key	
Item	Meaning
Green fill	Hire / retain
Purple fill	In-house resource
Blue fill	Outreach / voluntary designations

Municipality	# of Listed Properties	Approach
Amherstburg	125	<ul style="list-style-type: none"> <li>Retained heritage consultant to conduct a HCD Study</li> </ul>
		<ul style="list-style-type: none"> <li>Mailed out Owner Consent Letters for voluntary designations</li> </ul>
Bluewater	76	<ul style="list-style-type: none"> <li>Contemplating a new HCD to cluster a group of properties in close proximity.</li> </ul>
Brampton	384	<ul style="list-style-type: none"> <li>Hired 2 temporary full-time Heritage Planners on 18 month contract for designation work</li> </ul>
Burlington	206	<ul style="list-style-type: none"> <li>Contemplating reaching out to property owners to volunteer properties for designation and to inform about the heritage financial incentives</li> </ul>
		<ul style="list-style-type: none"> <li>Contemplating evaluation of listed properties using a set of criteria, prioritizing “most important/rare/distinctive” properties while also conducting a comparative analysis (considering time periods, architectural styles, cultural groups represented) to identify gaps in the heritage register.</li> </ul>
Halton Hills	790	<ul style="list-style-type: none"> <li>Evaluate listed properties using set criteria for prioritization</li> </ul>
Kawartha Lakes	289	<ul style="list-style-type: none"> <li>Evaluate listed properties using a set of criteria for prioritization</li> </ul>
Lincoln	247	<ul style="list-style-type: none"> <li>Contemplating retaining a private heritage consultant to conduct the research and evaluations</li> </ul>
London	2,233	<ul style="list-style-type: none"> <li>Contemplating designating properties without a list of heritage attributes</li> </ul>
Markham	340	<ul style="list-style-type: none"> <li>Evaluate listed properties using a set of criteria for prioritization</li> </ul>
		<ul style="list-style-type: none"> <li>Hired heritage consultant for designation work</li> </ul>
		<ul style="list-style-type: none"> <li>Reaching out to property owners (published a Heritage Education package)</li> </ul>



Mississauga	1,000	<ul style="list-style-type: none"> <li>Hired part-time museum staff to conduct research for heritage designations</li> </ul>
Oakville	291	<ul style="list-style-type: none"> <li>Hired two full-time staff to prepare designations with aim to bring 4-5 designations to Heritage Committee / Council each month, with 80 designations by early 2025</li> </ul>
		<ul style="list-style-type: none"> <li>Outreach to property owners (conduct site visits, discuss the process and benefits, distribute educational pamphlets)</li> </ul>
		<ul style="list-style-type: none"> <li>Using local resources (Historical Society; Heritage Committee sub-committee), training them to assist with research</li> </ul>
Whitchurch-Stouffville	689	<ul style="list-style-type: none"> <li>Retained heritage consultant to conduct a HCD Study</li> </ul>
		<ul style="list-style-type: none"> <li>Mailed out Owner Consent Letters for voluntary designations</li> </ul>

\*Information compiled between 2022 to 2023 June





**Committee Matters: SCM 220/2023**

**Subject: 1646 Alexis Road, Former Gordon McGregor School – Heritage Designation Report (Ward 8)**

Moved by: Councillor Fred Francis  
Seconded by: Member William Tape

Decision Number: **DHSC 539**

- I. THAT the City Clerk **BE AUTHORIZED** to publish a Notice of Intention to Designate the Gordon McGregor, at 1646 Alexis Road, in accordance with Part IV of the Ontario *Heritage Act* according to the Statement of Cultural Heritage Value or Interest attached in Appendix 'A'; and,
- II. THAT the City Solicitor **PREPARE** the By-law for Council to designate the property after receipt of the legal description of the property from the Property Owner; and,
- III. THAT Council **AGREE** with Parway Inc, Property Owner of 1646 Alexis Road, that the restrictions set out in paragraph 2 of subsection 29(1.2), and paragraph 1 of subsection 29 (8) of *Ontario Heritage Act* for Designation by municipal by-law do not apply in respect of the Property at 1646 Alexis Road, to allow time for the designation process.

Carried.

Report Number: S 89/2023  
Clerk's File:MBA/14620

**Clerk's Note:**

1. The recommendation of the Development & Heritage Standing Committee and Administration are the same.
2. Please refer to Item 10.4 from the Development & Heritage Standing Committee held on August 1, 2023.
3. To view the stream of this Standing Committee meeting, please refer to:  
<http://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20230801/-1/9422>



**Subject: 1646 Alexis Road, Former Gordon McGregor School – Heritage Designation Report (Ward 8)**

**Reference:**

Date to Council: August 1, 2023  
Author: Kristina Tang, MCIP, RPP  
Heritage Planner  
Email: ktang@citywindsor.ca  
Phone: 519-255-6543 X 6179

Cherilynn Chau  
Community Development Planning Assistant  
Email: cchau@citywindsor.ca  
Phone: 519-255-6543 X 6438  
Planning & Building Services  
Report Date: July 10, 2023  
Clerk's File #: MBA/14620

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

**Recommendation:**

- I. THAT the City Clerk **BE AUTHORIZED** to publish a Notice of Intention to Designate the Gordon McGregor, at 1646 Alexis Road, in accordance with Part IV of the Ontario Heritage Act according to the Statement of Cultural Heritage Value or Interest attached in Appendix 'A'; and,
- II. THAT the City Solicitor prepare the By-law for Council to designate the property after receipt of the legal description of the property from the Property Owner; and,
- III. THAT Council agree with Parway Inc, Property Owner of 1646 Alexis Road, that the restrictions set out in paragraph 2 of subsection 29(1.2), and paragraph 1 of subsection 29 (8) of *Ontario Heritage Act* for Designation by municipal by-law do not apply in respect of the Property at 1646 Alexis Road, to allow time for the designation process.



## Executive Summary: N/A

### Background:

The former Gordon McGregor, at 1646 Alexis Road, was listed on the Windsor Municipal Heritage Register on June 9, 2008.

When the former school closed in 2016, the Greater Essex County District School Board sold the property to the City first, then it was resold to current owner Parway Inc. The Owner has submitted a Zoning Bylaw Amendment with a redevelopment proposal along with information about the Heritage property, which is operating as the Windsor Islamic High School. The redevelopment proposal would sever the portion where the historic building sits, to continue serving as the Windsor Islamic High School, while developing residential development in the surrounding remainder severed lands.

The Owner's consultant has recommended that the property be designated under Part IV of the *Ontario Heritage Act*. Under the *Ontario Heritage Act*, when a prescribed event such as a Planning Act application is triggered, Council has 90 days to issue a Notice of Intention to Designate (NOID) the property unless the Owner and the City agree that the 90 days does not apply. This report is intended to give Council the ability to issue the NOID within the 90 days since the clock for the prescribed Zoning Bylaw Amendment application started on June 20, 2023. The Owner's agent has indicated that the Owner does not object to designation of the property (of the severed parcel of area surrounding the school building).



Google Streetview photo of the property in June 2009





Google Streetview photo of the property in Jan 2021

## Discussion:

## Legal Provisions:

Part IV, Section 29(1)(a) of the *Ontario Heritage Act* (OHA) provides the authority to the Council of a municipality to designate a property that is of cultural heritage value or interest, where the property meets the prescribed criteria. Ontario Regulation 9/06 provides criteria for designation under the *OHA*. A property may be designated under Section 29 of the Act if it meets two or more of the following criteria for determining whether it is of cultural heritage value or interest:

1. The property has design value or physical value because it is a rare, unique, representative or early example of a style, type, expression, material or construction method.
2. The property has design value or physical value because it displays a high degree of craftsmanship or artistic merit.
3. The property has design value or physical value because it demonstrates a high degree of technical or scientific achievement.
4. The property has historical value or associative value because it has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community.
5. The property has historical value or associative value because it yields, or has the potential to yield, information that contributes to an understanding of a community or culture.



6. The property has historical value or associative value because it demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.
7. The property has contextual value because it is important in defining, maintaining or supporting the character of an area.
8. The property has contextual value because it is physically, functionally, visually or historically linked to its surroundings.
9. The property has contextual value because it is a landmark

Designation requires “a statement explaining the cultural heritage value or interest of the property and a description of the heritage attributes of the property”. Also, there are provisions for a municipal heritage committee to be consulted about a designation before the council makes a decision on it. The former Gordon McGregor School at 1646 Alexis Road meets the criteria for designation.

Should Council decide to designate a property, the first step is to initiate a Notice of Intention to Designate, which provides direction for the City Clerk to give notice to the owner, the Ontario Heritage Trust, and through the newspaper. After thirty days, if there is no objection, the Council may pass a by-law to designate the property in accordance with the *OHA*. In this case, the designation by-law will be prepared after the legal description of the property is finalized and provided by the Owner (potentially resulting from the severance application).

The *Ontario Heritage Act* further requires that when a prescribed event such as a Planning Act application is triggered, Council has 90 days to issue a Notice of Intention to Designate (NOID) the property unless the Owner and the City agree that the 90 days does not apply. If no objections are served within 30 days of the notice, the bylaw must also be passed within 120 days. The *OHA* and O. Reg. 385/21 pursuant to *OHA* permit the Property Owner and the City to agree that the restrictions set out in paragraph 2 of subsection 29(1.2) of the *OHA* and paragraph 1 of subsection 29 (8) do not apply to the Application. The Owner’s agent has indicated that the Owner does not object to designation of the property and the extra time to pass the bylaw will allow for the Owner to provide a new legal description of the property to be designated, should the severance of the school be approved.

### **Heritage Evaluation according to Ontario Regulation 9/06**

The heritage evaluation of the property can be considered in the three broad categories of design/physical value, historical/associative value, and contextual value.

#### **Design/Physical value:**

The former Gordon McGregor School exhibits elements of Art Deco architecture popularized between 1910 to 1940. Known for its vertical and geometric form with



design motifs, Art Deco architecture is often also recognized by its flat roofs, glass plate windows, center or side entrances with motif detailing and its smooth facades.<sup>1</sup>

The Gordon McGregor School is a two-story building with a partial basement constructed in 1924. Designed by the locally significant architectural firm Nichols & Sheppard, the collaboration between Nichols, Sheppard, and Masson were then responsible for the addition in 1927 just two years after the initial construction. Travelling South on Alexis Road, the generous set back and landscaped main entrance provides visitors with an unobstructed view of the school building.



Historical Photo of the Former Gordon McGregor School<sup>2</sup>

The building is currently identified by its asymmetrical variegated red brick façade constructed using common bond brick with a stone parapet. In addition, the elongated rectangular massing and its simple, streamlined design further accentuates the building's overall linearity, drawing vertical emphasis on the façade through the utilization of clean straight lines (through the stone surrounds at glazing) and minimal decorations that are often found in Art Deco architecture.<sup>3</sup> The same architects were responsible for the 1927 addition, incorporating the same uniform design for the 19 room expansion.

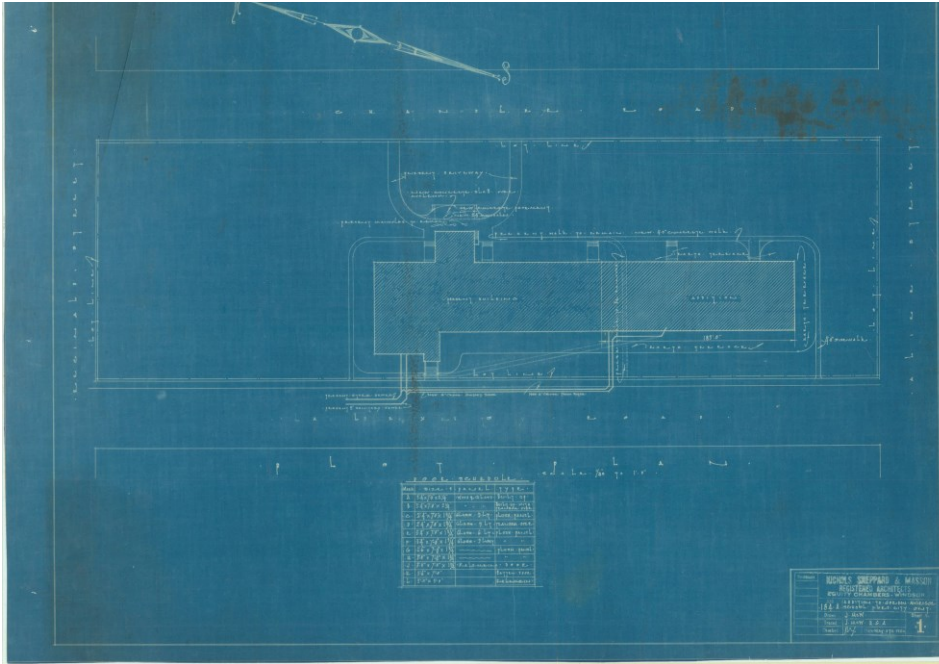
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<sup>1</sup> Heritage Resource Center. *Ontario Architectural Style Guide*. Retrieved from <https://www.therealtydeal.com/wp-content/uploads/2018/06/Heritage-Resource-Centre-Architectural-Styles-Guide.pdf>.

<sup>2</sup> Windsor Public Library. (1924). *Gordon McGregor School*. PC-CD105.

<sup>3</sup> RIBA. *Art Deco*. Retrieved July 5, 2023, from <https://www.architecture.com/explore-architecture/art-deco>





Blueprint depicting the original and addition to the Gordon McGregor School<sup>4</sup>

The building has a protruding front entrance on the Northwest block accented by a stone frame, with a stepped front concrete stairwell flanked by brick masonry side walls. The entrance was decorated with a pair of sconces, and featured the words "Gordon McGregor" and "ad. School. 1924" inscribed onto the stone panel overhead, and formerly a triple set of decorated carved wooden doors (since replaced). The Northwest protruding block of the building also houses the school's gymnasium.

The Northwest block was originally designed with a stepped (peaked) parapet roof capped with stone/concrete while the rectangular back portion of the building is complimented by a flat roof. The Northwest block's peak was removed and now features a flat roof in correspondence to the rest of the building. The smooth surface of the building's façade is enhanced by a decorative stone banding with low relief medallion designs below the roofline, while simple stone banding below the first-floor windows can also be seen surrounding the exterior of the back building block. Slightly below the roofline on the Northwest block is a shield and sword crest that seamlessly merges into the horizontal decorative stone banding on the façade. Two distinguishable low-relief medallions can be found on the same stone banding, one with a symbol of two keys crossing while the other pictures a symbol of a tree. A tall squared brick chimney with chamfered corners is located also at the northwest block, towards the back.

Uniformly repeated rectangular bays of windows with classical stone frames and window sills are found on the front protruding block, whereas 22 bays of windows with banding can be seen spanning the entire front facade. The original windows were double hung with sashes or fixed windows. Contrasting stone and brick vertical banding around the windows emphasizes the building's verticality. A typical brick panel featuring variety of header and stretcher brickwork is found between the floors of the windows.

<sup>4</sup> Windsor Municipal Archives. (1926). *Blueprint of the Gordon McGregor School Addition*.



The back, east facade of the building resembles the design on the front facade, where four back entrances each with an overhead stone inscribed with 'Boys' and 'Girls' are located in intervals, between 19 bays of windows but unlike the front facade, unaccompanied by stone surrounds. In place of the stone surrounds, header, stretcher, soldier and rowlock brickwork emphasize the openings.

It was noted that a 12' by 45' addition was made in 1956, of which is deduced to be an enhancement to the existing back entrance located northeast of the school building.

The tree-lined landscape character along the west property line was introduced through original young samplings of American Elm which were planted along Alexis Road when the building was first constructed. These trees were likely replaced by the current Norway Maple trees as a result of Dutch Elm Disease which was rampant throughout the region in the 1970s. The mature Maples are in similar location to the original trees. (The deciduous trees stationed right by the school's Northwest entrance have since been removed.) The tree-lined landscape is part of the original design intent of the property. Parks (Forestry) Department has confirmed that the trees are shared trees and would be maintained by the City.

The school building is a representative display of simple elements of Art Deco architecture from the 20<sup>th</sup> Century, in an institutional context in Windsor.

### **Historical/Associative Value**

The construction of the Gordon McGregor Public School has direct associations to the emergence of Ford City and its roots in the Canadian automotive industry. Constructed in 1924, the school honored the late Gordon McGregor, founder of the Ford Motor Company of Canada. Gordon McGregor was one of the most prominent figures involved in the establishment of Windsor in the 20<sup>th</sup> Century.

Following his father William McGregor's death, Gordon McGregor assumed president of the company Walkersville Wagon Works, which was going through a slump upon his succession.<sup>5</sup> Eventually, McGregor partnered with Henry Ford of Detroit who saw his company as a gateway to the proliferation of his products in the Canadian market. Thus, the Ford Motor Company of Canada was founded in 1904 with McGregor as Managing Secretary.<sup>5</sup> McGregor passed in 1922 due to internal injuries he sustained in a previous railroad accident.<sup>6</sup> Following his death, the Gordon McGregor Public School in Ford City was named after him both due to contributions, and because his brother, William Donald McGregor, who was the chairman of the Ford City Planning Board at the time.<sup>7</sup>

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## CONTEXTUAL VALUE

The subject property is located on Alexis Road, South of Reginald Street, North of Alice Street, and in proximity of the Drouillard Road Main Street that marked the center of Ford City. The former Ford Test Track (now municipal park) is located adjacent to the school property where physical education and races were once held at. When the school building was first constructed in 1924, the immediate surroundings were

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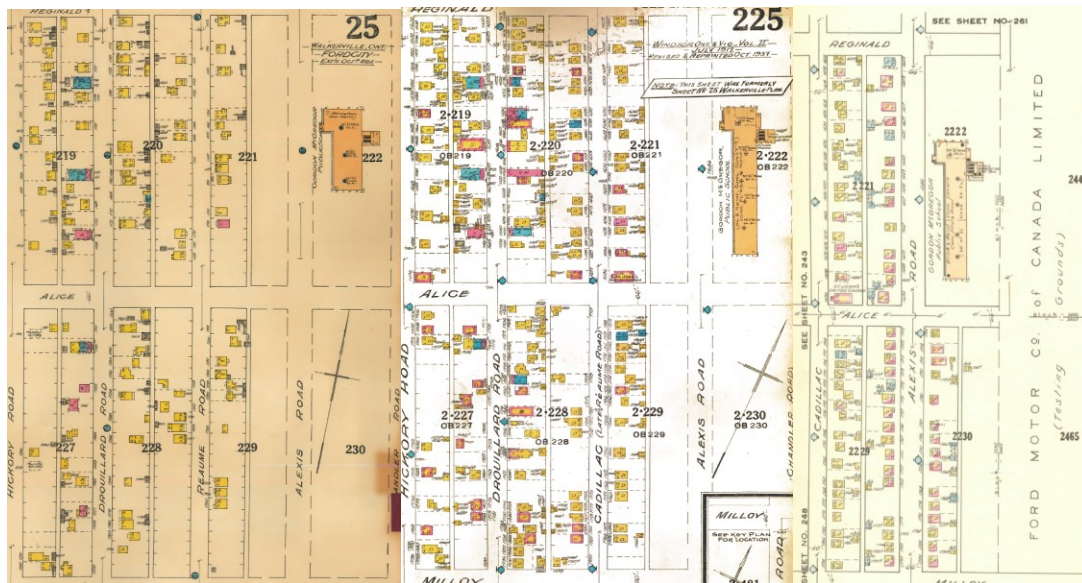
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As families continued to populate the city, new dwellings began to emerge around the school property as indicated by the rise of home advertisements in the local newspaper. Reflected in the 1937 Fire Insurance Map is the new addition made to the school building. By 1953, it was evident that significant development had occurred in the neighborhood as the once existing empty parcels had become progressively filled.



Fire Insurance Maps from 1924 (left), 1937 (middle), and 1953 (right)

The Gordon McGregor School is historically linked to its surrounding, with the demand for the school originating directly from the early growth of the Ford City neighborhood and the City of Windsor. At the time, the former Ontario Street School (now demolished) was reaching its peak capacity which resulted in the relocation of students to the Gordon McGregor School over a mile away.<sup>19</sup> Many parents were unsatisfied with the arrangement as young students would have to travel long distances away from their homes in the Pillette Village area<sup>19</sup>. This was coupled by the fact that the area surrounding the Gordon McGregor School was heavily unpopulated and underdeveloped, as evident in the fire insurance maps above. However, the increase from 490 to over 1,327 students in 1934 serves as sufficient indication of the valuable educational support the Gordon McGregor School provided as subsequent development occurred throughout the neighborhood.

The residential neighborhood is now characterized by its low-density single-detached dwellings. However, the school property was the first development in the

<sup>19</sup> The Border Cities' Star. (1927, September 7). *Parents Rap School Rule*, pp. 5. ProQuest



neighbourhood and is visually distinguished from the surroundings. The Gordon McGregor building is a long-standing and significant landmark in the neighbourhood.

### **Official Plan Policy:**

The Windsor Official Plan Volume 1 includes (9.0) “A community’s identity and civic pride is rooted in physical and cultural links to its past. In order to celebrate Windsor’s rich history, Council is committed to recognizing, conserving and enhancing heritage resources.” Goals include (9.1.1) “The identification, recognition, protection, conservation, enhancement and proper management of heritage resources.” Objectives include (9.2.4) “To increase awareness and appreciation of Windsor’s heritage resources and encourage participation by individuals, organizations and other levels of government in heritage conservation.”

Also, (9.3.2.1) “Council will identify Windsor’s heritage resources by: ... (c) Researching and documenting the history and architectural and contextual merit of potential heritage resources on an individual property basis”. (9.3.3.1) “Council will recognize Windsor’s heritage resources by: ... (a) Designating individual buildings, structures, sites and landscapes as heritage properties under the Ontario Heritage Act;” (9.3.4.1) “Council will protect heritage resources by: (g) Encouraging the adaptive reuse of architectural and/or historically significant buildings and structures;”, (9.3.6.1) “Council will manage heritage resources by: ... (e) providing support and encouragement to organizations and individuals who undertake the conservation of heritage resources by private means”

Section 9.3.7.1 “Council will integrate heritage conservation into the development and infrastructure approval process by: (d) Utilizing the planning approval process (subdivisions / condominiums, official plan amendments, zoning amendments, site plan control, consent, minor variance, demolition control) to facilitate the retention of heritage resources, and to ensure any proposed development is compatible with heritage resources; (e) Having regard to the following factors when assessing applications such as zoning amendments, site plan control applications, demolition control and payment-in-lieu, which may impact heritage resources: (i) Respecting the massing, profile and character of adjacent buildings; (ii) Approximating the width and established setback pattern of nearby heritage buildings; (iii) Respecting the yards, gardens, trees and landscaped grounds associated with the heritage properties and districts which contribute to their integrity, identity, and setting; (iv) Maintaining, enhancing or creating views and vistas of heritage resources; and (v) Minimizing the impact of shadowing on adjacent heritage properties, particularly on landscaped open spaces and outdoor amenity areas. (f) Utilizing the demolition control provisions of the Planning Act and the Heritage Act to assist in the protection of heritage buildings and structures”.

### **Risk Analysis:**

If not designated, the property Owner has indicated that the school building and use will continue. However, Recent Bill 23 More Homes Built Faster Act, 2022 has resulted in amendments to the Ontario Heritage Act. By January 1, 2025, if Council has not issued a notice of intention to designate any non-designated properties, then those properties will have to be removed from the Heritage Register (including the subject property at



1646 Alexis Road). Once removed from the Register, the property owner or future owners may apply for demolition of the building without the review of Council through a regular building permit application, resulting in irreversible loss of heritage resources in the City. On the other hand, if designated, alterations, modifications or additions that affect the property will require Heritage Permit application and approval by Council, after consultation of the municipal heritage committee. There are also additional Property Standards Bylaw requirements that apply to designated heritage properties, such as the maintenance of specific heritage attributes and maintenance of vacant heritage property.

### **Climate Change Risks**

**Climate Change Mitigation: N/A**

**Climate Change Adaptation: N/A**

### **Financial Matters:**

If Council chooses to designate the property, the City will pay the costs of legal notices and registering the by-law amendment with the Land Registry Office. The Committee's heritage operating budget will cover the cost of the designation plaque. Once designated, the owner could apply for grants from the City's Community Heritage Fund to repair features identified in the designation, and could request property tax reductions for the costs of eligible conservation works under the City's Heritage Tax Reduction Program.

### **Consultations:**

The authors of this report visited the site with the Owner's agents Jackie Lassaline and Michael Piskovic, and planning staff received assistance from Windsor Public Library, Archives, and Local History Centre, and Museum Windsor for research information. Consultations were made with Senior Planner (Adam Szymczak), Acting Urban Designer and Landscape Architect (Stefan Fediuk), and Forestry staff (Adam Kirchhoefer).

### **Conclusion:**

The former Gordon McGregor School has sufficient merits to be designated. Council can initiate the designation process for the property under Part IV of the *Ontario Heritage Act* to recognize and protect this heritage resource. Council is recommended to agree with the Owner so as not to be restricted by timelines triggered by the Planning Act application for Designation of the property, to allow for completion of the designation processes.

**Planning Act Matters: N/A**



**Approvals:**

<b>Name</b>	<b>Title</b>
Kristina Tang	Heritage Planner
Neil Robertson	Acting City Planner / Executive Director Planning & Building
Wira Vendrasco	Deputy City Solicitor
Jelena Payne	Commissioner of Economic Development & Innovation
Joe Mancina	Chief Administrative Officer

**Notifications:**

<b>Name</b>	<b>Address</b>	<b>Email</b>
Parway Inc. – Dr. M. Ishtiaq Rao		
Jackie Lassaline		

**Appendices:**

- 1 Appendix A-Draft Statement of Cultural Heritage Value or Interest
- 2 Appendix B- Photographs of the Property
- 3 Appendix C- Supporting Research Material



## **Appendix A – Draft Statement of Cultural Heritage Value and Interest**

### **Gordon McGregor School (former)**

**1646 Alexis Road**

#### **Description of Historic Place**

The former Gordon McGregor Public School is located at 1642 Alexis Road, within the former boundary of Ford City, (East Windsor). The red-brick, two-storey plus basement school constructed in 1924, was originally designed with an asymmetrical facade, a protruding Northwest block and front entrance with carved oak doors flanked by brick masonry. Prominent in the design is a horizontal decorative stone banding with low relief medallions above the second story window, as well as two storey stone surrounds around the glazing. The building is one of the oldest remaining public elementary school buildings. It is a significant neighbourhood landmark at the southeastern boundary of the former Town of Ford City, reflecting the early phases of the town's development and its demands for public educational facilities.

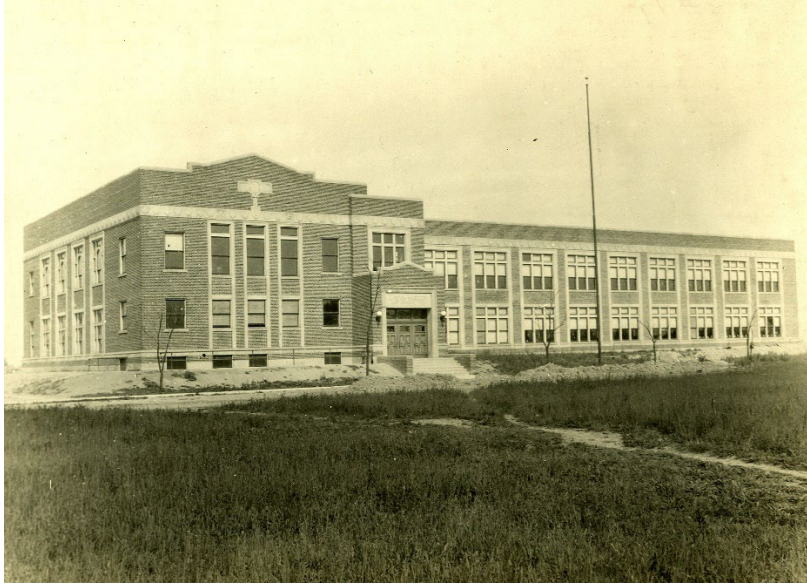
#### **Design/Physical value:**

The former Gordon McGregor School exhibits elements of Art Deco architecture popularized between 1910 to 1940. Known for its vertical and geometric form with design motifs, Art Deco architecture is often also recognized by its flat roofs, glass plate windows, center or side entrances with motif detailing and its smooth facades.<sup>1</sup>

The Gordon McGregor School is a two-story building with a partial basement constructed in 1924. Designed by the locally significant architectural firm Nichols & Sheppard, the collaboration between Nichols, Sheppard, and Masson were then responsible for the addition in 1927 just two years after the initial construction. Travelling South on Alexis Road, the generous set back and landscaped main entrance provides visitors with an unhindered views of the school building.

<sup>1</sup> Heritage Resource Center. *Ontario Architectural Style Guide*. Retrieved from <https://www.therealtydeal.com/wp-content/uploads/2018/06/Heritage-Resource-Centre-Achitectural-Styles-Guide.pdf>.





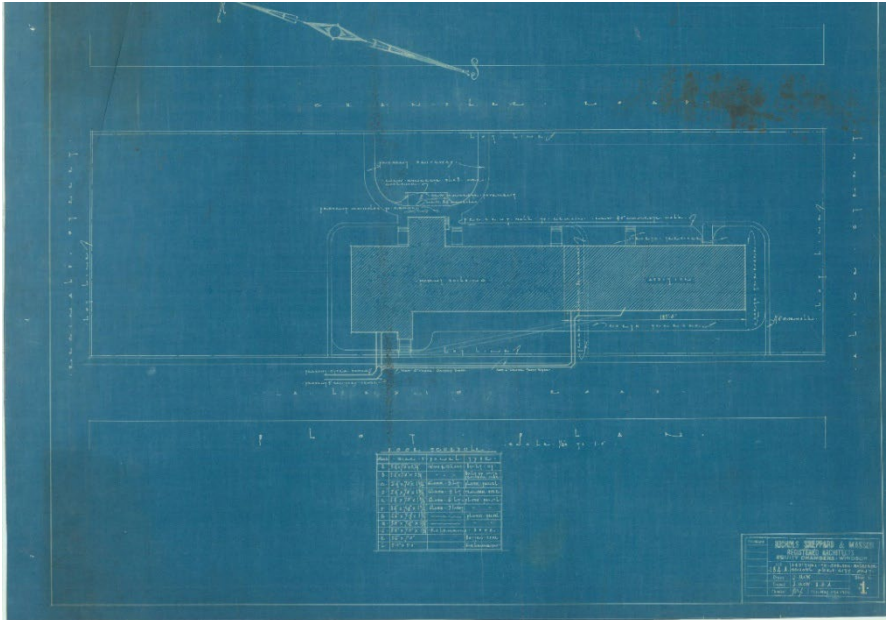
Historical Photo of the Former Gordon McGregor School <sup>2</sup>

The building is currently identified by its asymmetrical variegated red brick façade constructed using common bond brick with a stone parapet. In addition, the elongated rectangular massing and its simple, streamlined design further accentuates the building's overall linearity, drawing vertical emphasis on the façade through the utilization of clean straight lines (through the stone surrounds at glazing) and minimal decorations that are often found in Art Deco architecture. <sup>3</sup> The same architects were responsible for the 1927 addition, incorporating the same uniform design for the 19 room expansion.

<sup>2</sup> Windsor Public Library. (1924). *Gordon McGregor School*. PC-CD105.

<sup>3</sup> RIBA. *Art Deco*. Retrieved July 5, 2023, from <https://www.architecture.com/explore-architecture/art-deco>





Blueprint depicting the original and addition to the Gordon McGregor School<sup>4</sup>

The building has a protruding front entrance on the Northwest block accented by a stone frame, with a stepped front concrete stairwell flanked by brick masonry side walls. The entrance was decorated with a pair of sconces, and featured the words "Gordon McGregor" and "ad. School. 1924" inscribed onto the stone panel overhead, and formerly a triple set of decorated carved wooden doors (since replaced). The Northwest protruding block of the building also houses the school's gymnasium.

The Northwest block was originally designed with a stepped (peaked) parapet roof capped with stone/concrete while the rectangular back portion of the building is complimented by a flat roof. The Northwest block's peak was removed and now features a flat roof in correspondence to the rest of the building. The smooth surface of the building's façade is enhanced by a decorative stone banding with low relief medallion designs below the roofline, while simple stone banding below the first-floor windows can also be seen surrounding the exterior of the back building block. Slightly below the roofline on the Northwest block is a shield and sword crest that seamlessly merges into the horizontal decorative stone banding on the façade. Two distinguishable low-relief medallions can be found on the same stone banding, one with a symbol of two keys crossing while the other pictures a symbol of a tree. A tall squared brick chimney with chamfered corners is located also at the northwest block, towards the back.

Uniformly repeated rectangular bay windows with classical stone frames and window sills are found on the front protruding block, whereas 22 bays of windows with banding can be seen spanning the entire front facade. The original windows were double hung with sashes or fixed windows. Contrasting stone and brick vertical banding around the windows emphasizes the building's verticality. A typical brick panel featuring variety of header and stretcher brickwork is found between the floors of the windows.

<sup>4</sup> Windsor Municipal Archives. (1926). *Blueprint of the Gordon McGregor School Addition*.



The back, east facade of the building resembles the design on the front facade, where four back entrances each with an overhead stone inscribed with 'Boys' and 'Girls' are located in intervals, between 19 sets of bay windows but unlike the front facade, unaccompanied by stone surrounds. In place of the stone surrounds, header, stretcher, soldier and rowlock brickwork emphasize the openings.

It was noted that a 12' by 45' addition was made in 1956, of which is deduced to be an enhancement to the existing back entrance located northeast of the school building.

The tree-lined landscape character along the west property line was introduced through original young samplings of American Elm which were planted along Alexis Road when the building was first constructed. These trees were likely replaced by the current Norway Maple trees as a result of Dutch Elm Disease which was rampant throughout the region in the 1970s. The mature Maples are in similar location to the original trees. (The deciduous trees stationed right by the school's Northwest entrance have since been removed.) The tree-lined landscape is part of the original design intent of the property. Parks (Forestry) Department has confirmed that the trees are shared trees and would be maintained by the City.

The school building is a representative display of simple elements of Art Deco architecture from the 20<sup>th</sup> Century, in an institutional context in Windsor.

### **Historical/Associative Value**

The construction of the Gordon McGregor Public School has direct associations to the emergence of Ford City and its roots in the Canadian automotive industry. Constructed in 1924, the school honored the late Gordon McGregor, founder of the Ford Motor Company of Canada. Gordon McGregor was one of the most prominent figures involved in the establishment of Windsor in the 20<sup>th</sup> Century.

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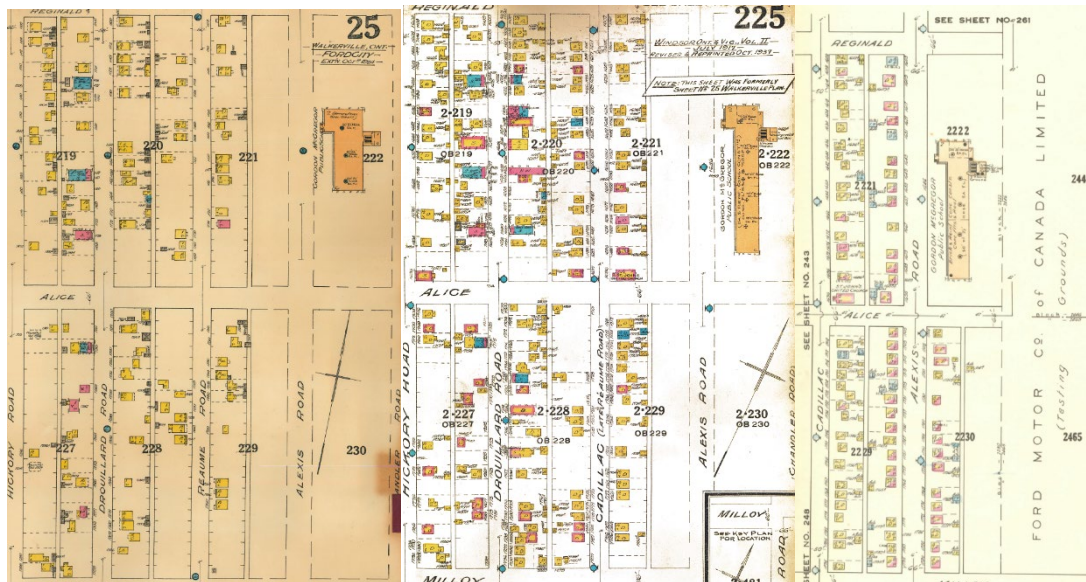
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<sup>18</sup> Hill, R. G. (n.d.). Masson, George Yule. Biographical Dictionary of Architects in Canada. Retrieved July 2, 2023, from <http://dictionaryofarchitectsincanada.org/node/2171>



sparsely scattered in the area. Furthermore, there were no paved roads between Tecumseh Road, Pillette Road, Seminole Street, and Alexis Road for young students to travel on for short cuts when the school was first built.<sup>19</sup>

As families continued to populate the city, new dwellings began to emerge around the school property as indicated by the rise of home advertisements in the local newspaper. Reflected in the 1937 Fire Insurance Map is the new addition made to the school building. By 1953, it was evident that significant development had occurred in the neighborhood as the once existing empty parcels had become progressively filled.



Fire Insurance Maps from 1924 (left), 1937 (middle), and 1953 (right)

The Gordon McGregor School is historically linked to its surrounding, with the demand for the school originating directly from the early growth of the Ford City neighborhood and the City of Windsor. At the time, the former Ontario Street School (now demolished) was reaching its peak capacity which resulted in the relocation of students to the Gordon McGregor School over a mile away.<sup>19</sup> Many parents were unsatisfied with the arrangement as young students would have to travel long distances away from their homes in the Pillette Village area.<sup>19</sup> This was coupled by the fact that the area surrounding the Gordon McGregor School was heavily unpopulated and underdeveloped, as evident in the fire insurance maps above. However, the increase from 490 to over 1,327 students in 1934 serves as sufficient indication of the valuable educational support the Gordon McGregor School provided as subsequent development occurred throughout the neighborhood.

The residential neighborhood is now characterized by its low-density single-detached dwellings. However, the school property was the first development in the neighbourhood and is visually distinguished from the surroundings. The Gordon McGregor building is a long-standing and significant landmark in the neighbourhood.

<sup>19</sup> The Border Cities' Star. (1927, September 7). *Parents Rap School Rule*, pp. 5. ProQuest



## **Heritage Attributes:**

### **Exterior attributes that contribute to the design/physical value of Gordon McGregor School:**

- 1924 and 1927 two-story plus basement building constructed with elements of Art Deco architectural style
- Generous landscape setback to school building (on west from Alexis Road)
- Elongated rectangular massing with sleek, streamlined design and minimal decoration
- Variegated red brick facade constructed in common bond with stone parapet, base stone and stone banding
- Northwest portions feature:
  - o Stepped front concrete stairs at front entrance flanked by masonry side walls
  - o Originally featuring triple set decorated carved wooden doors with scones, and stone panel inscription with the words "Gordon McGregor" and "ad. School. 1924".
  - o Two distinguishable low-relief medallions on the same stone banding, one with a symbol of two keys crossing and one with a symbol of a tree
  - o Shield and sword crest merging into the horizontal decorative stone banding on the facade
  - o Originally peaked parapet now stepped parapet roof capped with stone/concrete, with back building block featuring flat roof
  - o Tall squared brick chimney with chamfered corners at back
- Decorative stone banding throughout school building, with low relief medallion designs below the roofline on the north and west elevations
- Stone surrounds around the windows spanning first and second floors on the north, west and south elevations, emphasizing the building's verticality
- Brick panel featuring variety of header and stretcher brickwork found between the floors of the windows
- Variety of window openings: Original windows were hung windows in triple sets at the west elevation
- East entrances with stones inscribed 'Boys' and 'Girls' between window bays
- Stone sills and Header, stretcher, soldier and rowlock brickwork emphasizing openings on the east elevation
- Tree-lined landscape character along west property line

### **Attributes that contribute to the historical or associative value of Gordon McGregor School:**

- School was built in honour of Gordon McGregor, founder of the Ford Motor Company of Canada who contributed to the establishment of Windsor.
- Addressed demands for public education as families joined the local workforce in shops and factories
- The largest school in Ford City in addition to being the largest Elementary Educational Institution in the Windsor Region during 1927



- Direct association with the rapid growth of the Ford City area
- Direct association with the history of public elementary schools in the Ford City area
- Early (1924) and long-time service (92 years) to former Ford City (East Windsor) and Sandwich East community as a public elementary school
- Oldest remaining former public elementary school building in Ford City
- Remnant of the early phases of the former Ford City's development and the growing demands for public educational space
- Designed by locally significant architects Nichols & Sheppard, with Nichols, Sheppard, and Masson responsible for the addition in 1927

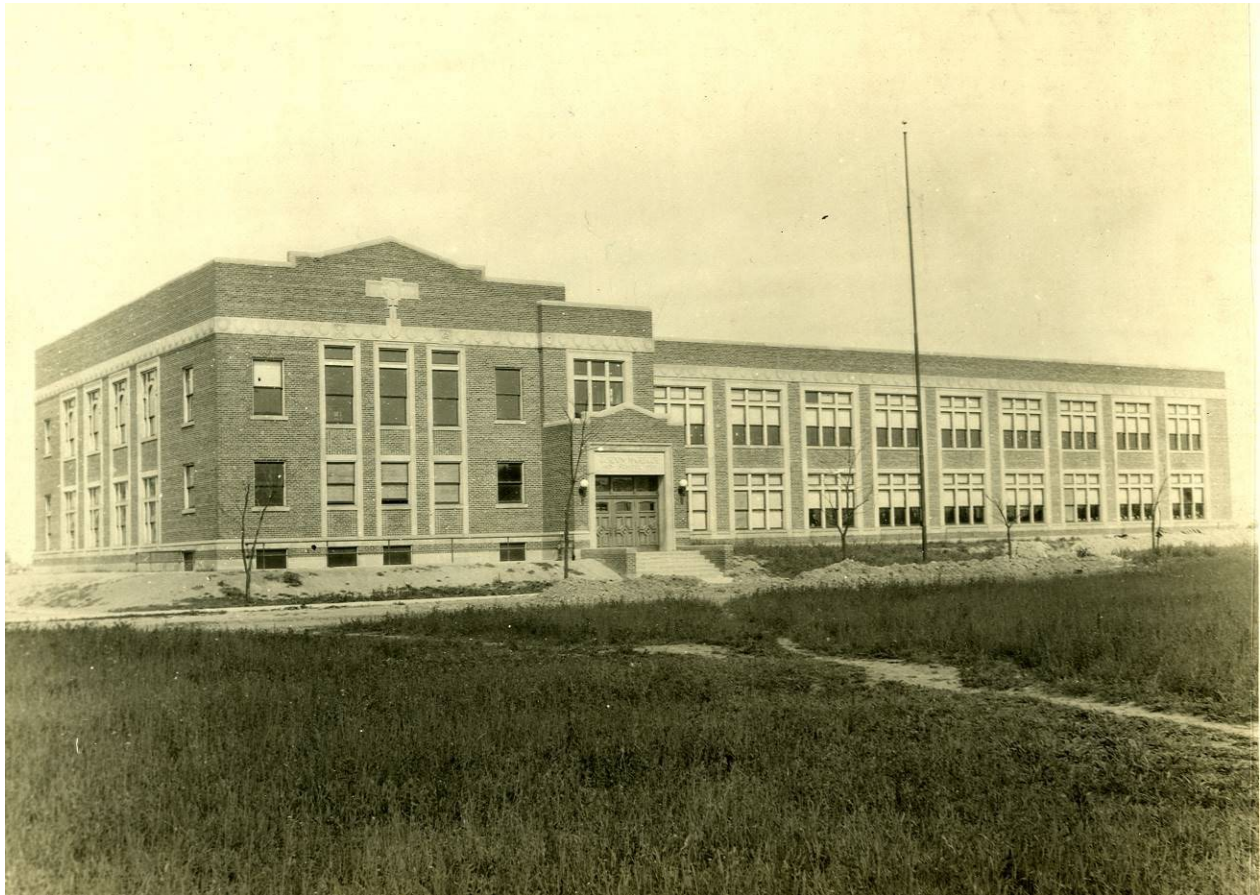
**Attributes that contribute to the contextual value of Gordon McGregor School:**

- Located in proximity of the Ford Motor Windsor Engine Plant that employed many workers while the school addressed needs for education as more families moved into the neighbourhood
- Provided public education to young students in the immediate neighbourhood
- Contributed to the development of residences and construction of paved roads in the area
- Longstanding landmark in the neighbourhood



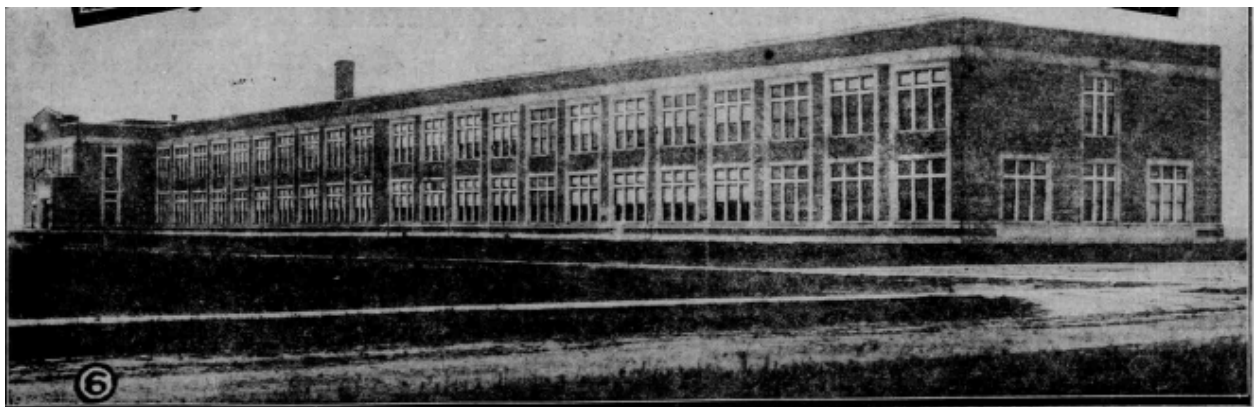
## APPENDIX B - PHOTOGRAPHS OF THE PROPERTY

### Historical photograph of the former Gordon McGregor School in 1924



Source: Windsor Public Library. *Gordon McGregor School. PC-CD105. 1924*

### Historical photograph of the former Gordon McGregor School in 1927 after addition



Source: The Border Cities' Star. (1927, December 31). *Public and Separate Schools Rapidly Expanding*, pp. 41. ProQuest



**Site Visit photos from 2023-07-11**



Front elevation



Front west elevation with 1926 addition portion





Front entrance



School gymnasium northwest protruding block





Decorative medallion stone banding



Sword and Shield crest with Keys Crossing and Tree symbol medallion





Bays of rectangular windows with stone frames (left) and squared windows with stone surrounds (right) on front facade



Stone parapet on roofline, now flashed with metal, and soldier and rowlock brick at glazing lintels.





Typical brick panel featuring variety of header and stretcher brick between the floors.



Repeated back entrances on east facade with stone panel transom and patterned brick surrounds





Back facade facing east towards the Ford Test Track Park



East side facade showings bays of windows with no stone surrounds





Square brick chimney with chamfered corners



Northeast back entrance





Tree-lined landscape character



## Appendix C- Supporting Research Material

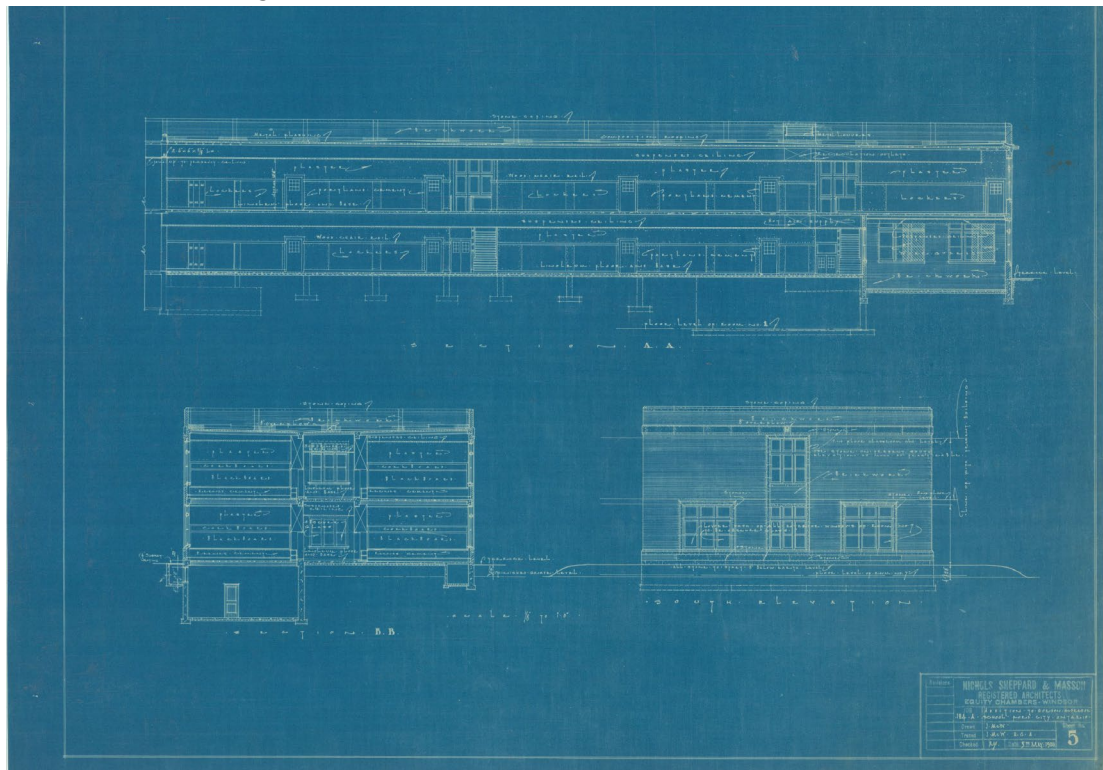
### Art Deco in Architecture

A decorative style of bold geometric shapes and bright colours, it encompassed furniture, textiles, ceramics, sculpture and architecture. The term 'Arts Decoratifs' (later shortened to Art Deco in the 1960s) was coined after the Exposition Internationale des Arts Decoratifs et Industriel Modernes (International Exhibition of Modern and Industrial Decorative Arts) held in Paris in 1925.

The style spread across Europe to the United States and Britain, where it became a favourite for building types associated with the modern age, garages, airports, ocean liners, cinemas, swimming pools, office buildings, department stores, power stations and factories. There were overlaps with Modernism, with the use of clean lines and minimal decoration, but the style also lent itself well to buildings associated with entertainment, providing glamorous interiors for hotels, restaurants and luxury apartments. Lighting and mirrors were often used, with neon strip lighting to emphasise the streamlined nature of the designs and mirrors to enhance and reflect.

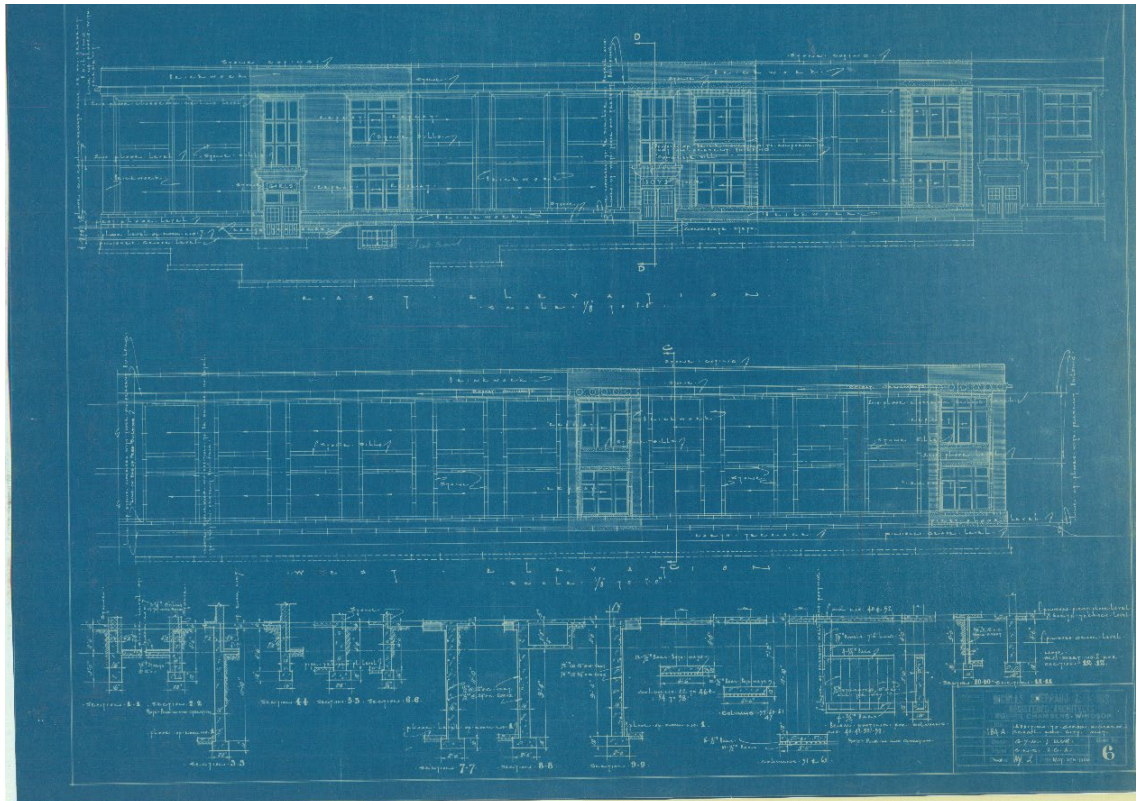
Resource 3: RIBA. *Art Deco*. Retrieved July 5, 2023, from <https://www.architecture.com/explore-architecture/art-deco>

#### South Elevation and Cross-section

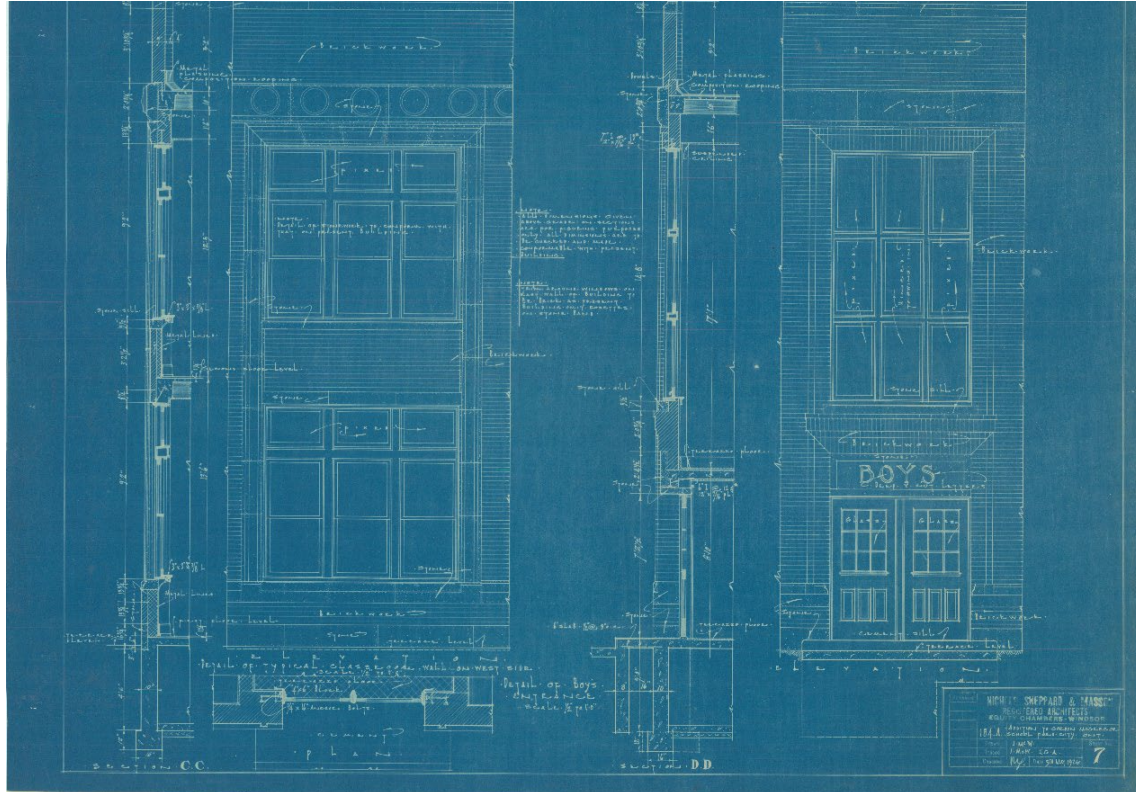




## East and West Elevation

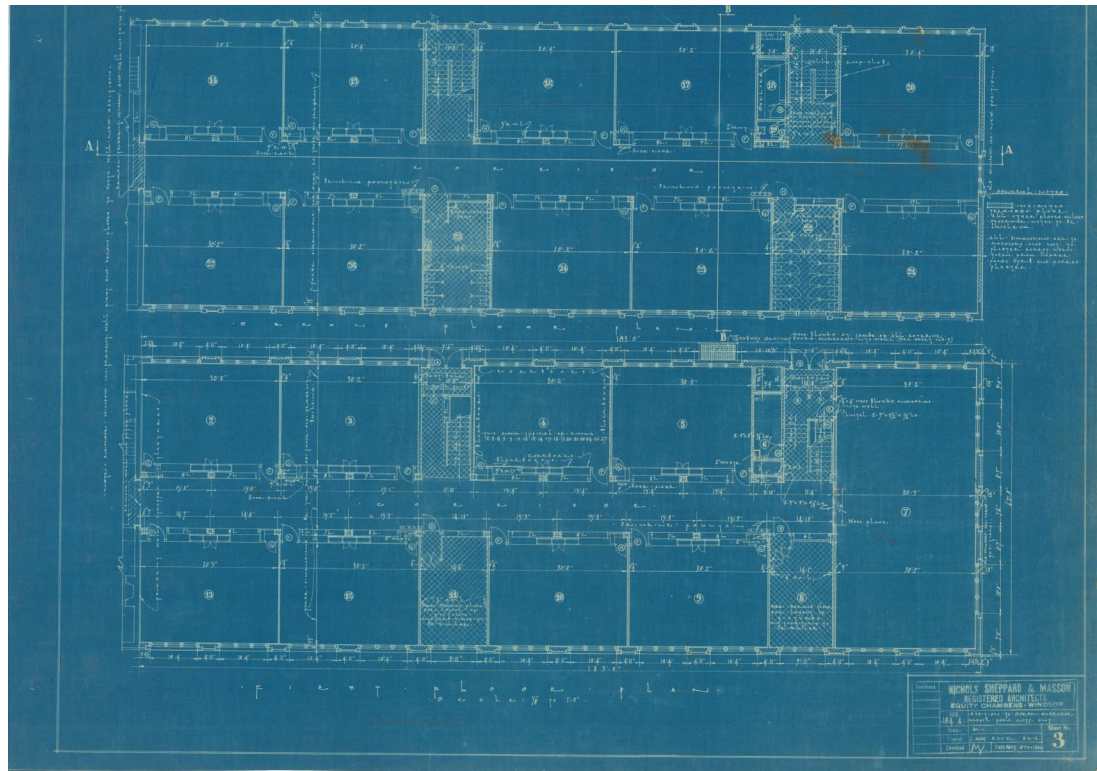


## Back Entrance Details





## First and Second Floor Addition Plan



Resource 4: Windsor Municipal Archives. (1926). *Blueprints of the Gordon McGregor Addition*.

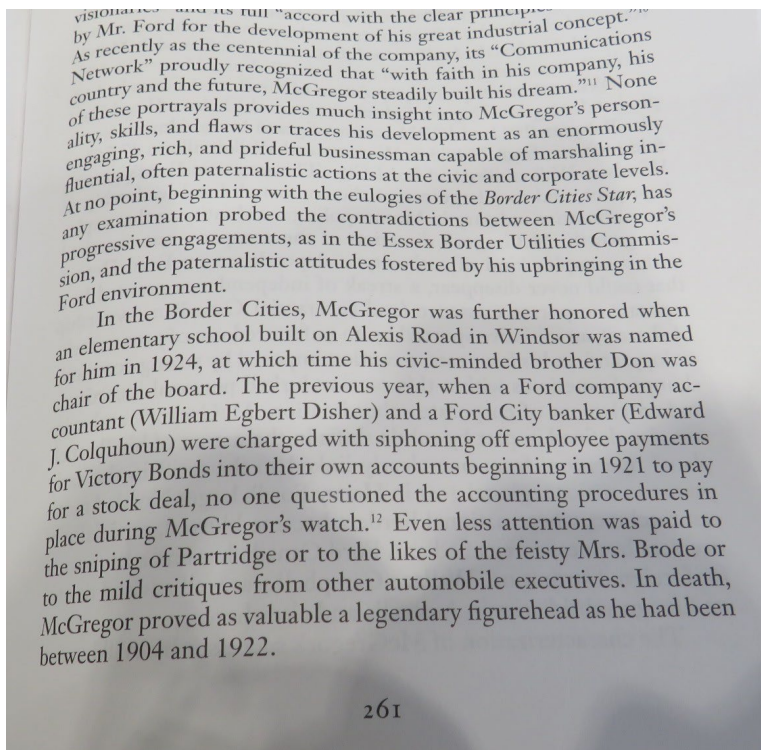
There McGregor witnessed four converging trends: the proliferation of American branch plants to bypass Canadian tariffs; the growth of machine trades related to the bicycle craze; the birth of an automotive industry in Michigan; and the decline of the wagon works following William McGregor's death in 1903. Unable as president to sustain production, Gordon watched its debt climb and work stop in July 1904. As early as January apparently, under pressure from Curry to reduce obligations, he had been thinking of reusing the factory as a branch of an automotive firm. He gambled on Henry Ford of Detroit, who faced a patent lawsuit but had achieved startling success with gasoline-powered runabouts. Initially uninterested, Ford, who likely came to admire McGregor's underlying hardness, soon saw his overture as an opportunity to expand and exploit Canada's access to imperial markets. He had already tested the waters. In 1903 Canada Cycle and Motor in Toronto began selling his first model and in the spring of 1904 he made a promotional trip into Ontario. Though McGregor was confident that a branch would enjoy support from the federal Liberal government, which raised the tariff on automobiles, his plan was risky: the market was unformed and finding capital was a huge challenge. Still, bolstered with promises of extra stock he had shrewdly demanded as compensation, McGregor raised \$125,000. On 10 August, an agreement was concluded; in a key exchange, Ford would share his patents and plans. At the inaugural meeting of the Ford Motor Company of Canada Limited on the 29th, McGregor was made managing secretary.

Resource 5: David Roberts, "McGREGOR, GORDON MORTON," in Dictionary of Canadian Biography, vol. 15, University of Toronto/Université Laval, 2003—, Retrieved, July 2, 2023, from [http://www.biographi.ca/en/bio/mcgregor\\_gordon\\_morton\\_15E.html](http://www.biographi.ca/en/bio/mcgregor_gordon_morton_15E.html)





Resource 6: The Border Cities' Star. (1922, March 11). *Gordon M'Gregor Dead - Fails to Rally from Effects of Operation in Montreal Hospital*, pp. 1. ProQuest



Resource 7: Roberts, D. (2006). *In the shadow of detroit: Gordon M. McGregor, Ford of Canada, and motoropolis*. p.261. Wayne State University Press.



As Ford Motor Company grew, the surrounding area became a boom town. The Wagon Works was augmented in 1910 with a new building as it was absorbed by Ford. By 1913, there were 1400 employees earning \$4. per hour. That year, the village was incorporated. In 1915, it achieved town status. Charles Montreuil, one of the farmers whose land was acquired by the company, became the first mayor of the Town of Ford City -one of the Border Cities (Windsor, Sandwich, Walkerville and Ford).

Unlike its orderly neighbour, Walkerville, Ford City grew haphazardly with little regard for planning. In 1928-29, with 16,000 residents, many of whom came from central European countries to join the Ford work force, Ford City was incorporated as East Windsor.

Resource 8: Windsor Architectural Conservation Advisory Committee 1996-1997. *The Village/ Town of Ford City Windsor, Ontario, Canada*. City of Windsor. Retrieved from, [https://www.citywindsor.ca/residents/historyofwindsor/documents/ford\\_city\\_walking\\_tour.pdf](https://www.citywindsor.ca/residents/historyofwindsor/documents/ford_city_walking_tour.pdf)

PAGE EIGHT THE BORDER CITIES STAR, THURSDAY, DECEMBER 31, 1925

## BORDER SCHOOL ATTENDANCE FIGURES JUMP OVER 2,000

*Caring for Ever Increasing Number, Problem of Boards* *1925 Closing With Promise of Peace*

*School Boards Prepare for Increasing Population*



### The 1925 School Board

The School Board for 1925 will be Arthur Beeman, Fred Smith, retiring chairman; D. W. F. Nichols, Maud Gauthier, Arthur Osborne and J. A. McKewen. The two last named are new members.

There are four schools in the Ford City public school system: Belle Isle avenue, five classes and 181 pupils; Ontario street School, nine classes and 319 pupils; Gordon McGregor School, 14 classes, and 237 pupils and the Central bungalows, five classes, and 191 pupils.

In 1924 the enrolment was 1990. This has increased in a year by 228. The schools are staffed by 35 teachers, an increase of six over last year; four principals, a full time dentist, Dr. M. A. Maloney; Miss Mary Nash, nurse, and Dr. A. M. Blakely is the school medical officer. The supervising principal is K. C. Horlop, E.A.

The School Board in 1924 was composed of George A. Scott, chairman; W. E. Addyman, A. Bunt, A. Munroe, S. Holt and C. W. Caple. Holt and Bunt were defeated at the annual municipal elections, and Mrs. A. Cook and E. W. Morris will replace them.

### Bungalow Schools

The Belle Isle School opened in 1917 with 100 pupils and three teachers. The growth of the municipality was so great that the bungalow type of school had to be used as a temporary measure to relieve the congestion in the district served by the Belle Isle School, and three of these schools were built in 1921-'22. A year later another was erected on the Ontario School site, which continued in operation until September, 1923, when the Ontario School was opened and immediately filled with 329 pupils.

No sooner had the board opened this school than plans for a 14-room school which was named in memory of the late Gordon McGregor, were ordered prepared. This school was ready to open by the fall of 1924, and on the opening day it was filled to capacity with 479 children.

And still the town grew, and more bungalows have been built, this time on Westcott road and Franklin street. There are 191 pupils in these buildings.

Resource 9: The Border Cities' Star. (1925, December 31). *Border School Attendance Figures Jump Over 2,000 - Caring for Ever Increasing Number, Problem of Boards*, pp. 24. ProQuest



## MANY YOUNG MEN

"With the tremendous growth of Ford City within this three-year period—and it is reflected everywhere throughout the town—there has been a large influx of young men who came to work in the shops and factories of Ford City. Theirs were young families, and this is shown in the preponderant number of junior pupils who attend our schools. This phenomenon, a low percentage of entrance pupils, will, of necessity, be low for the next three or four years, assuming that there were no further influx of population, which is not to be supposed, as the town is rapidly extending. Generally, the percentage of entrance pupils runs in the neighborhood of 15 per cent.

"We opened the Ontario street School last October, intending to have eight classes. When enrollment was completed, we found that we also had to use the auditorium for classroom purposes. The old school, a frame structure, was moved to Seminole street and Drouillard road, in the western part of the town, where two classes were established. At this point, this season, we are building the Gordon McGregor School, a 14-room school, which is rapidly nearing completion. Our present plans are to open four to six classes there in the fall. We will, of course, have ample room for any immediate needs."

# FORD SCHOOLS GROW RAPIDLY

## 300 Percent Rise In Three Years Is Reported

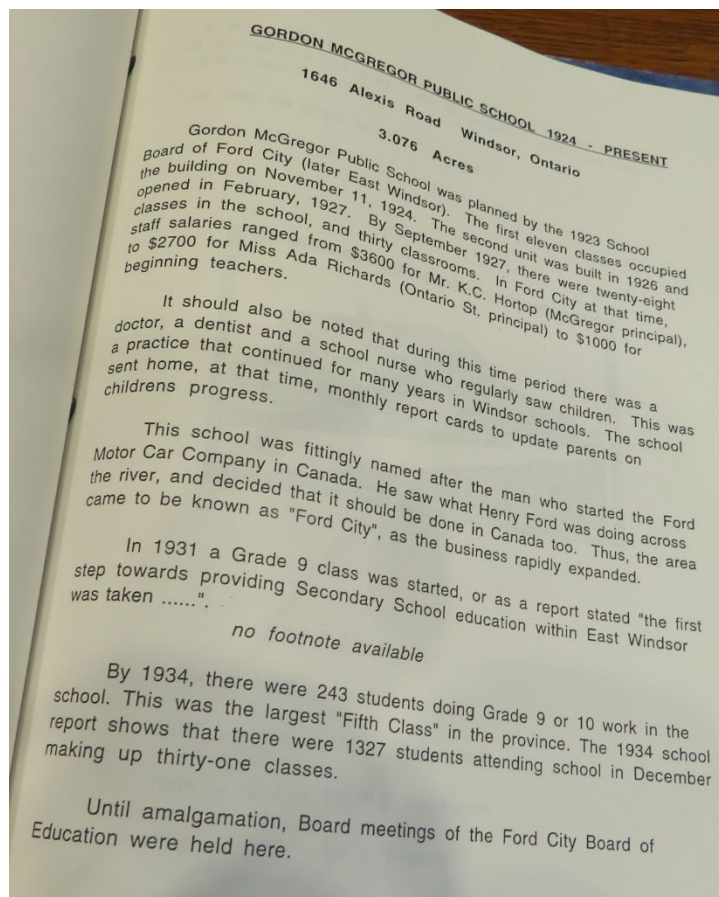
### Youth of Pupils Shows Class of Families Com- ing To Town

Ford City has been advancing with giant strides," says Trustee J. Dower, one of the members of the Ford City Public School Board, who is interested in the efforts of the Greater Ford Association towards a consistent, logical and business-like development of that municipality.

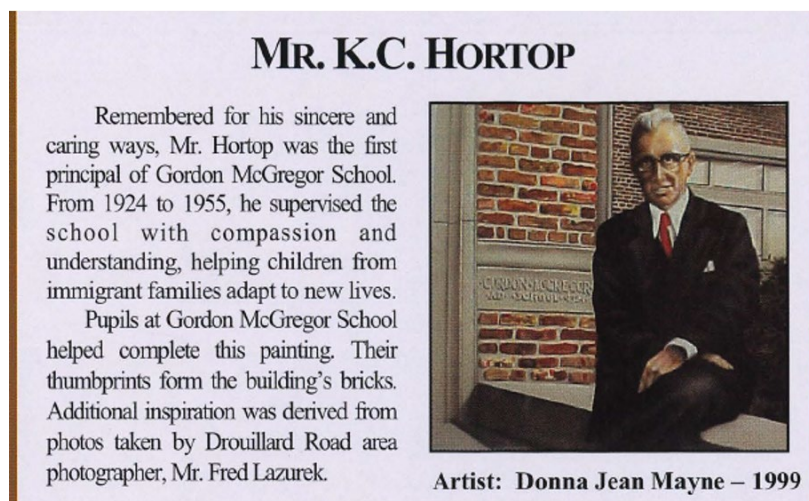
"This development is best reflected in the demand for school accommodations which the Ford City Public School Board has had to meet during the past three years in particular. The growth has been 300 per cent. for the three-year period. We now have more than 1,000 pupils attending the separate schools, but there is one significant fact in connection with this school attendance. The children are all young and, in consequence, we have but 18 pupils trying the entrance examinations for the collegiate institutions. There is no other such situation in Canada.

Resource 10: The Border Cities' Star. (1924, July 5). *Ford Schools Grow Rapidly*, pp. 16. ProQuest





Resource 11: Norris, B. History of Windsor Public Schools. *Gordon McGregor Public School 1924 – Present*. Retrieved from Windsor Public Library. Local History Centre



- Mr. K.C. Hortop served as the Gordon McGregor School's first principal from 1924 to 1955. The painting features fingerprints of some of his former students in the brick wall backdrop. (Donna Jean Mayne, 1999)

Resource 12: City of Windsor, Drouillard Place. *Ford City Historic Walking Tour*. Retrieved From, <http://drouillardplace.ca/wp-content/uploads/2017/04/Ford-City-Historic-Walking-Tour2015.pdf>



## 2 BUILDINGS

Future proposals of the Windsor Board of Education also include a new collegiate, plans for which have already been prepared by Cameron & Falston, Windsor architects. The estimated cost of this has been placed at \$375,000, but it is possible this figure will be exceeded if the board proceeds with the idea of laying out a school stadium, with the intention of making school athletics as self-supporting as possible.

In building an 18-room addition to the Gordon McGregor school, which was completed early in the year, the Ford City public School Board visioned needs of the future. This school is now the largest elementary educational institution in Essex County, if not in the whole of Western Ontario. With accommodation for approximately 1,500 pupils, this 32-room school is expected to take care of the district it serves for the next four or five years.

A proposed new public school for Ford City, to be built at Giles road and Francois street, will cost \$175,000, including equipment. Construction of this school was authorized by the school board early in 1928, but construction is not expected to start until the spring of 1929.



The Sandwich Board has added six rooms to Prince of Wales school, as well as building a six-room school in the west end of the town. This new school is called Western. High school accommodation was also provided, when continuation classes were established. The public school enrollment at the end of the year was 1,312, and 196 high school students.

an increase of 108 over the previous year.

Although a substantial increase in population was reported in 1927, no building program was undertaken in Walkerville. It is proposed, however, to erect a 16-room modern school in the south of the town early in 1929. The project has the unanimous approval of all present members of the board, and it is certain that the needs of this fast-growing section of Walkerville will be given attention soon after the new board holds its organization meeting in January.

**T**HE substantial and continued growth of the Border Cities is reflected in no better way than in the splendid new schools built this year. The approximate cost of the schools is placed at \$750,000. No. 1 school shown at the top of the layout of photographs, taken by the staff photographer of The Border Cities Star, is the John Campbell school at Tecumseh road and Hall avenue. This beautiful educational institution, completed in time for opening of the fall term in September, cost \$375,000, with all equipment, and playgrounds fenced and graded, all ready for the teachers and pupils to step into the classrooms. There are 26 standard classrooms in the school, and a combination gymnasium and auditorium. No. 2 photograph shows the addition to the school building at the corner of 10th and 11th streets. The new addition, which will increase the seating capacity of the school, is estimated to cost \$375,000.

enrolment, and on the opposite side to the right is seen Holy Rosary school, Ford City, to which a large addition was built. The needs of Sandwich in the western section have been taken care of by the new Western school, No. 4 picture shows Western school. Riverside has never been behind in providing educational facilities for the rapidly increasing school population of that thriving municipality. This year the Board of Education has completed a completely new total of 12 classrooms in this building was slightly over \$200,000 and \$100,000 of this amount was spent this year in building a big addition. At the bottom of the layout is the largest school in the Border Cities, the Gordon McGregor at Ford City. Public school supporters in the metropolis of Canada dug down in their pockets to contribute \$142,000 to the building of this school. This is the largest addition above the extreme right of the photograph.





Resource 14: The Border Cities' Star. (1927, September 29). *Say School Poorly Built*, pp. 7. ProQuest



Former students and teachers look through old photographs at the Gordon McGregor Public School open house. DAX MELMER

#### GORDON MCGREGOR PUBLIC SCHOOL

**Location:** 1646 Alexis Rd., Windsor.

**Opened:** 1924

**School team:** Mustangs

**Notable moments:** It was named after the Windsor native who founded the Ford Motor Co. of Canada. Gordon McGregor, who died as the result of injuries from a railway accident in 1922, never

set foot in the school bearing his name. By 1934, the school had added grades 9 and 10 and housed 1,327 students in 31 classes.

**Next year:** Students move to the Percy P. McCallum Public School building, which will be renamed Ford City Public School.

Resource 15: Windsor Star. (2016, July 7). *Doors Close, But Memories Live On*, pp. 1. ProQuest



Gordon McGregor, a large and distinguished-looking red-brick building immediately west of the Ford Test Track, closes down at the end of this school year. In September, its entire staff and student population moves in to the former Percy P. McCallum French immersion grade school, whose students are relocating next door to an expanded, and newly renamed, W.F. Herman Academy.

Resource 16: Schmidt, D. (2016, June 18). *Students bid farewell to Gordon McGregor, vow to take school spirit with them*. Windsor Star. Retrieved July 2, 2023, from <https://windsorstar.com/news/local-news/students-bid-farewell-to-gordon-mcgregor-vow-to-take-school-spirit-with-them>

Gordon McGregor, located in the 1600 block of Alexis Road, closed in 2016 after 92 years as an elementary school. The public school board sold it to the City of Windsor, which took some of the land to add to Ford Test Track Park, located directly to the east, Paine said. Now the city is selling the 62,000-square-foot building on almost four acres of land for \$899,900.

Resource 17: Cross, B. (2019, April 28). *Former Gordon McGregor school listed for sale at \$899,900*. Windsor Star. Retrieved July 2, 2023, from <https://windsorstar.com/news/local-news/former-gordon-mcgregor-school-listed-for-sale-at-899900>

#### **Masson, George Yule**

**MASSON, George Yule** (1895-1982), a prominent architect in Windsor, Ont. and a partner in the following firms:

**Beaton & Masson** (1923)

**George Y. Masson** (1924)

**Nichols, Sheppard & Masson** (1924-1931)

**Sheppard & Masson** (1931 until after 1960)

**Sheppard, Masson, Brand & Langlois** (after 1960)

Born in Detroit, Michigan on 11 December 1895, he trained in the office of **J.C. Pennington** for 6 months (in 1915), and in the Detroit office of Smith, Hinchman & Grylls for one year (1915-16). In 1919 he moved to Philadelphia, Penn. and studied architecture at the Univ. of Pennsylvania for two years, graduating in 1921. He joined the State of Michigan Association of Architects in 1922, and the Ontario Association of Architects in 1923, enabling him to complete projects on both sides of the Canadian-American border. He joined a "Mr. Beaton" in partnership for six months in 1923, and worked briefly under his own name. Then, in 1925, he was invited to join the existing partnership of **David W.F. Nichols** and **Hugh P. Sheppard** (see list of works under Nichols, Sheppard & Masson). Their collaboration was a successful one, with over thirty commissions to their credit including institutional, educational, commercial and industrial works, for buildings located in Windsor, in Walkerville and as far away as Chatham, Ont. When Nichols left the firm in 1931, both Masson and Sheppard continued to work together, becoming the leading architectural firm in Windsor during the next three decades (see list of works under Sheppard & Masson). Their best known projects include the Art Deco design for the six storey Dominion Public Building at Windsor (1932-33), and the striking modernist design for the Timmins Daily Press Building, Timmins, Ont. (1939-40), one of the very first buildings in Northern Ontario to be built in the "streamlined" style.

Resource 18: Hill, R. G. (n.d.). **Masson, George Yule**. Biographical Dictionary of Architects in Canada. Retrieved July 2, 2023, from <http://dictionaryofarchitectsincanada.org/node/2171>



# PARENTS RAP SCHOOL RULE

## Protest Sending Tiny Children to Distant Building

### Will Air Grievances at Meeting of Board This Evening

Residents of that section of Ford City which is bounded by Pillette road, Seminole street, George avenue and Tecumseh road are to protest to the public school board, at its meeting tonight, against its action in taking their younger children from the Ontario street school and making it obligatory for them to attend Gordon McGregor school.

#### MILE AND HALF WALK

The Ford residents who object to the step taken by the school board claim that many of the children affected live but a few blocks from the Ontario street school, and in many cases reside as far as a mile and a half away from the school they must now attend. It is estimated that between 75 and 100 children under the age of 10 will be obliged to attend the school farthest from their homes, if the board refuses to change its plans.

The Ford parents concerned do not object to the sending of their older children to Gordon McGregor school for this year at least, but they think it is not well to send children under the age of eight or 10 years so far away from their homes when there is another school close at hand.

It will be detrimental to the health of these young children, one Ford parent said today, to make it obligatory for them to attend the school every day that it will be impossible for them to get home to lunch. Children under eight or 10 years of age should not be obliged to eat a dry lunch at noontime. It isn't so bad for older children, but it will be injurious to the younger ones."

#### "WHITE ELEPHANT"

This same parent described the Gordon McGregor school as a "white elephant" which is much too large for the comparatively uninhabited district in which it is located. He believed that the board ordered all children who reside south of the C. N. R. tracks to go there simply because it "has to be filled up."

In ordering that all school children whose homes are within the area enclosed by Pillette road, George avenue, Seminole street and Tecumseh road must attend Gordon McGregor school this year, the school board maintained that this step was made necessary because of overcrowding at the Ontario street school.

Bruce Williams, who resides on Pillette road, believes some arrangement can be made whereby the older pupils now attending the Ontario street school can be sent to Gordon McGregor, thus making room at the former school for the younger children who live south of the C. N. R. He states that he will urge the board to make this change, which will be satisfactory to practically all the parents concerned.

#### PROMISES BUSES

The school board has stated that it will employ buses to take the pupils from the south of the tracks to Gordon McGregor school, but this scheme does not appeal to the parents concerned, who claim that it is a dangerous practice to pile a lot of youngsters in a bus, and that little tots will be obliged to stand on wind-swept corners in the mornings waiting for the school buses to arrive.

It is argued that few, if any, of the children south of the tracks will be able to walk to Gordon McGregor school, particularly in rainy weather, when mud will make it impossible for them to take short cuts across fields. When weather conditions are unfavorable as they will be during the fall and winter months, children who live near Tecumseh road, for example, must travel down Pillette road to Seminole street, across Seminole to Alexis and up Alexis to Gordon McGregor school. There are no paved streets across that section to the town which they might use to make the distance shorter.

It is understood that the delegation which is to meet the school board will ask that construction work on a new school be started at once, so that it will be ready in 1928. The board already has a school site in that district.

If assurance can be given that this school will be started, and if the younger pupils living in the district concerned will be allowed to remain at the Ontario street school this year, the differences of the school board and the parents may be settled without difficulty. Room can be made for these pupils at the Ontario street school, it is claimed, if the older ones now in attendance there are sent to Gordon McGregor.

Resource 19: The Border Cities' Star. (1927, September 7). *Parents Rap School Rule*, pp. 5. ProQuest





## Pelee Island Bird Observatory

Windsor Development and Heritage Standing Committee

350 City Hall Square West, Room 530

Windsor ON N9A 6S1

July 31 2023

Dear Councillor Jim Morrison, Chair of the Development and Heritage Standing Committee,

Pelee Island Bird Observatory would like to add our recommendation towards giving the former Gordon McGregor Public School an official heritage designation; this may seem odd from a non-profit charity researching migratory birds on Pelee Island. However, please be assured that we support this initiative for an excellent reason. PIBO was the lead organization in obtaining **Bird Friendly City** status for Windsor. Nature Canada granted Windsor an intermediate level through our work with the municipality in June 2022. Our certification with Nature Canada means the city supports efforts to assist resident and migratory birds in several key areas. Habitat management and Stewardship for species of high conservation concern (the Chimney Swift being one) are two of those areas.

It is for this reason that I am writing to you today. The former Gordon McGregor Public School is an active nest/roost site for **Chimney Swifts**. Chimney Swifts are urban birds, using chimneys as roosting and nesting sites due to the lack of large hollow trees, which were their historical preference. Swifts are insectivores, and their populations are facing complex challenges. Since 1970 their population has declined by almost 90%! Chimney Swifts are a **Threatened species** under COSEWIC status. Their decline is linked to falling aerial insect populations, habitat loss, reduced availability of roosting and nesting sites in chimneys, and similar human-made structures. This is why a heritage designation of the current Windsor Islamic High School is critical. Protecting buildings with active Chimney Swift populations supports the recovery of the species. It allows the current and future Windsor Islamic High School students to participate in Citizen Science right at their School. And it supports the City of Windsor in our efforts to maintain our status as a Bird Friendly City. We hope that the Committee will accept our recommendation for this designation for the sake of history and the

PO Box 24001 Market Square, Windsor ON N8Y 4Y9 (519-982-7426) [info@pibo.ca](mailto:info@pibo.ca) [www.pibo.ca](http://www.pibo.ca)



avian species it supports. PIBO has recently begun a monitoring program at the School as part of **Ontario Swift Watch**. Please see the links below to learn more about Pelee Island Bird Observatory, Bird Friendly Cities, and Ontario Swift Watch.

<https://www.birdscanada.org/bird-science/swiftwatch>

<https://species-registry.canada.ca/index-en.html#/species/951-650>

<https://pibo.ca/en/>

<https://naturecanada.ca/defend-nature/how-you-help-us-take-action/bfc/>

<https://naturecanada.ca/wp-content/uploads/2022/06/BFC-Application-Windsor.pdf>

Sincerely,

Suzanne Friemann

Executive Director

Pelee Island Bird Observatory





**Subject: Zoning By-law Amendment Application for the property at 3841 -3847 Howard Avenue; Applicant: Dior Homes; File No. Z-040/2022, ZNG/6903; Ward 9**

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 532**

- I. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of the land located on the southwest corner of Howard Avenue and Cabana Road East, described as Pt Lot 6, Concession 4, designated as PARTS 22, 23, and 24 on Plan 12R-22126, [PIN 01290 0213 LT], from CD2.1 to CD2.2, subject to the following site-specific zoning provisions:

**“481” SOUTHWEST CORNER OF HOWARD AVENUE AND CABANA ROAD EAST**

For the land comprising Part Lot 6, Concession 4, being PARTS 22, 23, and 24 on Plan 12R-22126, [PIN 01290 0213 LT], the following shall apply to a *Combined Use Building*:

- a) The provisions in section 15.2.5.
  - b) Notwithstanding the provision in section 15.2.5.15, for a *Combined Use Building*, *dwelling units* can also be located alongside a *Business Office*, provided that the *Business Office* shall not be located above a *dwelling unit*;
  - c) Any building erected shall have, at least, one building wall located on an *exterior lot line* and oriented to the *street*; and
  - d) Parking - per *Dwelling Unit* – minimum 1 parking space per *dwelling unit*  
[ZDM 9; ZNG 6903]
- II. THAT the Site Plan Approval Officer **BE DIRECTED** to incorporate the following and other requirements found in Appendix F of this Report, in the Site Plan Approval process and the Site Plan Agreement for the proposed development on the subject land:
- a) Sanitary Servicing Study - retain a Consulting Engineer to provide a detailed servicing study report;
  - b) Parkland dedication (cash-in-lieu) - 5% for residential use and 2% for commercial per By-law 12780;
  - c) Adequate clearance from existing ENWIN's pole lines and power lines;
  - d) Canada Post multi-unit policy; and
  - e) Record of Site Condition.

Carried.



**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 August 1, 2023.
3. To view the stream of this Standing Committee meeting, please refer to:  
<http://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20230801/-1/9422>



**Subject: Zoning By-law Amendment Application for the property at 3841-3847 Howard Avenue; Applicant: Dior Homes; File No. Z-040/2022, ZNG/6903; Ward 9**

**Reference:**

Date to Council: August 1, 2023  
Author: Justina Nwaesei, MCIP, RPP  
Planner III - Subdivisions  
519-255-6543, ext. 6165  
jnwaesei@citywindsor.ca

Planning & Building Services  
Report Date: July 12, 2023  
Clerk's File #: Z/14574

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

**Recommendation:**

- I. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of the land located on the southwest corner of Howard Avenue and Cabana Road East, described as Pt Lot 6, Concession 4, designated as PARTS 22, 23, and 24 on Plan 12R-22126, [PIN 01290 0213 LT], from CD2.1 to CD2.2, subject to the following site-specific zoning provisions:

**"481" SOUTHWEST CORNER OF HOWARD AVENUE AND CABANA ROAD EAST**

For the land comprising Part Lot 6, Concession 4, being PARTS 22, 23, and 24 on Plan 12R-22126, [PIN 01290 0213 LT], the following shall apply to a *Combined Use Building*:

- a) The provisions in section 15.2.5.
- b) Notwithstanding the provision in section 15.2.5.15, for a *Combined Use Building*, *dwelling units* can also be located alongside a *Business Office*, provided that the *Business Office* shall not be located above a *dwelling unit*;
- c) Any building erected shall have, at least, one building wall located on an *exterior lot line* and oriented to the *street*; and
- d) Parking - per *Dwelling Unit* – minimum 1 parking space per *dwelling unit*



[ZDM 9; ZNG 6903]

- II. THAT the Site Plan Approval Officer **BE DIRECTED** to incorporate the following and other requirements found in Appendix F of this Report, in the Site Plan Approval process and the Site Plan Agreement for the proposed development on the subject land:
- a) Sanitary Servicing Study - retain a Consulting Engineer to provide a detailed servicing study report;
  - b) Parkland dedication (cash-in-lieu) - 5% for residential use and 2% for commercial per By-law 12780;
  - c) Adequate clearance from existing ENWIN's pole lines and power lines;
  - d) Canada Post multi-unit policy; and
  - e) Record of Site Condition.

**Executive Summary:** N/A

**Background:**

1. KEY MAP





## KEY MAP - Z-040/22, ZNG-6903

● SUBJECT LANDS

APPLICANT: DIOR HOMES

ADDRESS: 3841-3847 HOWARD AVENUE





## 2. APPLICATION INFORMATION

**LOCATION:** 3841-3847 Howard Avenue

**APPLICANT:** DIOR HOMES (C/O RIO AIELLO)

**AGENT:** ARCHITECTURA INC. ARCHITECTS (C/O DAN SOLESKI)

**REGISTERED OWNER:** CAPITAL PLUS REAL ESTATE CORP (C/O DOREEN AIELLO)

### PROPOSAL:

The applicant is requesting an amendment to Zoning By-law 8600 for the land located on the southwest corner of Howard Avenue and Cabana Road East, described as Pt Lot 6, Concession 4, being Part 22, 23, and 24 on Plan 12R-22126, [PIN 01290 0213 LT]. The subject land is designated MIXED USE NODE on Schedule D-1 of OPA 159, and zoned Commercial District 2.1 (CD2.1) by Zoning By-law 8600.

The applicant proposes to change the zoning of the subject land from Commercial District 2.1 (CD2.1) to Commercial District 2.2 (CD2.2) to allow residential and commercial uses within a combined use building on the subject land. The applicant proposes to construct a 4-storey combined use building containing 18 dwelling units and a Business Office. Twenty (20) on-site parking spaces and one (1) loading space are proposed for the entire development, as shown on the applicant's concept plans. The subject zoning by-law amendment includes a request for site-specific zoning provision to allow a decrease in required minimum number of parking spaces, from 25 spaces to 20 spaces.

CONCEPT PLANS, ELEVATIONS & RENDERINGS are hereto attached as **Appendix A, Appendix B, Appendix C & Appendix D.**

### SUBMISSIONS BY APPLICANT:

- Zoning By-law Amendment Application Form
- Concept Site Plan, Floor Plans, Elevations and Renderings
- Planning Rationale Report
- Parking Report
- Functional Service Report
- Stormwater Management Report
- Civil Report
- Energy Strategy

## 3. SITE INFORMATION

OFFICIAL PLAN	ZONING & ZDM	CURRENT USE(s)	PREVIOUS USE(s)
MIXED USE NODE	COMMERCIAL DISTRICT 2.1 (CD2.1); ZDM 9	vacant	Mixed Use (commercial and residential)
FRONTAGE	DEPTH	AREA	SHAPE
39.8 m (along Cabana Rd. E.) 19.6 m (along Howard Ave.)	irregular	960.5 sq.m.	irregular
Note: All measurements are approximate			



## 4. REZONING MAP

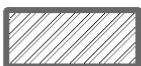


PART OF ZONING DISTRICT MAP 9

N.T.S.

## REZONING

APPLICANT: DIOR HOMES



SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT



DATE : MAY 2023  
FILE NO. : Z-040/22, ZNG-6903



## 5. NEIGHBOURHOOD CHARACTERISTICS

The subject area contains a mix of commercial, residential and institutional uses along Cabana Road. Commercial uses exist on lands at the Cabana and Howard intersection, except the subject vacant land. Cabana Road is a four-lane R.O.W, whereas Howard Avenue is a two-lane R.O.W. At their mutual intersection, both rights-of-way have four lanes plus a fifth lane for left turns and a raised concrete median. Established residential neighbourhoods exist within the nearby local streets north and south of Cabana Rd. E., and east and west of Howard Avenue.





## **SURROUNDING LAND USES**

### **North of subject land:** Public R.O.W (Cabana Rd. E.), Commercial and Residential uses

- 4 Seasons Mediterranean Market at 3835 Howard Avenue
- Windsor Beauty Supply at 480 Cabana Rd. E.
- Commercial Plaza at 400 Cabana E. - Leblanc Centre occupied by Western Ontario Sports Injury Rehabilitation Centre, F.I.N.E. Counselling Services, Ronna Hope Warsh Leadership Coaching Office.
- 4-storey Combined Use building (commercial & residential units) at 3817 Howard Avenue.

### **Northwest of subject land:** Commercial and Residential uses

- Casa Cabana Commercial Plaza at 350 Cabana Rd. E. - occupied by Ramzi's Men's Salon, Edward Jones Investments, PUREFRUIT Cafe, Elie Habib Salon SPA, Pampered Soul Laser Clinic SPA, Yemeni Corner Coffee House, Hear Canada, Mazaar Restaurant.
- Commercial Plaza at 300 Cabana Rd. E. - Armandos Restaurant, Cabana Dental, Armando's Market Place, Xaco Taco and Burger Farm.
- Low Profile Residential developments (single unit dwellings)

### **Northeast of subject land:** Commercial, Residential and Institutional uses

- Rexall Pharmacy and Medical Clinic at 3840 Howard Avenue (northwest corner of Howard and Cabana)
- Low Profile Residential developments (Single unit dwellings)
- Roseland Public School at 620 Cabana Rd. E.

### **East of subject land:** Public R.O.W (Howard Avenue), Commercial and Residential uses

- Commercial Plaza at 511 Cabana Rd. E. – Dr. Robert W. Froome Dental Office, China Kitchen Eatery, and Cabana @ Howard Pet Shop.
- Commercial building at 525 Cabana Rd. E. – Cabana Chiropractor and Health Centre, South Windsor Penalty Box.
- Low Profile Residential developments (Single unit dwellings)

### **Southeast of subject land:** Residential uses

- Low Profile Residential developments (Single unit dwellings)

### **South of subject land:** Commercial, Institutional and Residential uses

- Commercial Building at 3857 Howard Avenue - Personal Service shops and Business office (Prestige Barber shop, Nails & Co. Windsor, Avid Measurement Solutions, and Patti's Salon).
- Low Profile Residential developments (predominantly, single unit dwellings).
- Place of worship at 3919 Howard (Roseland Trinity United church).

### **West of subject land:** Commercial, Residential and Institutional uses

- Commercial uses (Quick Sushi take-out restaurant at 425 Cabana Rd. E.; Parisien Denture Clinic at 375 Cabana Rd. E.; Willis Service Centre at 355 Cabana Rd. E.)
- Institutional (Olivia DiMaio Early Childhood Education Centre at 315 Cabana Rd. E.)
- Vacant parcel at 255 Cabana Rd. E. – permits a mid-profile residential development.
- Low Profile Residential developments (single unit dwellings).

### **Nearby Amenities within 1.2km distance of the subject land:**

- Olivia DiMaio Early Childhood Education Centre (less than 100m distance)
- Roseland Public School (approx. 300 m distance);
- First Lutheran Christian Academy (approx. 1.2 km distance).
- Roseland Park – municipal park (approx. 1.0 km distance); and
- Patrick Mcquire Park – municipal park (approx. 850 m distance).



Attached to this report as **Appendix E** are site photos taken on July 10, 2023, showing some of the surrounding land uses and the character of the neighbourhood.

## **MUNICIPAL INFRASTRUCTURE**

- The City's records show the following municipal sewers are available to service the subject land: (i) a 250 mm diameter RCP sanitary sewer and a 900 mm diameter RCP storm sewer located within the Howard Avenue R.O.W., and (ii) a 250 mm diameter PVC sanitary sewer and 600 mm diameter RCP storm sewer within the Cabana Road East R.O.W.
- Cabana Road Drain runs within the Cabana Road East R.O.W. from Howard Avenue going easterly to Dougall Avenue, then southerly to the Lennon Drain
- There is an existing 200 mm municipal watermain located on the west side of Howard Avenue R.O.W, along the frontage of the subject land, and a 750mm municipal watermain located on the east side of Howard Avenue across from the subject land. A 300mm municipal watermain exists on the north side of Cabana Road East R.O.W.
- Municipal fire hydrants are available at the four corner of Cabana & Howard intersection and along Howard Avenue and Cabana Road East, as well as within the nearby streets.
- LED streetlights are available within Cabana Road and Howard Avenue rights-of-way and in the subject neighbourhood.
- Overhead hydro poles with conductors are located on the north side of Cabana Road east R.O.W and the East side of Howard Avenue R.O.W.
- There are concrete sidewalks, curbs and gutters on both sides of the street along Cabana Road east and Howard Avenue. The existing sidewalks, curbs and gutters on the west side of Howard Avenue R.O.W are located closer to the intersection with Cabana Road.
- There are bike lanes on Cabana Road R.O.W.
- Transit Windsor Bus routes (Dougall 6 and South Windsor 7) are available to service the subject land and surrounding area.
- The closest existing bus stop to the subject land is located on Cabana Road East, at the southwest corner of Howard and Cabana. This bus stop is right in front of the subject land.
- Cabana Road East is classified as Class II Arterial Road and Howard Avenue is also classified as Class II Arterial Road.

## **Discussion:**

### **PLANNING ANALYSIS:**

#### **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.

The zoning by-law amendment under consideration promotes residential intensification and infill in an area surrounded by commercial, residential, and institutional uses. Therefore, in evaluating the subject Zoning By-law Amendment for consistency with PPS 2020, the following policies of the PPS 2020 are relevant for discussion:



## *1.0 Building Strong Healthy Communities:*

*Ontario's long-term prosperity, environmental health and social well-being depend on wisely managing change and promoting efficient land use and development patterns. Efficient land use and development patterns support sustainability by promoting strong, liveable, healthy and resilient communities, protecting the environment and public health and safety, and facilitating economic growth.*

### *1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns*

The PPS points to the important role of land use planning in achieving (i) orderly development of strong, sustainable, safe and healthy communities, (ii) a healthy environment, and (iii) economic growth.

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; and*
- g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs.*

With respect to 1.1.1(a) & (b) – This zoning by-law amendment facilitates infill residential development on the existing vacant subject land. The amendment will result in the construction of a 4-storey combined use building with 18 residential units and a business office on the vacant site; thereby, promoting efficient use of the existing infrastructure and land in the area. The land within the immediate area accommodates a range and mix of commercial, residential, and institutional uses as noted already in the “Surrounding Land Uses” section of this report. The existing residential developments near the subject land are predominantly 2 or 1 storey single unit dwellings. A -4-storey combined use building is under construction on Howard Avenue, north of the subject land. This amendment will further promote a mix in housing types/options in the subject area.

With respect to 1.1.1(c) – There is no known environmental or public health and safety concern resulting from the recommended amendment.

With respect to 1.1.1 (d) - The subject land is surrounded by existing developments and is within a neighbourhood located away from City of Windsor's mutual boundary with neighbouring settlement areas.



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

With respect to 1.1.1 (f) – Sidewalks improve accessibility for persons with disabilities and older persons. As noted already in this report, there are existing concrete sidewalks in the subject area. Accessibility of the units will be reviewed at the time of building permit.

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).

In summary, the subject amendment will facilitate an efficient development that will positively impact the financial well-being of the City of Windsor. This amendment 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 zoning by-law amendment is consistent with policy 1.1.1 of the PPS.

*1.1.3.1 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 this amendment creates opportunity for growth and development in the City. The recommended amendment promotes a land use that will make efficient use of land, resources, and existing infrastructure. There are existing active transportation options (such as sidewalks) and transit services adjacent to, or near the subject land. The proposed development has a scale, size, and location that are complementary to the existing building stock and area. The subject land represents an appropriate location for intensification. The proposed amendment will result in a zoning category and site-specific provisions that will help promote intensification and compact form of development. The subject amendment is consistent with policies 1.1.3.1, 1.1.3.2, 1.1.3.3 and 1.1.3.4 of the PPS.



## 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, ...; 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;*

This amendment will

- promote the construction of a higher density residential development within a combined use building on the vacant subject land;
- create an opportunity for a more compact development as a focal point within a mixed use node abutting established residential areas that are predominantly characterized by low density, low profile residential developments;
- facilitate a net increase in residential units or accommodation within the subject area;
- result in intensification of the subject site and area;
- facilitate the municipality's ability to accommodate residential growth through intensification;
- 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

1.6.6.2 *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. There are also existing public service facilities, like schools, in the subject area. This amendment will help optimize the use of existing municipal services and utilities, as well as schools and recreational facilities (municipal parks) in the surrounding area. The recommended amendment is consistent with policy 1.6.6.2 of the PPS.

1.6.6.7 *Planning for stormwater management shall:*

*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 (f) - The applicant submitted a Functional Servicing Report, dated Apr. 17, 2023 and a Storm Water Management report dated Mar. 22, 2023. Both reports were prepared by D.C. McCloskey Engineering Ltd. McCloskey Engineering advised that the site has the capacity to detain the runoff from the minor and major storm events while maintaining a



maximum release rate of 8L/s. McCloskey Engineering also states that the storm water design proposed for this development meets the requirements of the Windsor-Essex Storm Water Management Manual and the City of Windsor Storm Sewer and Storm Water Management Guidelines without adversely affecting the adjacent properties. The recommended amendment is deemed consistent with policy 1.6.6.7(f) of the PPS.

In summary, the above planning analysis demonstrates that the recommended zoning by-law amendment is consistent with relevant Policies of PPS 2020.

It should also be noted that the applicant's professional Planner (Pillon Abbs Inc.) prepared a Planning Rationale Report dated Mar. 22, 2023, to support, explain and justify the subject zoning by-law amendment. The applicant's Planning Rationale Report also concludes that the subject zoning by-law amendment is consistent with the relevant Policies of the PPS.

## 2. OFFICIAL PLAN:

**Land Use Designation:** Mixed Use Node on Schedule D: Land Use Schedule, OP Vol. 1, and more specifically, Schedule D-1 to OPA 159.

OPA 159 changed the text "Mixed Use" in the Primary Plan (OP Vol.1) to "Mixed Use Node".

"Residential intensification shall be directed to the Mixed Use Nodes and areas generally within 200 metres of those Nodes. Within these areas mid-profile buildings, up to 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 s.6.3.2.4, OP Vol. 1, approved by OPA 159*).

The proposed development is residential intensification within a 4-storey building. Lands adjacent to the subject site are in the area where mid-profile buildings of up to 4 storeys in height are permitted. The Zoning District Map on page 4 of this report shows the lands immediately abutting the subject site are zoned Commercial District 2.1, which permits a maximum building height of 14m and, as such, can accommodate building up to 4 storeys in height. Therefore, the lands immediately abutting the subject site are not in the "low-profile areas". The closest low-profile areas are further away from the subject site. Based on the analysis, requirement for transition in height and massing is not necessary in this report.

The lands designated as "Mixed Use Nodes" on Schedule D: Land Use provide the main locations for compact clusters of commercial, office, institutional, open space and residential uses. (*new s.6.9, OP Vol. 1, approved by OPA159*).

**Permitted Uses** (6.9.2.1, OP Vol. 1): Uses permitted in the Mixed Use Nodes land use designation include retail and service commercial establishments, offices, cultural, recreational and entertainment uses, and institutional, open space and residential uses, exclusive of small scale Low Profile residential development.

**Locational Criteria** (*new s.6.9.2.3, OP Vol. 1, approved by OPA 159*) is satisfied. The recommended zoning by-law amendment will promote the location of a Mixed Use Node development where

- there are Class II Arterial Roads (Cabana Rd. E. and Howard Avenue),
- full municipal physical services and public transportation service are available and can be provided, and
- the surrounding development pattern is compatible with the proposed Mixed Use Node development.



**Evaluation Criteria** (s.6.9.2.4, OP Vol. I) is satisfied. The proponent has, in their Planning Rationale Report and Parking Study demonstrated that the proposed development satisfies the evaluation criteria in s.6.9.2.4.

**Design Guidelines** (s.6.9.2.5, as amended by OPA159) is satisfied. The proponent has, in their Planning Rationale Report and Parking Study demonstrated that the proposed development can be designed to satisfy s.6.9.2.5. The OP, in the s.6.9.2.5(b) stipulates that “building should not exceed 4 storeys in height”. The proposed development is 4-storeys in height. The OP, in the s.6.9.2.5(c) stipulates that, “at least, one building wall should be located on an exterior lot line and oriented to the street to afford direct sidewalk pedestrian access from the public right-of-way”. The proposed design concept satisfies this policy. This planning report also includes a zoning provision to ensure implementation of the said policy.

The proposed Mixed Use Node development is subject to **Site Plan Control**; therefore, s.6.9.2.6 is satisfied.

Section 6.9.2.7 – **Reduced Parking Requirement**, OP Vol. 1, is satisfied by the recommended parking reduction in this report. This zoning by-law amendment will facilitate a transit supportive development.

Zoning By-law Amendment Evaluation Criteria - s.11.6.3.3, OP Vol. I. is satisfied.

As noted already in this report, this amendment is consistent with the relevant policies of the PPS. This amendment maintains conformity with the relevant policies of the Official Plan as discussed above. The Planning department received required support studies for the requested zoning by-law amendment and considered those studies in the preparation of this report. The requirements, comments and recommendations from municipal departments and circularized agencies were considered. The recommended zoning by-law amendment promotes opportunity for residential infill and intensification, which will create a compact form of mixed use development and ensure continuation of an orderly development pattern in the subject area. The amendment will provide additional housing opportunities/accommodation in the area without negatively impacting the adjacent properties. Therefore, the criteria in s.11.6.3.3, OP Vol. I is satisfied.

### 3. ZONING

The subject land is zoned Commercial District 2.1 (CD2.1) by City of Windsor Zoning By-law 8600. The CD2.1 zoning district does not permit residential developments. Therefore, the applicant is requesting a zoning change from CD2.1 to CD2.2 to permit residential development in a combined use building. The CD2.1 and CD2.2 zoning categories have the same maximum building height requirement of 14m, which can accommodate a 4-storey building. The proposed development is expected to comply with all applicable zoning by-law provisions, except minimum required on-site parking.

Parking requirement for the proposed development is as follows:

Dwelling units in a combined use building

- |  |  |
|--|--|
| - Containing a maximum of 4 dwelling units | 1 parking space for each dwelling unit     |
| - Containing a minimum of 5 dwelling units | 1.25 parking spaces for each dwelling unit |

The proponent provided a Parking Study dated March 2, 2023, prepared by R.C. Spencer Associates Inc. The study makes reference to the fact that on-street parking is not allowed on Cabana Rd East nor on Howard Avenue within the subject area. The R. C. Spencer Traffic engineers, in their report state “any deficiency in on-site parking could be compensated by increasing resident reliance on transit use and / or active transportation modes”. The engineers’



opinion, in the Parking Study, is that the proposed on-site parking supply of 20 spaces will adequately accommodate the anticipated peak parking demand generated by the proposed 18-unit mid-rise residential development and office area.

Therefore, based on the engineer's professional opinion in the Parking Study, the availability of several services/amenities in the area, and the availability of public transit and active transportation in the subject area, the applicant's request for parking reduction is supported subject to the following:

- Minimum required Parking for the residential units shall be provided at a ratio of 1 parking space per dwelling unit; and
- Minimum required parking for the business office use shall be in compliance with section 24.20.5 of By-law 8600.

The applicant's concept plans show 1450 sq. ft. / 134.7 sq. m. of office use, 18 dwelling units, 20 parking spaces and 1 loading space; details are as follows:

- Basement Floor – storage (approx. 314 sq. ft. / 29.2 sq. m.), and mechanical & electrical rooms
- Main Floor – Business Office (approx. 526.6 sq. ft. / 48.9 sq. m.), 20 parking spaces and 1 loading space;
- Second Floor - Business Office (approx. 602sq. ft. / 56 sq. m.) and 6 dwelling units;
- Third Floor – 6 dwelling units and patio area; and
- Fourth Floor – 6 dwelling units

Section 15.2.5.15 of By-law 8600 states, "*For a Combined Use Building, all dwelling units, not including entrances thereto, shall be located above the non-residential uses.*" The proposed development shows an office space on the main floor and second floor. However, there are dwelling units located alongside the second-floor office space. To eliminate possible interpretation problems with respect to s.15.2.5.15, and facilitate the proposed mixed use (residential and office uses) on the second floor, this report includes the following:

"Notwithstanding the provision in section 15.2.5.15, for a *Combined Use Building*, dwelling units can also be located alongside a *Business Office*, provided that the *Business Office* shall not be located above a *dwelling unit*."

Conformity with s.6.9.2.5(c) - "*at least, one building wall shall be located on an exterior lot line and oriented to the street*": To implement the OP policy in s.6.9.2.5 (c), this report includes the following sit-specific provision: "Any building erected shall have, at least, one building wall located on an *exterior lot line* and oriented to the *street*".

Based on the above analysis of the relevant policies and objectives of the OP, together with the above zoning analysis, I am of the opinion that the recommended zoning by-law amendment maintains conformity with the Official Plan.

DRAFT BY-LAW: A draft by-law is attached as **Appendix G** to this report. The Planning Act, in subsection 24(1) requires that no by-law shall be passed for any purpose that does not conform with the Official Plan. As noted already in this report, the recommended amendment maintains conformity with the OP; therefore, the draft by-law can be passed at the appropriate time.

#### 4. 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 required public meeting of the Development and Heritage Standing Committee.

The following issues, found in the recommendations contained in the Studies submitted by the applicant, along with comments received from municipal departments and external agencies, are best addressed at the time of Site Plan Approval. These requirements, along with other conditions, will be more fittingly included in the Site Plan Agreement:

- a) Sanitary Servicing Study - retain a Consulting Engineer to provide a detailed servicing study report;
- b) Parkland dedication (cash-in-lieu) - 5% for residential use and 2% for commercial per By-law 12780;
- c) Adequate clearance from existing ENWIN's pole lines and power lines;
- d) Canada Post multi-unit policy; and
- e) Record of Site Condition.

To address the sightline issue raised by the City's Transportation Planner, the option of relocating the driveway further south should be explored at the time of Site Plan review and approval.

#### 5. BUILDING PERMIT

Section 8.(1) of the Building Code Act requires that a building permit be issued by the Chief Building Official for construction or demolition of a building. The applicant/developer is advised to contact the Building Department to determine building permit needs for the proposed project prior to building permit submission.

**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, therefore, 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 a new combined use building containing residential units and a business office, provides opportunity to increase resiliency for the development and surrounding area. Implementation of the approved 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.

In addition to the above, the applicant's Energy Strategy Report shows that the physical design characteristics of the proposed building were evaluated for the near zero emissions design. The results show *"an overall reduction of 90.5% in CO<sub>2</sub> emissions."*

**Financial Matters:** N/A



## Consultations:

### 1. DEPARTMENT AND AGENCIES

Attached as **Appendix F**, to this report, are comments from the municipal departments and external agencies. There are no objections to the proposed amendment. However, there are conditions for approval of the rezoning as noted in the municipal and agency comments in Appendix F. Summarized below are some of the conditions of approval.

*Sanitary Servicing Study* - The owner agrees, at its own expense, to retain a Consulting Engineer to provide a **detailed** servicing study report on the impact of the increased flow to the existing municipal sewer system, satisfactory in content to the City Engineer, and prior to the issuance of a construction permit. The study shall analyze the sanitary flow from the proposed development and recommend mitigation measures and implementation of those measures.

Note: the applicant's Functional Servicing Report dated April 17, 2023, indicates that municipal sanitary sewer in the subject area has adequate capacity for the ultimate flow of .96 L/s.

*Parkland dedication* – This requirement will be addressed at the time of Site Plan Control application stage and will be included in the site plan agreement.

*Sightline* - Since the recommended intersection sight distance for a right turn from stop condition cannot be met, the option of relocating the driveway further south should be explored at the time of Site Plan Control.

ENWIN Ltd. Requires adequate clearance from existing power lines west and south of subject property.

### 2. PUBLIC NOTICE

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

## Conclusion and Planner's Opinion:

This report addresses the applicant's request for zoning by-law amendment to change the zoning of the subject land from CD2.1 to CD2.2 to facilitate the construction of a 4-storey combined use building containing 18 dwelling units and a business office use on the subject land. The report further addresses the applicant's concurrent request for a site-specific provision to allow a reduction in the required minimum number of parking spaces for the subject development.

Note that (i) the relevant policies/provisions of the Planning Act, the Provincial Policy Statement 2020, the City of Windsor Official Plan and the Zoning By-law 8600, (ii) the comments received from municipal departments and external agencies, and (iii) the information found in the required supporting documents, including the Planning Rationale Report prepared by Pillon Abbs Inc., were all considered in the review of the applicant's request for the subject amendment.

Based on the analysis provided in this report, it is my professional planning opinion that the recommended amendment is consistent with the relevant policies of PPS 2020 and conforms with the City of Windsor Official Plan. The amendment is good planning.



A decision to approve this zoning by-law amendment is consistent with the PPS 2020.

## Planning Act Matters:

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

**Justina Nwaesei, MCIP, RPP**  
Acting Manager of Planning Policy/  
Deputy City Planner

**Greg Atkinson, MCIP, RPP**  
Acting City Planner

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

**JP**

**JM**

## Approvals:

Name	Title
Justina Nwaesei, MCIP, RPP	Acting Manager of Planning Policy/Deputy City Planner
Greg Atkinson, MCIP, RPP	Acting City Planner
Wira Vendrasco	Deputy City Solicitor
Jelena Payne	Commissioner of Economic Development & Innovation
Joe Mancina	Chief Administrative Officer

## Notifications:

Name	Address	Email
Abutting property owners, tenants/ occupants within 120 meter (400 feet) radius of the subject land		
<b>Applicant:</b> Dior Homes, c/o Rio Aiello	201-380 Pelissier Street , Unit A, Windsor Ontario, N9A 6W8	build@diorhomes.ca
<b>Registered Owner:</b> Capital Plus Real Estate Corp, c/o Doreen Aiello	201-380 Pelissier Street , Unit A, Windsor Ontario, N9A 6W8	build@diorhomes.ca
<b>Agent:</b> Architecttura Inc. Architects, c/o Dan Soleski	180 Eugenie Street West, Windsor, Ontario, N8X 2X6	dsoleski@architectuttura.com
Councillor Kieran McKenzie	350 City Hall Square West - Suite 510, Windsor, ON, N9A 6S1	kmckenzie@citywindsor.ca

## Appendices:

- 1 Appendix A – Concept Site Plan
- 2 Appendix B – Concept Floor Plans
- 3 Appendix C – Building Elevations
- 4 Appendix D – Renderings
- 5 Appendix E - Site Photos
- 6 Appendix F – Consultations (comments from Municipal departments & external Agencies)
- 7 Appendix G - Draft By-law for Z-040/22



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No.	DESCRIPTION	REQUIRED	PROVIDED	BY-LAW REF.	ADDITIONAL NOTES
1.	ZONING CLASSIFICATION	CD2	CD2	15.2	
2.	PERMITTED USE	Mixed use	Mixed use	15.2.1	
3.	MINIMUM LOT AREA	N/A	EV03 + 611m <sup>2</sup> (0.237 acres)	N/A	NOT REQUIRED IN ZONING REG.
4.	MINIMUM LOT FRONTAGE	N/A	-	N/A	NOT REQUIRED IN ZONING REG.
5.	SETBACK - FRONT YARD	N/A	-	N/A	NOT REQUIRED IN ZONING REG.
6.	SETBACK - SIDE YARD	N/A	-	N/A	NOT REQUIRED IN ZONING REG.
7.	SETBACK - REAR YARD	N/A	-	N/A	NOT REQUIRED IN ZONING REG.
8.	LOT COVERAGE	N/A	-	N/A	NOT REQUIRED IN ZONING REG.
9.	LANDSCAPED AREA	N/A	N/A	N/A	NOT REQUIRED IN ZONING REG.
10.	BUILDING HEIGHT	14.0m (45' 11")	13.8m (45' 4")	15.2.4	To top of this lot and surface **
11.	PARKING SPACE - SIZE	MIN. WIDTH 3.5m (11.5')	MIN. WIDTH 3.4m (11.2')	24.2.10	
12.	PARKING SPACE - COUNT	N/A	MIN. LENGTH 5.6m (18.4')		20 SPACES + 1 LOADING BAY

[illegible]

**NOTES:**

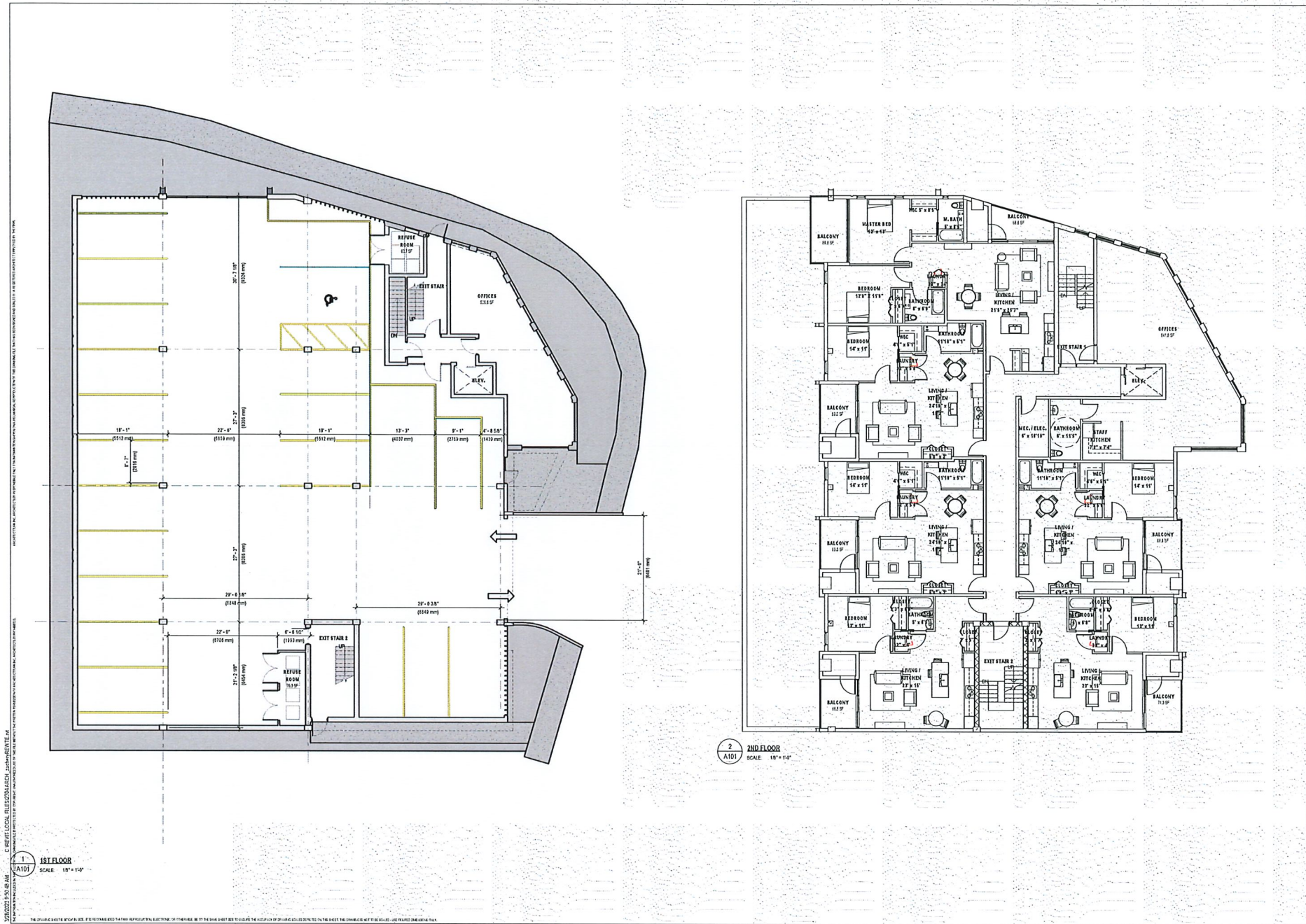
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2. REFER TO LANDSCAPE PLAN FOR LANDSCAPE INFORMATION
3. REFER TO CIVIL DRAWINGS FOR ALL PROPOSED GRADES.
4. ALL CONCRETE APRONS AT EXTERIOR DOOR OPENINGS TO MEET FLUSH (BARRIER FREE).
5. PROVIDE BARRIER FREE CURB DROPS WHERE SIDEWALKS MEET ASPHALT PAVEMENT.











**architectura**  
a+e

The drawing is to be used for information only and is not to be used for construction purposes without the approval of the architect.

**Issued For** (blank)

**Date** (blank)

**Revision** (blank)

**Description** (blank)

**No.** (blank)

**SHEET NAME**  
FLOOR PLANS

**Name of Client as Applicable**  
Name of Project  
Street Address, City, Ontario XXX XXX

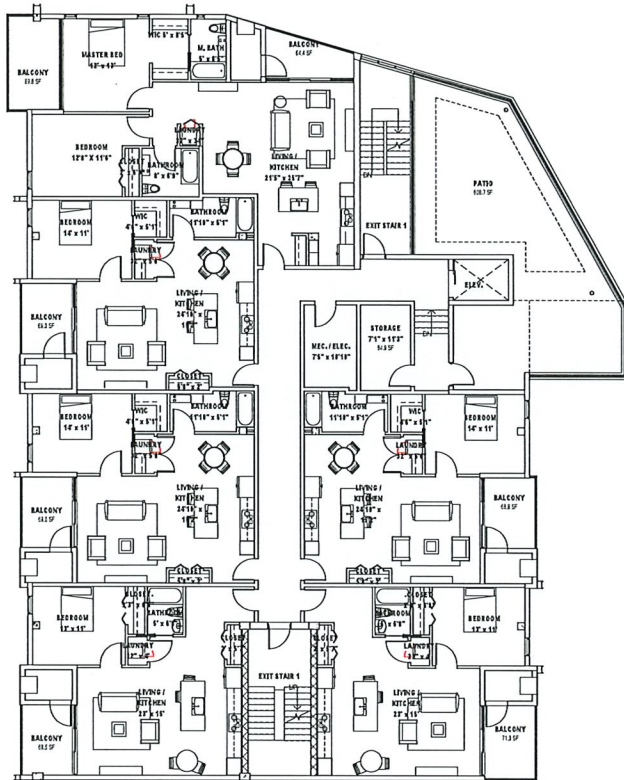
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**Checked By** (blank)

**Project No.** XXXXX

**Sheet No.** (blank)

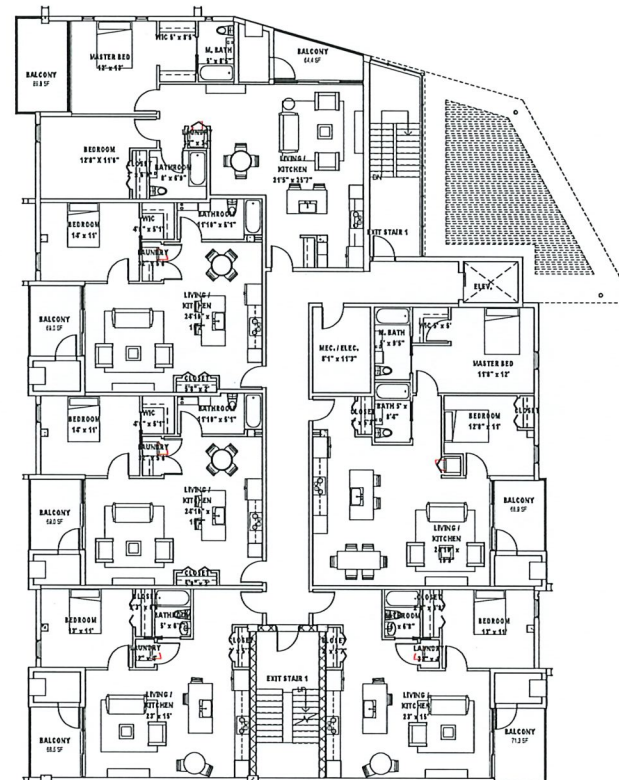
**A206**





1  
A101

**3RD FLOOR**  
SCALE 1/8" = 1'-0"

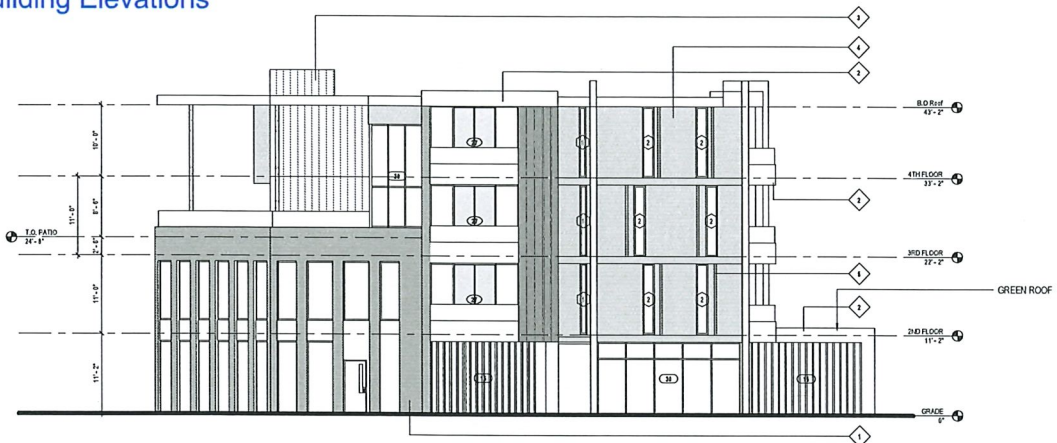


2  
A101

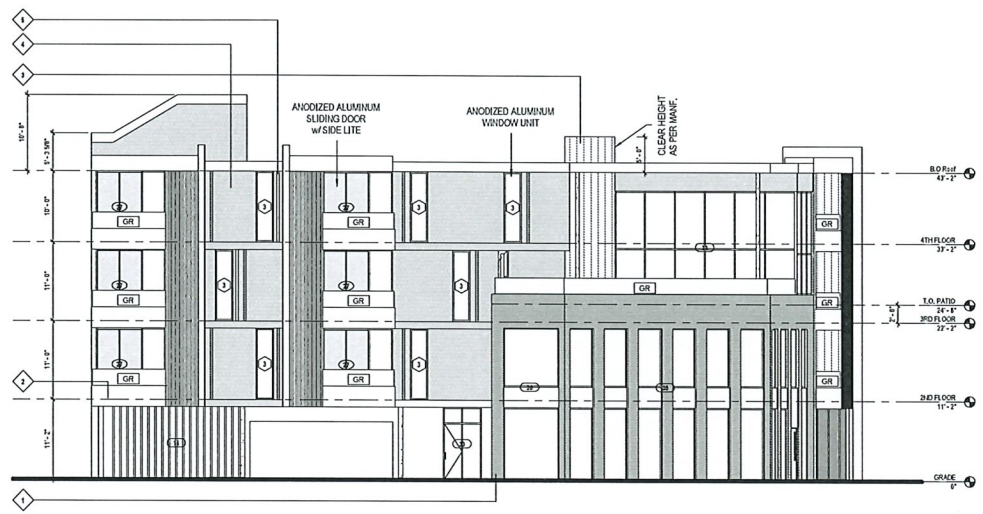
4TH FLOOR  
SCALE 1/8" = 1'-0"



# APPENDIX C - Building Elevations



1 NORTH  
SCALE: 1/8" = 1'-0"



2 EAST  
SCALE: 1/8" = 1'-0"

MATERIALS	
NUMBER	MATERIAL
1	FIBER CEMENT PANEL, DARK GREY
2	STUCCO, WHITE
3	HEWTECH COMPOSITE WOOD PANEL
4	STUCCO, GREY
5	WALL GROOVE, ~5cm DEPTH
GR	GLASS RAILING



The quality of a building is determined by the quality of its details.  
Issued For: (signature)

Date: \_\_\_\_\_

Revision Schedule  
Description: \_\_\_\_\_

No. \_\_\_\_\_

SHEET NAME  
EXTERIOR ELEVATIONS

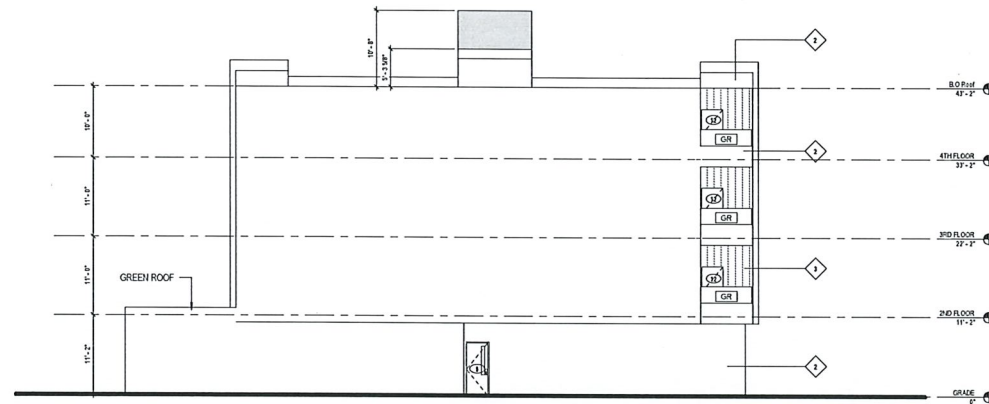
Name of Client as Applicable  
Name of Project  
Steel Addition, City, Ontario XXX XXX

Drawn By: AI  
Project No: XXXX  
Sheet No: \_\_\_\_\_

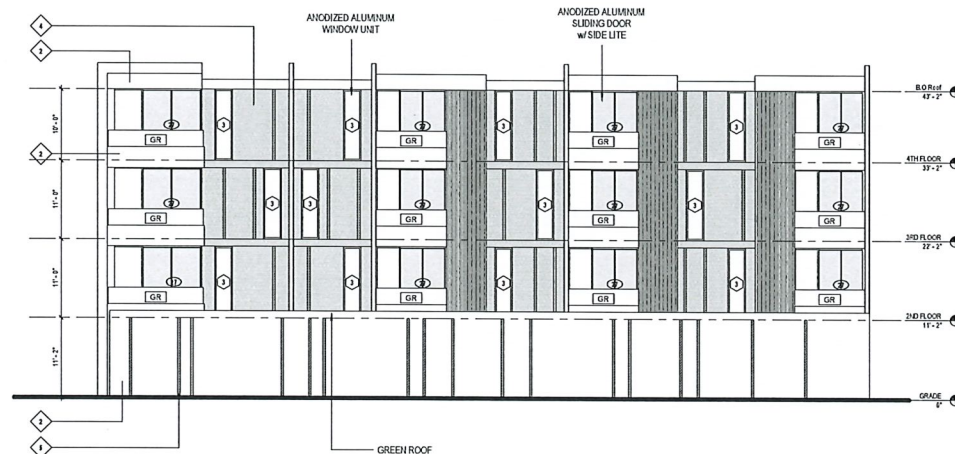
A401



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 THE DRAWING IS THE PROPERTY OF THE ARCHITECT. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED. IT IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT. THE ARCHITECT ASSUMES NO LIABILITY FOR ANY ERRORS OR OMISSIONS. THE USER OF THIS DRAWING ASSUMES ALL LIABILITY FOR ANY ERRORS OR OMISSIONS. THE ARCHITECT ASSUMES NO LIABILITY FOR ANY ERRORS OR OMISSIONS. THE USER OF THIS DRAWING ASSUMES ALL LIABILITY FOR ANY ERRORS OR OMISSIONS.



1 SOUTH  
 SCALE: 1/8" = 1'-0"



2 WEST  
 SCALE: 1/8" = 1'-0"

MATERIALS	
NUMBER	MATERIAL
1	FIBER CEMENT PANEL DARK GREY
2	STUCCO, WHITE
3	NEWTech COMPOSITE WOOD PANEL
4	STUCCO, GREY
5	WALL GROOVE, -5cm DEPTH
GR	GLASS RAILING



The drawing is to be used for construction  
 unless the architect is notified in writing  
 by the client.

Drawn for: [blank]

Date: [blank]

Revision Schedule  
 Description: [blank]

No. [blank]

SHEET NAME  
 EXTERIOR ELEVATIONS

Name of Client as Applicable  
 Name of Project  
 Street Address, City, Ontario XXX XXX

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 Project No: XXXXX  
 Sheet No: [blank]

A402



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THE SHOWN SHEET IS NOT A FINAL. IT IS FOR INFORMATION ONLY. IT IS NOT TO BE USED FOR CONSTRUCTION. IT IS NOT TO BE USED FOR ANY OTHER PURPOSE. IT IS NOT TO BE USED FOR ANY OTHER PURPOSE. IT IS NOT TO BE USED FOR ANY OTHER PURPOSE.



## APPENDIX D - Renderings



The drawing is for information only and is not to be used for construction without the written approval of the architect.

Issued For: \_\_\_\_\_

Date: \_\_\_\_\_

Revision: \_\_\_\_\_  
Description: \_\_\_\_\_

No: \_\_\_\_\_

SHEET NAME  
RENDERINGS

Name of Client as Applicable  
Name of Project  
Street Address, City, Ontario XXX XXX

Drawn By: AI  
Project No: XXXX  
Sheet No: \_\_\_\_\_

B001



Architectural rendering of a proposed multi-story residential building with a modern design, featuring large glass windows and a prominent entrance. The rendering is for informational purposes only and does not constitute a contract. The design is subject to change without notice. The rendering is for informational purposes only and does not constitute a contract. The design is subject to change without notice.

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THE DRAWING IS FOR INFORMATIONAL PURPOSES ONLY. IT IS NOT A CONTRACT. THE DESIGN IS SUBJECT TO CHANGE WITHOUT NOTICE. THE DRAWING IS FOR INFORMATIONAL PURPOSES ONLY. IT IS NOT A CONTRACT. THE DESIGN IS SUBJECT TO CHANGE WITHOUT NOTICE.



Issued For

Date

Revision Schedule  
Description

No.

SHEET NAME  
RENDERINGS

Name of Client as Applicable  
Name of Project

Drawn By  
AI  
Project No.  
XXXX  
Sheet No.

Checked By  
AI

B002





Views of Subject vacant land and abutting buildings south and west



View of subject vacant land and surrounding buildings, looking south from Cabana Road





Views of north side of abutting commercial building next south of the subject land



Looking south, single unit dwellings S/E of subject land



Commercial Plaza, east of subject land



More views of commercial plaza and uses east of the subject land



View of N/W corner of Howard & Cabana



View of N/E corner of Howard & Cabana





Combined use building on Howard, near subject land



View of single unit dwellings on Howard Ave.,  
across from the combined use building



View of Cabana Rd E., looking west from Cabana & Howard intersection





Commercial uses next west of the subject land

Day care further west of the subject land



View of commercial plaza/uses (Leblanc Centre) and 4-storey combined use building north of subject land



Casa Cabana Plaza and more view of 4-storey combined use building looking northwest of subject land





View of Armandos restaurant and SUDs further N/W of subject land, looking towards Dougall Ave.







### **Transit Windsor – Jason Scott**

Transit Windsor has no objections to this development. The closest existing transit routes to this property are the Dougall 6 & South Windsor 7. The closest existing bus stop is directly adjacent to this property on Cabana at Howard Southwest Corner providing direct transit access. This will be maintained with our City Council approved Transit Master Plan. If the bus stop on Cabana at Howard Southwest Corner needs to be temporarily closed due to construction, Transit Windsor requires a minimum of 2 weeks notice. If the bus stop needs to temporarily be closed for more than 2 weeks in duration, the property owner will be responsible for the costs of the signage required to inform passengers on where to go to get on and off the bus. Transit Windsor is pleased to see the building along the road front as this helps to promote active transportation, such as transit, by reducing the walking distance required to get on the bus and not have to walk through a parking lot.

### **Canada Post – Bruno Desando**

This development, as described, falls within our centralized mail policy.

I will specify the condition which I request to be added for Canada Post Corporation's purposes.

- a) Canada Post's multi-unit policy, which requires that the owner/developer provide the centralized mail facility (front loading lockbox assembly or rear-loading mailroom [mandatory for 100 units or more]), at their own expense, will be in effect for buildings and complexes with a common lobby, common indoor or sheltered space.

Should the description of the project change, I would appreciate an update in order to assess the impact of the change on mail service.



**Lock-Box Assembly Requirements**

*The complete Canada Post Standards Manual for Builders & Developers can be downloaded at: [https://www.canadapost.ca/cpo/mc/assets/pdf/business/standardsmanual\\_en.pdf](https://www.canadapost.ca/cpo/mc/assets/pdf/business/standardsmanual_en.pdf)*

**Compartment Size**

- Horizontal lock-box models used in mailrooms must have the following minimums:
  - o Residential compartments must be at least 12.5 x 13.5 cm
  - o Commercial compartments at least 13.5 x 30.5 cm
  - o Parcel compartments at least 30.5 x 30.5 cm
- Vertical lock-box models must have min comp size of 25 x 12.5 cm. (Most models are 40 x 12.7 cm)

**Heights**

- All lock-box assemblies must be installed in a manner that will not require the delivery employee to reach higher than 170cm or lower than 45cm when delivering to the equipment. With respect to horizontal lock-boxes, the limits above will likely mean that maximum number of compartments that can be included in each column of residential compartments would be eight

**Rear-loading Lock-boxes**

- Projects with more than 100 units are required to be serviced via a rear-loading lock-box assembly.
- There must be a width of at least 100cm of working space from the back of the boxes to the wall.
- A ledge under the bottom row of boxes is also recommended in rear-loading designs. This ledge is to be directly under the bottom row of boxes (no space between ledge and bottom of boxes) and must stick out at least 20cm from the back of the boxes.
- Mailroom door is required to provide a minimum 81cm opening
- Lighting should be at least 100 lux (measured 75 cm from floor)

**Access**

- All buildings where the lock-boxes are required to be serviced from inside the building are required to install a Canada Post Crown lock in the building intercom. The intercom is pre-fabricated with an internal housing for the lock. The lock can be obtained from the local deliver supervisor.
- If the building has more than 100 units, a rear-loading lock-box assembly will be installed. The door to the Canada Post delivery area must be fitted with a specific model of deadbolt. This is because Canada Post will supply a key cylinder made specifically for the Canada Post key that will fit inside the deadbolt purchased by the developer.

**Numbering**

- Compartments should be numbered vertically and left to right on the delivery side of the boxes

**Grade-level Components**

- If the development includes grade level retail or residential units, please take note that door-to-door delivery will not be provided to these units. Canada Post is happy to install a Community Mailbox to provide service to these units. Please coordinate a location with the Canada Post Delivery Planner for the area. If there is no room on the property for the Community Mailbox, service can be provided via another Community Mailbox in the area. Options to service the units from the tower (lobby) lock-boxes or via a front-loading lock box erected on the outside of the building can also be discussed with the Delivery Planner.



## **Site Plan Control**

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

## **ENWIN**

HYDRO ENGINEERING:

No Objection, with respect to the following:

Please note that ENWIN has existing 120/240 volt secondary hydro distribution crossing the West side of the development property and proposed development, servicing the adjacent address at 3857 Howard Ave.

ENWIN also has a 120/240 volt secondary hydro service South of the property for the billboard South-East of the development.

Additionally, please note there is a City of Windsor streetlight pole located on the East side of the development property with a 120/240 volt secondary hydro service crossing Howard Ave.

The customer will burden any costs associated with the relocation of existing plant conflicting with the development. Depending on the relocation requirements, the customer would be responsible for coordinating with the adjacent property owner for any re-work needed if an overhead service to their existing service mast is not feasible. The same applies to the billboard owner for its service.

Please refer to the Ontario Building Code for adequate clearance requirements. Also, we recommend referring to the Occupational Health & Safety Act for the minimum safe limits of approach during construction.

Sketch attached for reference only:







as per AS-204, raised curbs are not permitted within the right-of-way. Driveway to be constructed as per BP2.1.1 and AS-204. Proposed driveway on Howard Ave should be 35 meters from the crossroad (Cabana Rd E), as a guideline. It is recommended that the distance from the driveway to the crossroad be maximized as much as possible.

In summary we have no objection to the proposed development, subject to the following requirements:

#### Sanitary Servicing Study

The owner agrees, at its own expense, to retain a Consulting Engineer to provide a detailed servicing study report on the impact of the increased flow to the existing municipal sewer system, satisfactory in content to the City Engineer and prior to the issuance of a construction permit. The study shall analyze the sanitary flow from the proposed development and recommend mitigation measures and implementation of those measures.

#### **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](mailto:buildingdept@citywindsor.ca)

#### **Landscape Architect – Sherif Barsom**

No Objections or comments from Parks D&D.

#### **Landscape & Urban Design – Stefan Fediuk**

Pursuant to the application for a zoning amendment (**Z 040/22**) to permit a 4-storey mixed use building with 18 dwelling units and a business office on the subject with reduced parking, please note no objections. Please also note the following comments:

#### Zoning Provisions for Parking Setback:

There are no provisions for parking setbacks for landscaping in the proposed zoning.



The applicant is to be aware that there is an existing billboard on the abutting property immediately south, which appears to be encroaching onto the subject lands. This billboard as situated currently will impact the southeastern most dwelling units.

Tree Preservation:

**N/A**

Climate Change:

The application is addressing climate change adaptation through a canopy over the common area to provide thermal comfort.

Urban Design:

The applicant is to be commended for proposing a development that has considered interesting materials for the facade treatment. These materials and their details will help to enhance the corner and establish a sense of space.

Parkland Dedication:

There are no parkland implications beyond the usual requirement for cash-in-lieu of 5% parkland dedication for residential and 2% for commercial. Detailed landscape requirements will be provided at the time of site plan review.

**Transportation Planning = Clare Amicarelli**

- The Official Plan classifies Howard Ave as a Class 2 Arterial with a required right-of-way width of 32 metres per Schedule X. The current right-of-way width is not sufficient; however, a land conveyance is not required per the Howard Avenue Environmental Assessment (EA).
- The Official Plan classifies Cabana Rd E as a Class 2 Arterial with a required right-of-way width of 32 metres per Schedule X. The current right-of-way width is not sufficient; however, a land conveyance is not required per the Cabana Road Environmental Assessment (EA).
- Transportation Planning has reviewed the Parking Study/Sight Line Analysis titled, "3841-3847 Howard Avenue Windsor ON" conducted by RC Spencer Associates in March 2023. Transportation Planning has the following comments:
  - As stated in the study, the peak parking demands for the mid-rise residential building and the office space, are different. Transportation Planning suggests the shared use of visitor and commercial spaces, in order to accommodate the peak demands for each use.
  - As stated in the Sight Line Analysis, there is approximately 86 metres of available sight distance for egress from the proposed site access, which is 22m short of the recommended distance for a right turn from stop condition. The TAC estimates stopping sight distance to be approximately 85m. Since the recommended intersection sight distance for a right turn from stop condition cannot be met, it is recommended that the option of relocating the driveway further south be explored.
  - Type A accessible spaces must meet the minimum width of 3.5 metres



- 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 flares not permitted
  - Raised curbs not permitted within the right-of-way
  - Driveway proposed must be 7-9 metres total at the property line (minimum 3.5m/lane, maximum 4.5m/lane) unless proper justification can be provided.
  - Driveway proposed on Howard Ave should be 35 metres from the crossroad (Cabana Rd E), as a guideline. It is recommended that the distance from the driveway to the crossroad be maximized as much as practical.



APPENDIX G – DRAFT BY-LAW AMENDMENT

B Y - L A W   N U M B E R                      -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	9	Pt of Lot 6, Concession 4, designated as PARTS 22, 23, and 24 on Plan 12R-22126, [PIN 01290 0213 LT], located on the southwest corner of Howard Avenue and Cabana Road East	-	CD2.1	CD2.2

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

**“481” SOUTHWEST CORNER OF HOWARD AVENUE AND CABANA ROAD EAST**

For the lands comprising Part Lot 6, Concession 4, being PARTS 22, 23, and 24 on Plan 12R-22126, [PIN 01290 0213 LT], the following shall apply to a Combined Use Building:

- a) The provisions in section 15.2.5;
- b) Notwithstanding the provision in section 15.2.5.15, for a Combined Use Building, dwelling units can also be located alongside a Business Office, provided that the Business Office shall not be located above a dwelling unit;
- c) Any building erected shall have, at least, one building wall located on an exterior lot line and oriented to the street; and
- d) Parking - per Dwelling Unit – minimum                      1 parking space per dwelling unit [ZDM 9; ZNG 6903]”

3. The said by-law is further amended by changing the Zoning District Maps or parts thereof referred to in Column 2, 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	9	Pt of Lot 6, Concession 4, designated as PARTS 22, 23, and 24 on Plan 12R-22126, [PIN 01290 0213 LT], located on the southwest corner of Howard Avenue and Cabana Road East	-	S.20(1)481



DREW DILKENS, MAYOR

CLERK

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



## SCHEDULE 2

1. By-law \_\_\_\_\_ has the following purpose and effect:

To amend the zoning of the land located on the southwest corner of Howard Avenue and Cabana Road East, described as Pt Lot 6, Concession 4, designated as PARTS 22, 23, and 24 on Plan 12R-22126, [PIN 01290 0213 LT], so as to permit the development of a 4-storey combined use building with 18 dwelling units and a Business Office on the subject land.

The current CD2.1 zoning of the subject land will change to CD2.2 with site-specific zoning provision permitting reduction in required on-site parking spaces. This amending by-law will facilitate the development of an underutilized parcel situated in a prominent location within the subject neighbourhood. This amending by-law will also enhance the use of public transit and existing active transportation in the subject area.

2. Key map showing the location of the lands to which By-law \_\_\_\_\_ applies.

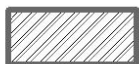


PART OF ZONING DISTRICT MAP 9

N.T.S.

## SCHEDULE 2

APPLICANT: DIOR HOMES



## SUBJECT LANDS

PLANNING &amp; BUILDING DEPARTMENT



DATE : MAY 2023  
FILE NO. : Z-040/22, ZNG-6903





Committee Matters: SCM 222/2023

**Subject: Rezoning – 5050542 Ontario Inc. – 3623, 3631 & 3637 Howard Avenue – Z-003/23 ZNG/6949 - Ward 9**

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Fred Francis

Decision Number: **DHSC 533**

1. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of Lot 12, N Pt Lot 12, T/W & S/T ROW and S Pt Lot 13, Registered Plan 1431, situated on the west side of Howard Avenue, south of Maguire Street, known municipally as 3623, 3631 & 3637 Howard Avenue (Roll No.: 080-033-00100, 080-033-00200, 080-033-00300) from Residential District 1.1 (RD1.1 and HRD1.1) to Residential District 2.2 (RD2.2) and by adding a site specific exception as follows:

**482. WEST SIDE OF HOWARD AVENUE, SOUTH OF MAGUIRE STREET**

For the lands comprising Lot 12, N Pt Lot 12, T/W & S/T ROW and S Pt Lot 13, Registered Plan 1431:

1. A *Double Duplex Dwelling, Duplex Dwelling, Semi-detached Dwelling, or Multiple Dwelling* shall be additional permitted *main uses*;
  2. The additional permitted *main uses* shall be subject to the provisions of Section 11.2.5.4, except that:
    - a) the *front lot line* shall be the longest *exterior lot line*;
    - b) the minimum *lot area* shall be 135.0 m<sup>2</sup> per *dwelling unit*;
    - c) for any *building* located within 58 m of the westerly *lot line*, the minimum *side yard width* as measured from the northerly *lot line* shall be 1.50 m.
  3. For any additional permitted use, the following additional provisions shall apply:
    - a) Parking Area Separation from any *building* wall without a *garage* – minimum 0.90 m
    - b) Parking Area Separation from any *building* wall with a *garage* – minimum 0.0 m
    - c) Loading Spaces – minimum 0
    - d) A minimum of four parking spaces shall be marked as visitor parking.
- [ZDM 8; ZNG/6949]
2. THAT the westerly 58 metres of the subject parcel **BE SUBJECT** to a Holding Symbol and that the Holding Symbol **BE REMOVED** when:
    - a) The Owner has submitted an application to remove the holding symbol, including the fee; and,
    - b) When the following conditions have been satisfied:
      - 1) Adoption of a Guideline Plan for the area generally bounded by Howard Avenue, Cabana Road East, Inglewood Avenue/Whiteside Drive, and Kenilworth Park, by Council Resolution.



3. THAT the Site Plan Approval Officer **BE DIRECTED**:

- a) To incorporate the following into any site plan and site plan control agreement:
  - 1) Recommendations identified in the Traffic Impact Statement prepared RC Spencer Associates Inc. and dated April 2023, subject to any update and the approval of the City Engineer;
  - 2) Mitigation and protection measures identified in the Natural Heritage Evaluation and Tree Preservation Study prepared by Insight Environmental Solutions Inc. and dated December 22, 2022, subject to the approval of the City of Windsor Landscape Architect or the City Planner;
  - 3) Requirements of the City of Windsor - Engineering Department - Right-Of-Way Division in Appendix F to Report S 92/2023, subject to the approval of the City Engineer.
- b) To review and consider the comments from municipal departments and external agencies in Appendix F to Report S 92/2023 and;
- c) To consider improving pedestrian connectivity within, and access to, the development.

Carried.

Report Number: S 92/2023  
Clerk's File:Z/14539

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

Decision Number: **DHSC 534**

That Administration **PREPARE** for Council's consideration a plan to complete the engineering and design work for Howard Avenue between South Cameron and Cabana Road; and,

That Administration **CREATE** an accelerated financing option to be considered during the 2024 Capital Budget Process.

Report Number: S 92/2023  
Clerk's File:Z/14539

**Clerk's Note:**

1. The recommendation of the Development & Heritage Standing Committee and Administration are **NOT** the same.
2. Please refer to Item 7.2 from the Development & Heritage Standing Committee held on August 1, 2023.
3. To view the stream of this Standing Committee meeting, please refer to:  
<http://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20230801/-1/9422>



**Subject: Rezoning – 5050542 Ontario Inc. – 3623, 3631 & 3637 Howard Avenue – Z-003/23 ZNG/6949 - Ward 9**

**Reference:**

Date to Council: August 1, 2023  
Author: Adam Szymczak, MCIP, RPP  
Senior Planner  
519-255-6543 x6250  
aszymczak@citywindsor.ca  
Planning & Building Services  
Report Date: July 13, 2023  
Clerk's File #: Z/14539

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

**Recommendation:**

1. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of Lot 12, N Pt Lot 12, T/W & S/T ROW and S Pt Lot 13, Registered Plan 1431, situated on the west side of Howard Avenue, south of Maguire Street, known municipally as 3623, 3631 & 3637 Howard Avenue (Roll No.: 080-033-00100, 080-033-00200, 080-033-00300) from Residential District 1.1 (RD1.1 and HRD1.1) to Residential District 2.2 (RD2.2) and by adding a site specific exception as follows:

**482. WEST SIDE OF HOWARD AVENUE, SOUTH OF MAGUIRE STREET**

For the lands comprising Lot 12, N Pt Lot 12, T/W & S/T ROW and S Pt Lot 13, Registered Plan 1431:

1. *A Double Duplex Dwelling, Duplex Dwelling, Semi-detached Dwelling, or Multiple Dwelling* shall be additional permitted *main uses*;
2. The additional permitted *main uses* shall be subject to the provisions of Section 11.2.5.4, except that:
  - a) the *front lot line* shall be the longest *exterior lot line*;
  - b) the minimum *lot area* shall be 135.0 m<sup>2</sup> per *dwelling unit*;
  - c) for any *building* located within 58 m of the westerly *lot line*, the minimum *side yard width* as measured from the northerly *lot line* shall be 1.50 m.
3. For any additional permitted use, the following additional provisions shall apply:
  - a) Parking Area Separation from any *building* wall without a *garage* - minimum 0.90 m
  - b) Parking Area Separation from any *building* wall with a *garage* - minimum 0.0 m
  - c) Loading Spaces – minimum 0



- d) A minimum of four parking spaces shall be marked as visitor parking.  
[ZDM 8; ZNG/6949]
- 2. THAT the westerly 58 metres of the subject parcel **BE SUBJECT** to a Holding Symbol and that the Holding Symbol **BE REMOVED** when:
  - a) The Owner has submitted an application to remove the holding symbol, including the fee; and,
  - b) When the following conditions have been satisfied:
    - 1) Adoption of a Guideline Plan for the area generally bounded by Howard Avenue, Cabana Road East, Inglewood Avenue/Whiteside Drive, and Kenilworth Park, by Council Resolution.
- 3. THAT the Site Plan Approval Officer **BE DIRECTED**:
  - a) To incorporate the following into any site plan and site plan control agreement:
    - 1) Recommendations identified in the Traffic Impact Statement prepared RC Spencer Associates Inc. and dated April 2023, subject to any update and the approval of the City Engineer;
    - 2) Mitigation and protection measures identified in the Natural Heritage Evaluation and Tree Preservation Study prepared by Insight Environmental Solutions Inc. and dated December 22, 2022, subject to the approval of the City of Windsor Landscape Architect or the City Planner;
    - 3) Requirements of the City of Windsor - Engineering Department - Right-Of-Way Division in Appendix F to Report S 92/2023, subject to the approval of the City Engineer.
  - b) To review and consider the comments from municipal departments and external agencies in Appendix F to Report S 92/2023.

### **Executive Summary:**

N/A



**Background:****Application Information:**

**Location:** 3623, 3631 & 3637 Howard Avenue  
West side of Howard Avenue, south of Maguire Street  
Plan 1431 Lot 12, N Pt Lot 12, T/W & S/T ROW and S Pt Lot 13  
Roll No.: 080-033-00100, 080-033-00200, 080-033-00300

**Ward:** 9     **Planning District:** South Windsor     **Zoning District Map:** 8

**Applicant:** 5050542 ONTARIO INC. (Peter Vitti; Raplh Vitti)

**Agent:** Pillon Abbs Inc. (Tracey Pillon-Abbs, RPP)

**Owner:** Peter Vitti, Christina Vaciaros, Anna Vitti and Vitti Construction Ltd

**Proposal:**

The applicant is requesting an amendment to Zoning By-law 8600 changing the zoning of the subject lands from Residential 1.1 (RD1.1) and HRD1.1 to Residential District 2.2 (RD2.2) to allow a development consisting of 14 buildings (ten with 4 dwelling units and three with 8 dwelling units) for a total of 64 dwelling units. Building height is 8.0 m consisting of 2 storeys. A total of 4 bicycle parking spaces and 73 parking spaces (24 within attached garages and 49 in surface parking) including 2 accessible parking spaces are proposed. Vehicular access via a single private driveway to Howard Avenue is proposed. No access to Lochmoor Street to the east is proposed at this time.

The site plan, floor plans, and renderings are conceptual and subject to change. The proposed development is subject to site plan control. A Plan of Condominium application may be submitted in the future.

**Submitted Material:**

Attached to this report as an Appendix:

Conceptual Site Plan Revised (2023 July 12) - See Appendix A  
Elevation Renderings (undated) – See Appendix B  
Floor Plans (2021 July) – See Appendix C  
Planning Rationale Report and Addendum (2023 July 13) – See Appendix D & E

Not attached to this report but available [online](#) or via [email](#):

Conceptual Site Plan & Floor Plans – Original (2021 July)  
Endangered Species Act Screening SARS (2023 January 9)  
Natural Heritage Evaluation and Tree Preservation Study (2022 December 22)  
Rezoning Application Form (2023 January 10)  
Sanitary Sewer Study (2022 November 28)  
Storm Sewer Study (2022 November 28)  
Topographic Survey (2022 October 6)  
Traffic Impact Statement (2022 November) & Update (2023 April)  
Urban Design Brief (2022 December)

All documents are available online via the Current Development Applications [page](#) – click on [Z-003/23](#) or via email at [aszymczak@citywindsor.ca](mailto:aszymczak@citywindsor.ca)



**Site Information:**

OFFICIAL PLAN	ZONING	CURRENT USE	PREVIOUS USE
Residential	Residential District 1.1 (RD1.1 / HRD1.1)	Dwellings	N/A
LOT FRONTAGE	LOT DEPTH	LOT AREA	LOT SHAPE
61.0 m	206.55 m	1.259 ha	Rectangular
200.1 ft	677.6 ft	3.111 ac	
All measurements are based on data provided by the applicant and are approximate.			

**Neighbourhood Description and Amenities:**

Section 2.0 in the Planning Rationale Report (PRR) provides a description of physical features of the site, municipal services, nearby amenities and surrounding land uses.

To the north, on both sides of Howard, are residential uses, a park and a small commercial plaza at the southwest corner of Howard and Kenilworth. Further north is a CN railway corridor and a larger commercial area dominated by Devonshire Mall. To the east are residential uses.

To the south, on both sides of Howard, are residential uses. Closer to Cabana Road, there are some newer medium profile residential uses consisting of 2 to 3 storey townhomes and apartment buildings. A commercial node with a range of uses is located at the intersection of Howard and Cabana. To the west is a low-profile residential neighbourhood.

Nearby significant uses include Devonshire Mall, a regional shopping centre, and the Roundhouse Centre, a complex with a range of commercial uses.

Kenilworth Park is located just over 400 m to the north between Whiteside Drive and Howard Avenue and consists of a natural area, playground equipment and some open space. The nearest school, Roseland Public School, is located just under 1 km to the southeast at 620 Cabana Road East. Four other elementary schools are within 2 km.

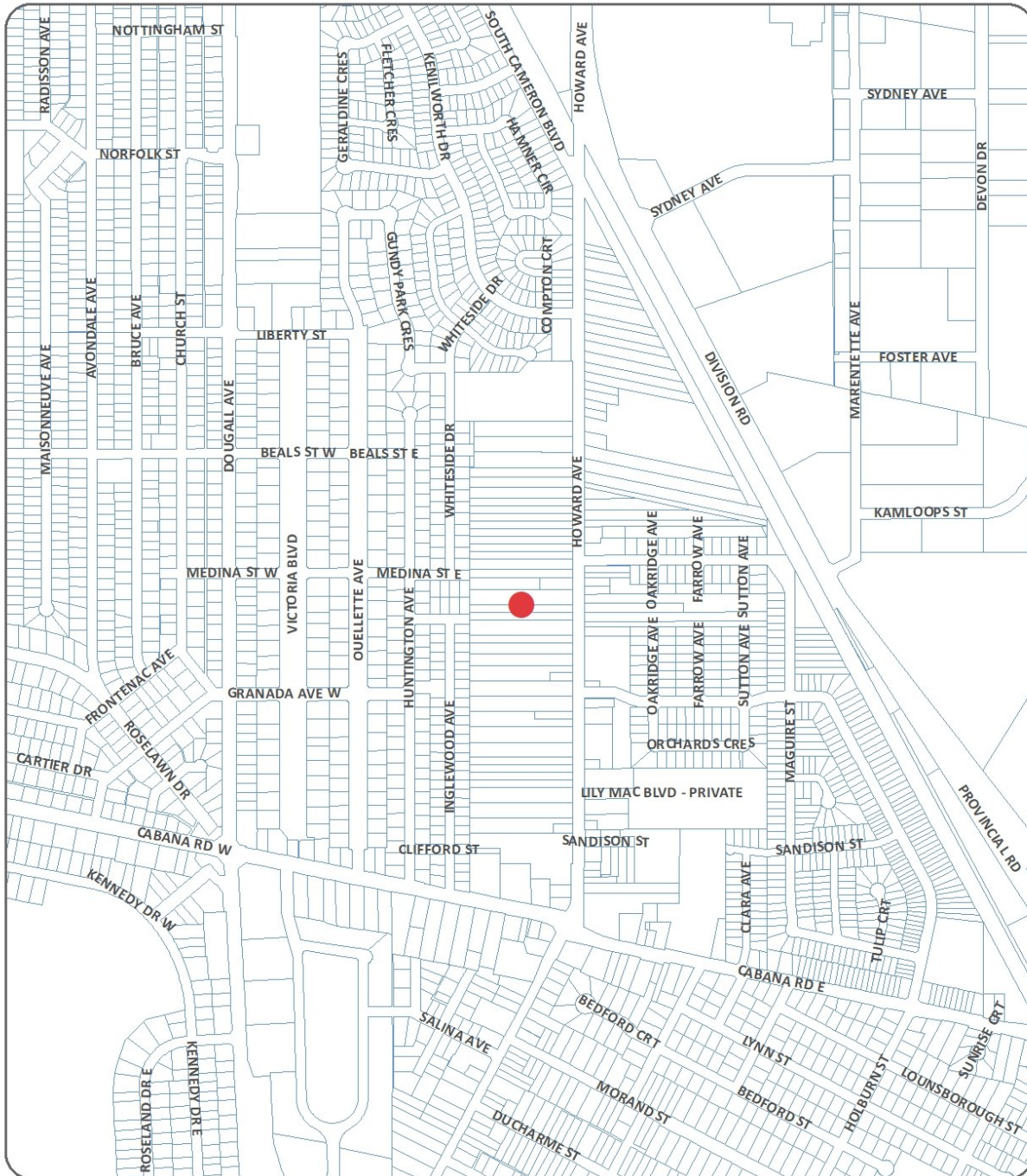
Howard Road is a Class II Arterial Road with a rural cross section consisting of two travel lanes and unpaved shoulders with a sidewalk on the east side. The EC Row Expressway, an east-west controlled-access highway, is accessible via Howard Avenue, just over 1.6 km to the north. Cabana Road to the south is an east-west Class II Arterial Road that has been upgraded to an urban cross-section with four vehicle lanes, bike lanes, sidewalks and curbs and gutters. Highway 401 is accessible via Howard Avenue and Dougall Parkway to the south.

Public transit is available via the South Windsor 7 bus. The closest stops are directly in front of the subject lands and at the northeast corner of Howard and Maguire. This will be maintained in the Council approved Transit Master Plan. Transit Windsor has no immediate or future plans on relocating the bus stop directly adjacent to this property. A transit hub is located at Devonshire Mall.

Existing water mains, storm sewers, sanitary sewers are available.



**Figure 1: Key Map**



## KEY MAP - Z-003/23, ZNG-6949

● SUBJECT LANDS

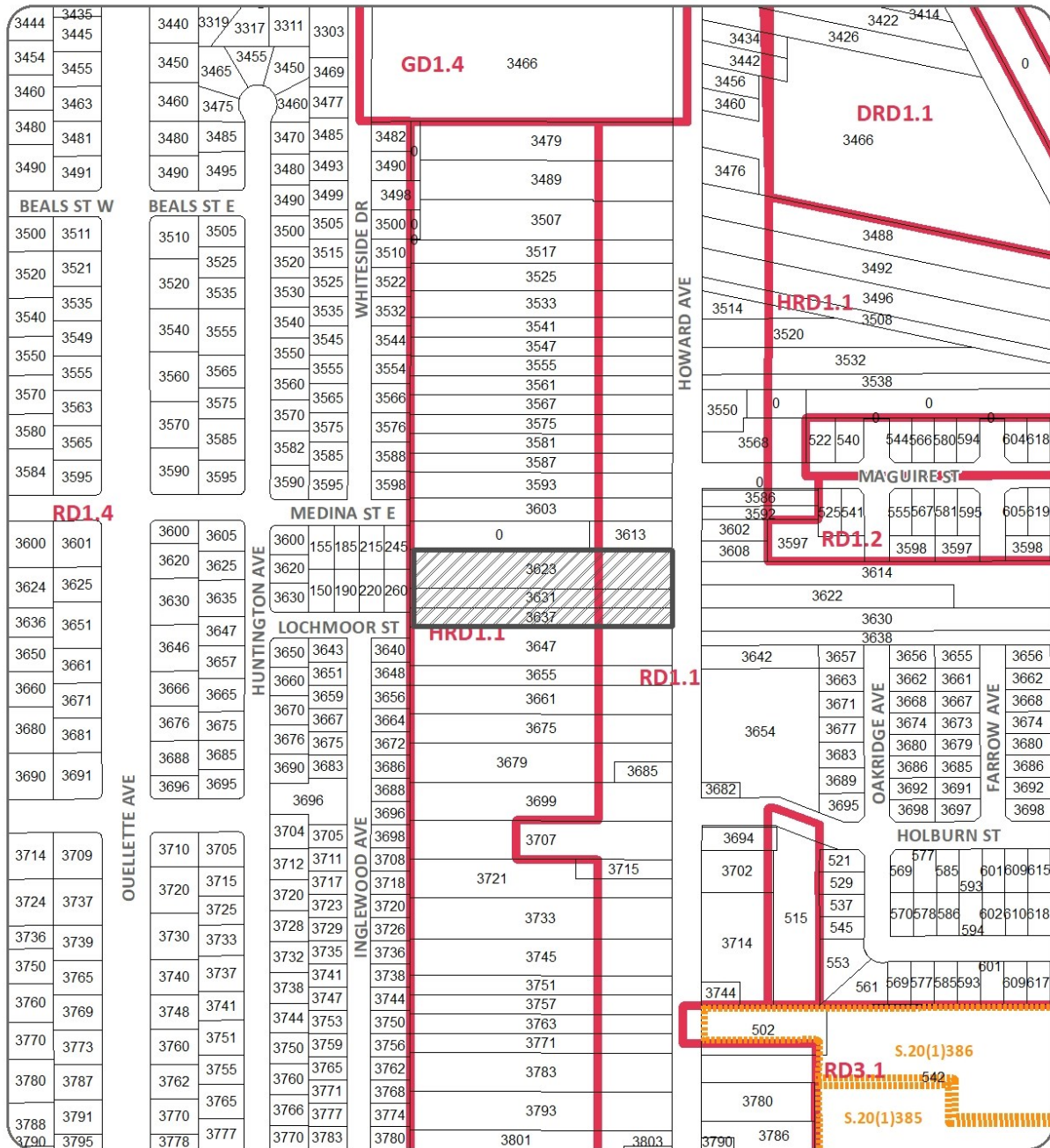
APPLICANT: 5050542 ONTARIO INC.

ADDRESS: 3623, 3631, 3637 HOWARD AVENUE





**Figure 2: Subject Parcel - Rezoning**

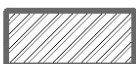


PART OF ZONING DISTRICT MAP 8

N.T.S.

## REZONING

APPLICANT: 5050542 ONTARIO INC.



SUBJECT LANDS

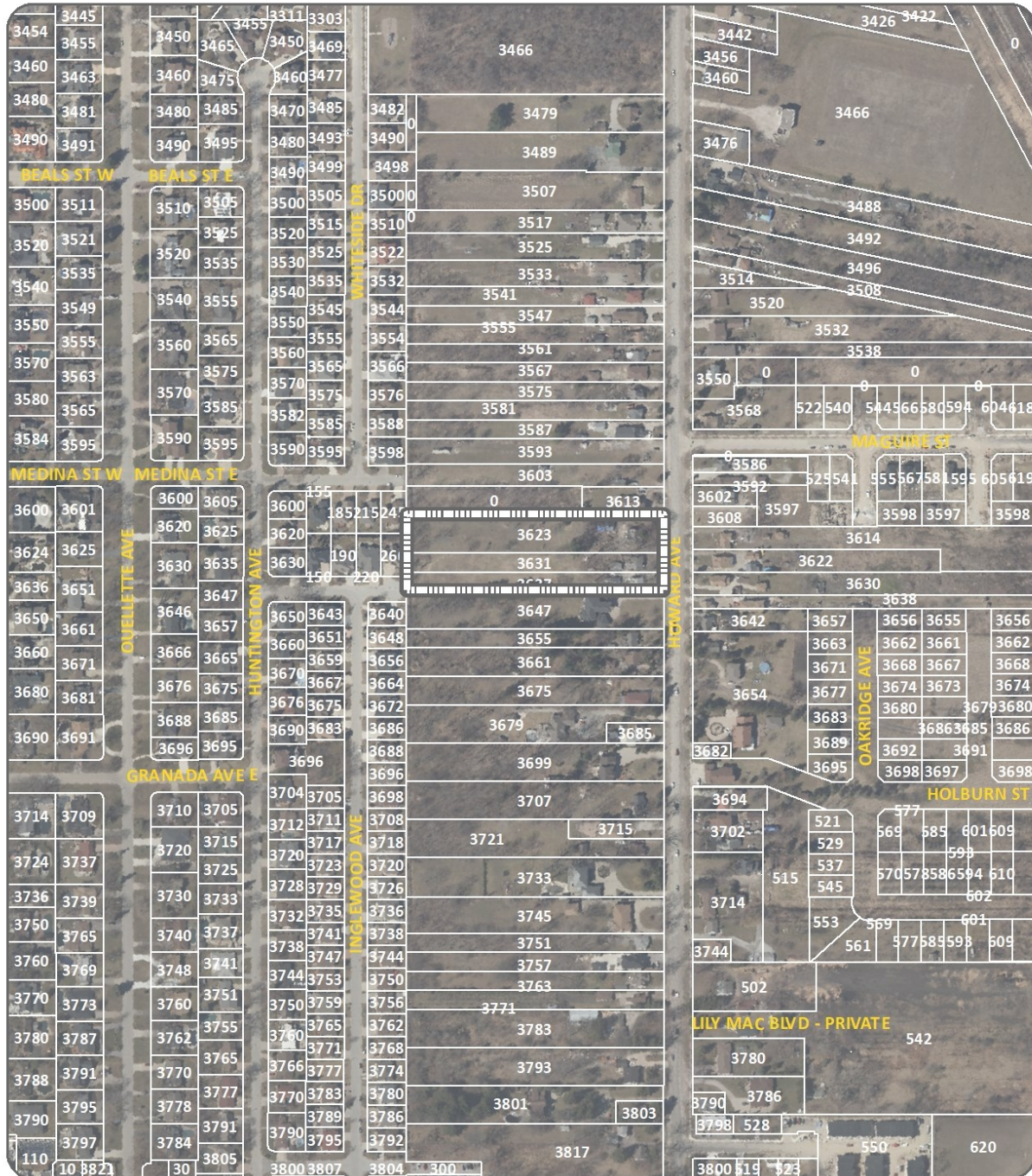
PLANNING & BUILDING DEPARTMENT



DATE : FEBRUARY 2023  
FILE NO. : Z-003/23, ZNG-6949



**Figure 3: Neighborhood Map**



## NEIGHBOURHOOD MAP - Z-003/23, ZNG-6949



SUBJECT LANDS

APPLICANT: 5050542 ONTARIO INC.

ADDRESS: 3623, 3631, 3637 HOWARD AVENUE





## **Discussion:**

### **Planning Rationale Report (PRR) (2023 January 10) and Addendum (2023 June 29) – Pillon Abbs Inc., Tracey Pillon-Abbs, RPP (See Appendix D1 and D2)**

The PRR notes that the proposed development “*will provide for a new housing choice and density in the existing built-up area*”, “*is compatible with the surrounding area*”, and “*supports compact form within an existing built-up area of the City*”.

The PRR concludes that the proposed development “*is compatible with the surrounding area in terms of scale, massing, height and siting*”, “*represents good planning as it addresses the need for the City to provide ‘missing middle’ residential development*”, and “*promotes efficient development and land use pattern which sustains the financial well-being of the Municipality*”.

After discussions with municipal staff, the Applicant submitted a revised conceptual plan (attached as Appendix A) and a PRR Addendum. Ms. Pillon Abbs notes that the revised plan will “*allow for future vehicle and pedestrian connections to abutting lands to the west, north, and south to ensure future development is viable. Connections will also allow for coordinated provision of services and infrastructure*”. The holding symbol will allow for the completion of a Guideline Plan and the granting of easements and conveyances as required.

It is the professional opinion of Ms. Pillon-Abbs that “*the proposed development supports intensification within the Mixed-Use Corridor and will contribute positively towards the economic development and vitality of South Windsor and implements the objectives within the City of Windsor Official Plan and Intensification Guidelines*”. She further notes that the “*proposed development is suitable, is consistent with the PPS, conforms with the intent and purpose of the City of Windsor OP, compiles with the intent of the City of Windsor ZBL, and represents good planning.*”

### **Endangered Species Act Screening for Submission to the Ministry of the Environment, Conservation and Parks (Insight Environmental Solutions Inc. – 2023 January 9)**

Section 4.0 provides mitigation measures in terms of project planning, drainage feature mitigation, and any species-at-risk (SAR). The screening report states that based on:

*“information gathering efforts and field investigations...that the project is not likely to contravene the ESA 2007. The proposed development will have no impact on any Endangered or Threatened species or their habitat if the mitigation measures stated in this report are implemented during construction activities.”*

### **Natural Heritage Evaluation and Tree Preservation Study (Insight Environmental Solutions Inc. – 2022 December 22)**

The study identified 53 trees on the subject lands and recommends that 44 trees be removed. Mitigation measures for avoid impacts to natural heritage features, tree protection measures and mitigation to avoid impacts to species at risk are identified in the report. The study concludes that “*there should not be any adverse impacts to the natural system on or adjacent to the Subject Properties*”.



### **Sanitary Sewer Study**

**(Aleo Associates Inc. – John-Paul Aleo, P.Eng. – 2022 November 28)**

The study states that there would be *“very small increase in sewage flow when compared to what this sewer was originally designed to accept from these properties”*. The study concludes that *“the sewage flow from the proposed medium density residential development will have a negligible effect on the capacity of the existing municipal sewer system. There is sufficient capacity available to support the proposed development.”*

The City of Windsor Engineering Department notes that a sanitary sampling manhole is required at the property line to the satisfaction of the City Engineer.

### **Storm Sewer Study**

**(Aleo Associates Inc. – John-Paul Aleo, P.Eng. – 2022 November 28)**

The study notes that the *“runoff rate of the existing pre-developed condition is being maintained as part of the proposed development and therefore there will not be any effect on the receiving storm sewer system or surrounding properties.”*

The City of Windsor Engineering Department – Design and Development notes the applicant will be required to submit site servicing drawings and storm detention calculations restricting storm water runoff to pre-development levels, as per the Windsor Essex Regional Stormwater Management Standards Manual. A final storm sewer study / detailed storm detention scheme will be reviewed during site plan control.

### **Transportation Impact Statement Updated (TIS)**

**(RC Spencer Associates Inc. – 2023 April)**

The City of Windsor Transportation Planning Department reviewed the original TIS dated November 2022 and required revisions. An updated TIS dated 2023 April was submitted and states that the *“proposed site access to Howard Avenue will operate satisfactorily”*. A slip-by lane should be integrated into the site access design during site plan control as an interim measure until Howard Avenue is reconstructed. Regarding sight lines, it is the *“engineers’ opinion that the proposed location of the site access is safe for egress; no undue hazard to traffic operations is expected at this location”*. The updated TIS concludes that the proposed development *“will not adversely impact area traffic operations”*.

City of Windsor Transportation Planning has no concerns with the updated TIS, that no conveyance along Howard Avenue is required, that a sidewalk is required, and that the “slip-by” lane be addressed during site plan control.

### **Urban Design Brief (MHBC Planning, 2022 December)**

The brief concludes that the proposal *“adheres to the goals and design direction for development in the South Windsor Planning Area”* and that it is *“compatible with its surrounding area.”* The building design is *“focused on establishing a cohesive community and pedestrian scaled environment with building articulation, and built form being oriented towards the private internal road, reducing adverse impacts on the residential areas surrounding the subject lands”*. Further the development is *“attractive intensification in the area through the proposed density, building design, transit and pedestrian supportive site design, and a range of unit sizes.”*



## Provincial Policy Statement, 2020

The Provincial Policy Statement (PPS) provides direction on matters of provincial interest related to land use planning and development and sets the policy foundation for regulating the development and use of land in Ontario. The vision of the PPS focuses growth and development within urban settlement areas, and that land use be managed to accommodate development to meet the full range of current and future needs, while achieving efficient development patterns.

Section 5.1.1 in the PRR contains a list of relevant PPS policies and an analysis of those policies. The Planning Department generally concurs with that analysis.

Regarding Policies 1.1.1, 1.1.2 & 1.1.3, the proposed development is an efficient development and promote a land use pattern that sustains the financial well being of the municipality and accommodates an appropriate market-based residential type that meets long-term needs. No environmental or public health concerns were noted.

The dwellings are located within the settlement area, and within walking distance of a bus route, making it a transit-supportive development that optimizes transit investments and an appropriate location for intensification. The proposed development will make use of existing infrastructure such as roads, sewers and watermains to achieve a cost-effective development pattern and minimize land consumption and servicing costs.

The proposed development represents an opportunity to incorporate climate change measures such as stormwater management to control the flow of rain water and the use of building materials and devices to mitigate heating, cooling and water use concerns.

The proposed development utilizes land within the settlement area through intensification, provides a density and a use that makes efficient use of land & resources and is appropriate for available infrastructure avoiding the need for any unjustified or uneconomical expansion. It minimizes negative impacts to air quality by allowing residents to use alternative transportations means such as walking, or public transit, and allows for the inclusion of modern building materials & construction methods to promote energy efficiency and deal with climate change impacts.

The proposed zoning amendment is consistent with Policies 1.1.1, 1.1.2, and 1.1.3.

Regarding Policy 1.4, the proposed development allows the City to accommodate residential growth through residential intensification, and directs development to where appropriate levels of infrastructure and public service facilities exist.

The proposed amendment to Zoning By-law 8600 is consistent with Policy 1.4.

Policy 1.6 provides direction on infrastructure and public service facilities. Policy 1.6.3 a) states that *“the use of existing infrastructure and public service facilities should be optimized”* and Policy 1.6.6.2 states that for *“existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services”*. The proposed amendment promotes intensification that will optimize the use of existing infrastructure.

Given the availability of existing and proposed roads, public transit, and cycling facilities nearby, the proposed development allows for the efficient use of existing transportation infrastructure, minimizes the number and length of vehicle trips, and supports the use of transit and active transportation. This is consistent with Policy 1.6.6.7.



The proposed amendment to Zoning By-law 8600 is consistent with Policy 1.6.

Policy 1.7 promotes long-term economic prosperity. The proposed development is responding to market-based needs and will provide a housing supply and options for a diverse workforce, that optimizes the use of land, resources, infrastructure and public service facilities, and that through modern construction and building materials, will promote energy conservation and minimize the impacts of climate change.

The proposed amendment to Zoning By-law 8600 is consistent with Policy 1.7.

The proposed residential development and the amendment to Zoning By-law 8600 are consistent with the PPS.

#### **City of Windsor Official Plan (OP):**

The parcel is located within the South Windsor Planning District and is designated Mixed Use Corridor on Schedule D: Land Use of the OP (as amended by OPA 159). Section 5.1.2 in the PRR provides an analysis of relevant OP policies.

Regarding the Safe, Caring and Diverse Community component (Section 3.2.1) of the Development Strategy in Chapter 3, the proposed zoning amendment expands the variety of housing types and provides an opportunity for area residents to live in their neighbourhoods as they pass through the various stages of their lives.

The proposed amendment conforms to the policy direction of Section 3.2.1.

Chapter 4 provides policy direction on creating a healthy and liveable city, a high quality of life, a strong sense of community and community empowerment. Section 4.2.1.5 encourages a mix of housing types and services to allow people to remain in their neighbourhoods as they age. The proposed development provides an opportunity for people to move from other dwellings but remain in the neighbourhood. The proposed development conforms to Section 4.2.3 - Quality of Life, in that it recognizes the shelter needs of the community and represents an appropriate range and mix of housing.

Council's land use goals include providing housing suited to the needs of Windsor's residents (6.1.3). Mixed Use Corridors are expected to accommodate higher density/intensity development while maintaining a broad mix of land uses that support investment in transit and complete communities (6.5.3). Buildings shall be not more than four storeys in height (6.5.3.3). Mixed Use Corridor development shall be located where there is access to Class I or Class II Arterial Roads and full municipal physical services can be located (6.5.3.6).

The proposed development will provide a dwelling type and form that will meet the needs of current and future Windsor residents, represents a higher density and intensification that will support investments in transit. Services are available and specific servicing requirements will be further reviewed during the preparation of a Guideline Plan and the Site Plan Control process. The proposed buildings are less than four storeys in height and have access to a Class II Arterial Road (Howard Avenue).

The proposed amendments to Zoning By-law 8600 are consistent with the land use policies in Section 6.

The use of the H or Holding Symbol on the westerly 58 metres of the parcel is appropriate to allow the preparation of a Guideline Plan for the larger area that will achieve orderly staging of development, and that adequate infrastructure, such as a



new north-south local road and connections to the existing transportation network are possible or will be available, among other things. Development of the remainder of the parcel will not impede the preparation of the Guideline Plan.

The proposed amendments are consistent with the direction of the Holding Zone Policies in Section 11.6.5

The proposed zoning change is consistent with the general policy direction of the Official Plan.

**Guideline Plan:**

Given the mid-block location of the subject lands, the Planning Department informed the Applicant that a portion of the lands will need to be placed in a Holding Zone to determine the location of a new north-south local street that could be located east of the existing dwellings on the east side of Inglewood Avenue and Whiteside Drive. The Applicant was further informed that a Guideline Plan is the best process to determine the location of that street and connections (to Howard Avenue, to Clifford Street and to other east-west streets to the west to the existing transportation network.

A municipal drain (Merritt Drain) is located along the westerly lot line. An easement over, and adjacent to, the drain is required to allow for maintenance of the drain. The City Engineer notes that there are options for covering or relocating the drain within the new right-of-way and this is a matter that the Guideline Plan may consider.

Section 10.2.6 in the Official Plan contains the policies for a Guideline Plan. The purpose of the Guideline Plan is to provide specific direction for areas where the existing land use designations are appropriate but more detailed guidance is required for areas experiencing transition or development pressures, and may vary in scope, depending on the size, nature and intent of the plan and the area under study.

The west side of Howard Avenue between Kenilworth Park and Cabana Road is characterized by deep lots with a single unit dwellings fronting on Howard Avenue. Ownership is fractured. The existing land use designations are appropriate, however guidance is required in terms of the location of infrastructure such as local roads, sidewalks, vehicular pedestrian connections to Howard Avenue and other streets, options for, and protection of, the Merritt Drain (a municipal drain), appropriate zoning districts, and any other matters such as design guidelines.

The Guideline Plan study will, among other things, identify and assess the area under study in terms of existing physical and environmental features, urban design attributes and other characteristics particular to the area, identify potential constraints, provide a statement of the desired development concept for the area, and provide recommendations for achieving the development concept including how they are in keeping with the direction of the Official Plan.

There is no approved work program for the preparation of the Guideline Plan by the Planning Department. The Applicant was informed that they could engage their own consultant to prepare the Guideline Plan. The Agent indicates that the Applicant has decided to wait for the City to prepare the Guideline Plan.

All property owners, residents located within 120 m of the study area will be notified of the study and will be provided opportunities to submit feedback on the Guideline Plan.



The Guideline Plan and a staff report will be brought forward to the Development & Heritage Standing Committee and Council for review and approval.

If the Guideline Plan is acceptable, Council will adopt the plan by resolution. Approval of the Guideline Plan is one condition of removing the holding symbol on the westerly 58 metres of the subject lands.

### **Zoning By-Law:**

The site plan, floor plans, and renderings are conceptual and subject to change.

The subject lands are zoned Residential District 1.1 (RD1.1 and HRD1.1) which permits one Single Unit Dwelling on a lot having a minimum width of 15.0 m and a minimum area of 450.0 m<sup>2</sup> and having a maximum building height of 9.0 m and a gross floor area 400 m<sup>2</sup>.

The applicant is requesting an amendment changing zoning from RD1.1 to Residential District 2.2 (RD2.2) and a site specific exception to allow the proposed development. The RD2.2 zone permits a limited range of low-profile dwelling types. Except for a Townhome Dwelling, only one dwelling (one building) is permitted. Lot width, lot area and side yard widths vary by dwelling type. The maximum lot coverage is 45.0 %, maximum main building height of 9.0 m and minimum front yard depth of 6.0 m. Minimum landscaped open space yard is not required, however, open space yard is achieved through the lot coverage and yard requirements.

The proposed development consists of 14 buildings (ten with 4 dwelling units and three with 8 dwelling units) for a total of 64 dwelling units. Building height is 8.0 m consisting of 2 storeys. A total of 4 bicycle parking spaces and 73 parking spaces (24 within attached garages and 49 in surface parking) including 2 accessible parking spaces are proposed with vehicular access via a single private driveway to Howard Avenue.

The subject parcel has an area of 12,591.6 m<sup>2</sup> and a lot frontage of 61.0 m. The proposed lot coverage is 31.0% and building height is 8.0 m. Proposed building setbacks are 6.2 m from the front lot line along Howard Avenue, 4.6 m from the side lot lines and 15.2 m from the rear lot line. Though not a requirement, landscaped open space yard is 39.7%, which exceeds the typical minimum of 35.0%.

The proposed development is largely in compliance with the provisions of Zoning By-law 8600. The site specific exception permits more than one dwelling and also permits a multiple dwelling with more than four dwelling units, clarifies that the RD2.2 provisions apply, that the minimum lot area shall be 135 m<sup>2</sup> per unit, clarifies parking area separation from a building wall, that no loading spaces are required, and that a minimum of four parking spaces be marked as visitor parking.

### **Site Plan Control:**

If the number of dwelling units exceeds 10, Site Plan Control will apply. Recommendation 3 directs the Site Plan Approval Officer to consider the Guideline Plan (when approved by Council), the Urban Design Brief (as submitted by the Applicant), the City of Windsor Official Plan, the Intensification Guidelines, and the comments of municipal departments and external agencies during site plan review.



## **Risk Analysis:**

N/A

## **Climate Change Risks**

### **Climate Change Mitigation:**

In general, infill intensification will minimize the impacts on community greenhouse gas emissions as these developments create complete communities and neighbourhoods while using currently available infrastructure such as parks, sewers, sidewalks, streets, schools and public transit.

### **Climate Change Adaptation:**

The proposed development will provide many opportunities to increase resiliency for the development and surrounding area, including improved stormwater management.

## **Financial Matters:**

N/A

## **Consultations:**

Comments from Municipal Departments and External Agencies are attached as Appendix F. Regarding Public Notice, statutory notice will be advertised in the Windsor Star, a local daily newspaper. A courtesy notice will be mailed to property owners and residents within 120m of the subject parcel. The Development & Heritage Standing Committee is the public meeting as required by the Planning Act.

## **Planner's Opinion and Conclusion:**

The *Planning Act* requires that a decision of Council in respect of the exercise of any authority that affects a planning matter, “*shall be consistent with*” Provincial Policy Statement 2020. The amendment has been evaluated for consistency with the PPS and conformity with the policies of the OP.

The proposed development is an appropriate form of intensification and expands the range of dwelling types available in the area. It provides an opportunity for residents to age in place and allowing new residents to locate within an established area. It allows for future residents to use alternative and active transportation modes such as walking, cycling and public transit.

Existing infrastructure, such as roads, sidewalks, watermain, sewers and public transit, is being utilized, avoiding the need for any unjustified or uneconomical expansion of that infrastructure. Site plan control is the appropriate tool to incorporate the requirements, and consider the concerns, of municipal departments and external agencies.

Based on the documents submitted by the applicant, the comments received from municipal departments and external agencies, and the analysis presented in this report, it is my opinion that the requested amendment to Zoning By-law 8600 is consistent with the PPS 2020 and is in conformity with the City of Windsor Official Plan and represents good planning.

Staff recommend approval.



**Planning Act Matters:**

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

*Neil Robertson, MCIP, RPP*  
*Manager of Urban Design*

*Thom Hunt, MCIP, RPP*  
*City Planner*

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

*JP*

*JM*

**Approvals:**

Name	Title
Neil Robertson	Manager of Urban Design / Deputy City Planner
Thom Hunt	City Planner / Executive Director, Planning & Development Services
Wira Vendrasco	Deputy City Solicitor, Legal Services & Real Estate
Jelena Payne	Commissioner, Economic Development & Innovation
Joe Mancina	Chief Administration Officer

**Notifications:**

Name	Address	Email
Peter Vitti 5050542 Ontario Inc.	2362 Tecumseh Road West, Windsor ON N9B 1W1	
Pillon Abbs Inc. Tracey Pillon-Abbs	23699 Prince Albert Road Chatham, ON N7M 5J7	<a href="mailto:tracey@pillonabbs.ca">tracey@pillonabbs.ca</a>
Councillor McKenzie (Ward 9)		
Property owners and tenants within 120 m of the subject lands		

**Appendices:**

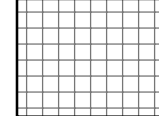

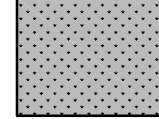
- 1 Appendix A - Conceptual Site Plan Revised 2023 Jul 12
- 2 Appendix B – Elevation Renderings
- 3 Appendix C – Floor Plans
- 4 Appendix D – Planning Rationale Report 2023 Apr 13
- 5 Appendix E – Planning Rationale Report Addendum 2023 Jul 13
- 6 Appendix F – Results of Circulation

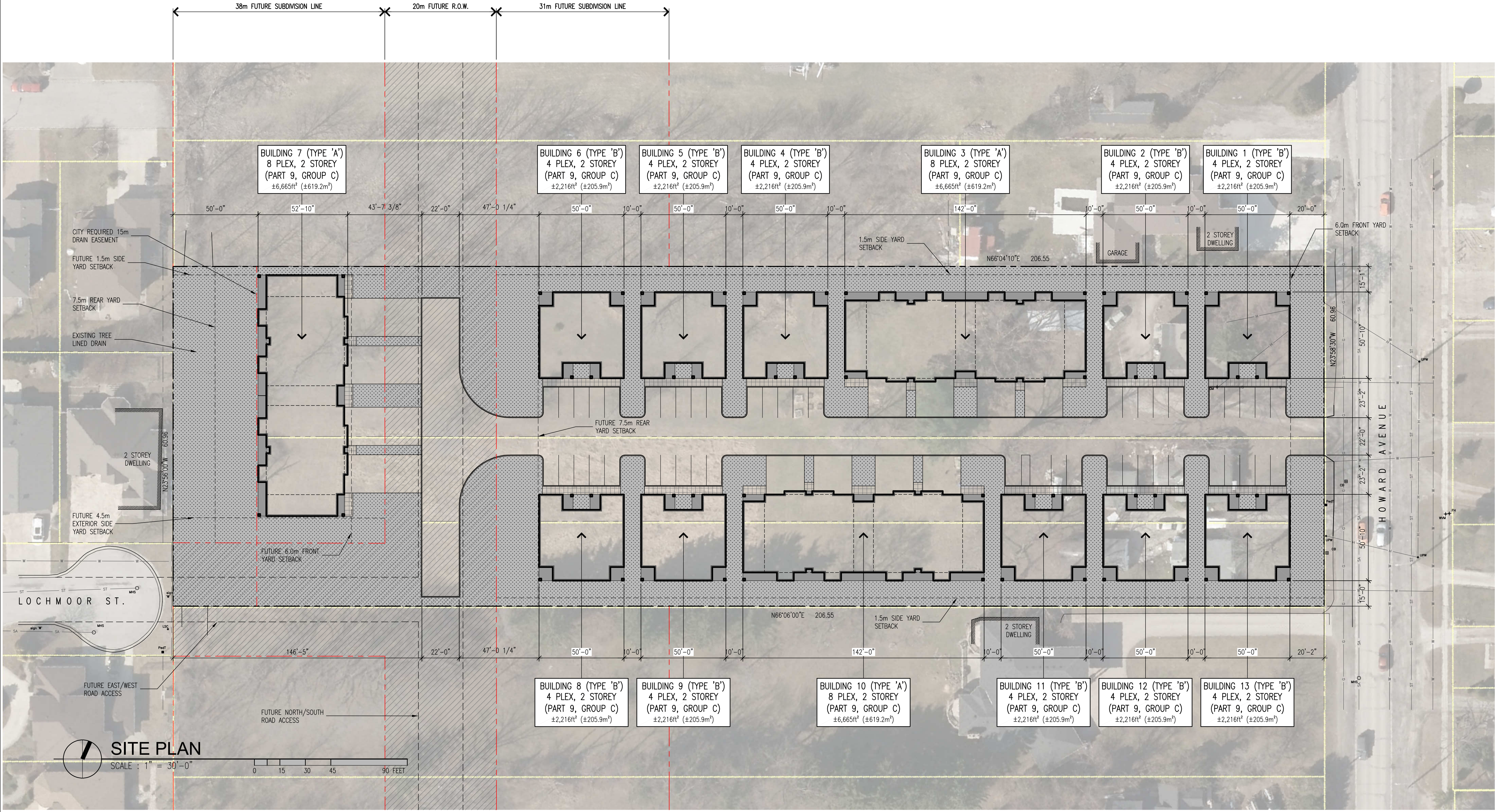


BUILDING TYPE 'A' (6- 2BEDROOM UNITS + 2- 1BEDROOM UNITS)  
= 8 UNITS X 3 BUILDINGS  
= 24 UNITS

BUILDING TYPE 'B' (4- 2BEDROOM UNITS)  
= 4 UNITS X 10 BUILDINGS  
= 40 UNITS

TOTAL UNITS PER SITE = 64 UNITS

SITE DATA : SITE ZONING : RD1.1, HRD1.1			
	REQUIRED	PROPOSED	LEGEND
a. LOT AREA		12,591.6 m <sup>2</sup>	 NEW HARD SURFACE LANDSCAPED AREA (WALKWAY)
b. LOT FRONTAGE		61.0 m	
c. BUILDING AREA		3,916.6 m <sup>2</sup>	
d. BLDG LOT COVERAGE	MAX. 45%	31.0 %	 NEW HARD SURFACE LANDSCAPED AREA (RESIDENT PATIO)
e. BUILDING GROSS FLOOR AREA		N/A m <sup>2</sup>	
f. BUILDING HEIGHT	MAX. 9.0 m	8.0 m	 NEW SOFT SURFACE LANDSCAPED AREA
g. BUILDING SETBACKS			
EAST	MIN. 6.0 m	6.2 m	NOTE: FIRE-ROUTE SIGNS SHALL BE APPROVED BY THE CITY OF WINDSOR & FIRE DEPARTMENT - NEW SIGNS TO BE PLACED NO LESS THAN 50 FEET AND NOT MORE THAN 150 FEET APART.
NORTH	MIN. 1.2 m	4.6 m	
WEST	MIN. 7.5 m	15.2 m	
SOUTH	MIN. 1.2 m	4.6 m	
h. NO. OF PARKING SPACES			AS ACCESSIBLE PARKING SIGN FR FIRE ROUTE SIGN PER CITY OF WINDSOR STANDARDS
4 PLEX 1 PER DWELLING UNIT	40 SPACES	PRIVATE GARAGE 24	
8 PLEX 1.25 PER DWELLING UNIT	30 SPACES	SURFACE PARK'G 49	
TOTAL	70 SPACES	73 SPACES	
i. NO. OF ACCESSIBLE PARKING SPACES	2 SPACES (1 'A' & 1 'B')	2 SPACES (1 'A' & 1 'B')	
j. PAVED AREA COVERAGE		4,898.1 m <sup>2</sup> 38.9 %	
k. LANDSCAPED AREA			
HARD		710.7 m <sup>2</sup>	
SOFT		4,286.0 m <sup>2</sup>	
TOTAL		4,996.7 m <sup>2</sup>	
COVERAGE		39.7 %	
l. LINEAR CONCRETE CURB		569.4 m	
m. NO. OF BICYCLE PARKING SPACE	4 SPACES	4 SPACES	



2023/06/29 OWNER REVIEW

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**D** design  
**A** associates inc. architect

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project:  
PROPOSED RESIDENTIAL DEVELOPMENT  
3623, 3631, 3637 HOWARD

client:  
VITTI

title:  
SITE PLAN

scale:  
AS SHOWN

drawn by:  
PH/ JT

checked by:  
JBK

date:  
JULY, 2021

comm. no.:  
2021-068

sheet no.:

A1.0



# PROPOSED RESIDENTIAL COMPLEX 3631-3637 HOWARD AVE. WINDSOR R E N D E R     P A C K A G E



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N8X 3P7

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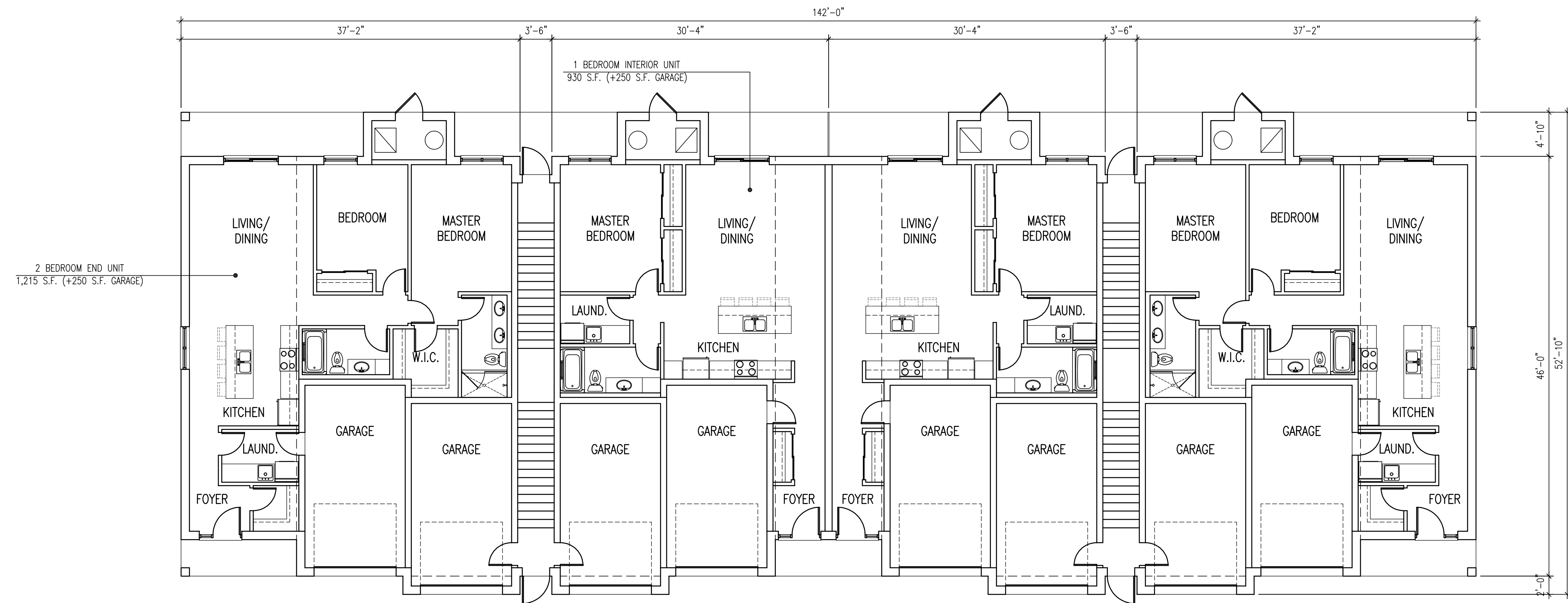




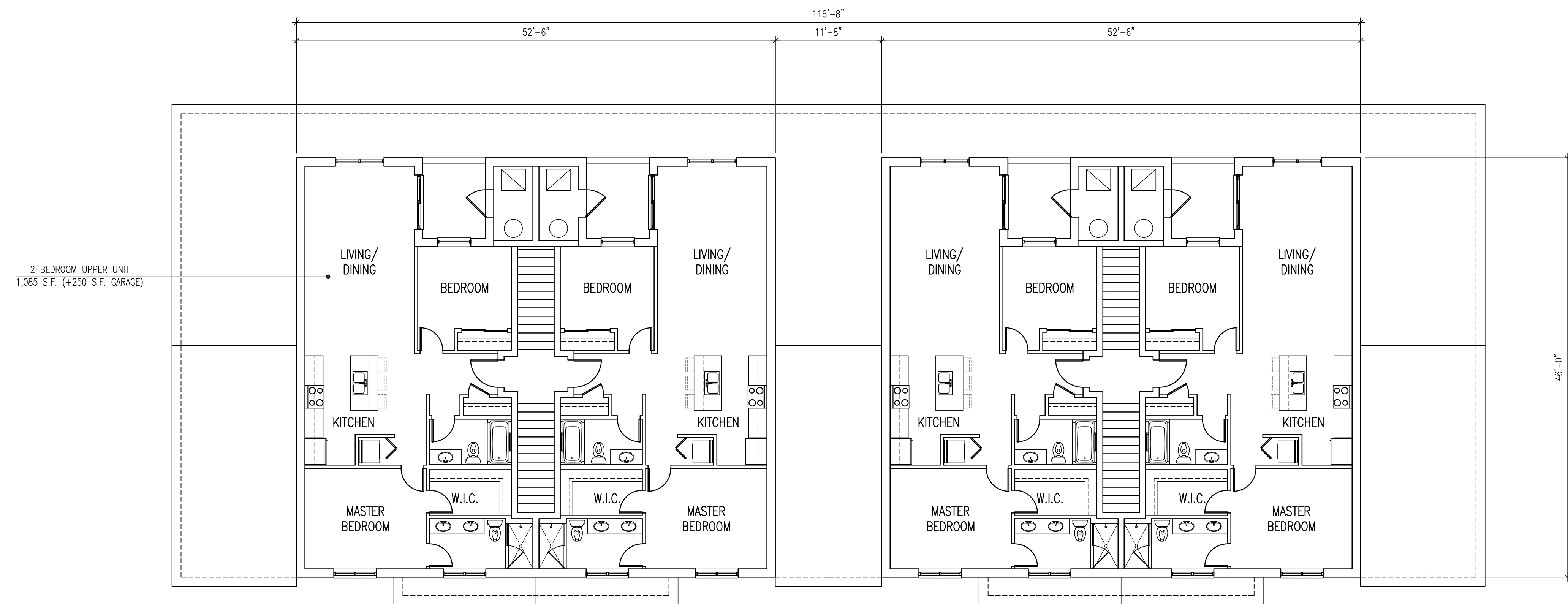








**FIRST FLOOR PLAN, BLDG. TYPE 'A'**  
SCALE : 1/8" = 1'-0"  
0 2 4 8 12 24 FEET



**SECOND FLOOR PLAN, BLDG. TYPE 'A'**  
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**D** design  
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project:

PROPOSED RESIDENTIAL  
DEVELOPMENT  
3623, 3631, 3637 HOWARD

client:

VITTI

title:

FLOOR PLANS  
BUILDING TYPE 'A'

scale:

AS SHOWN

drawn by:

PH/ JT

checked by:

JBK

date:

JULY, 2021

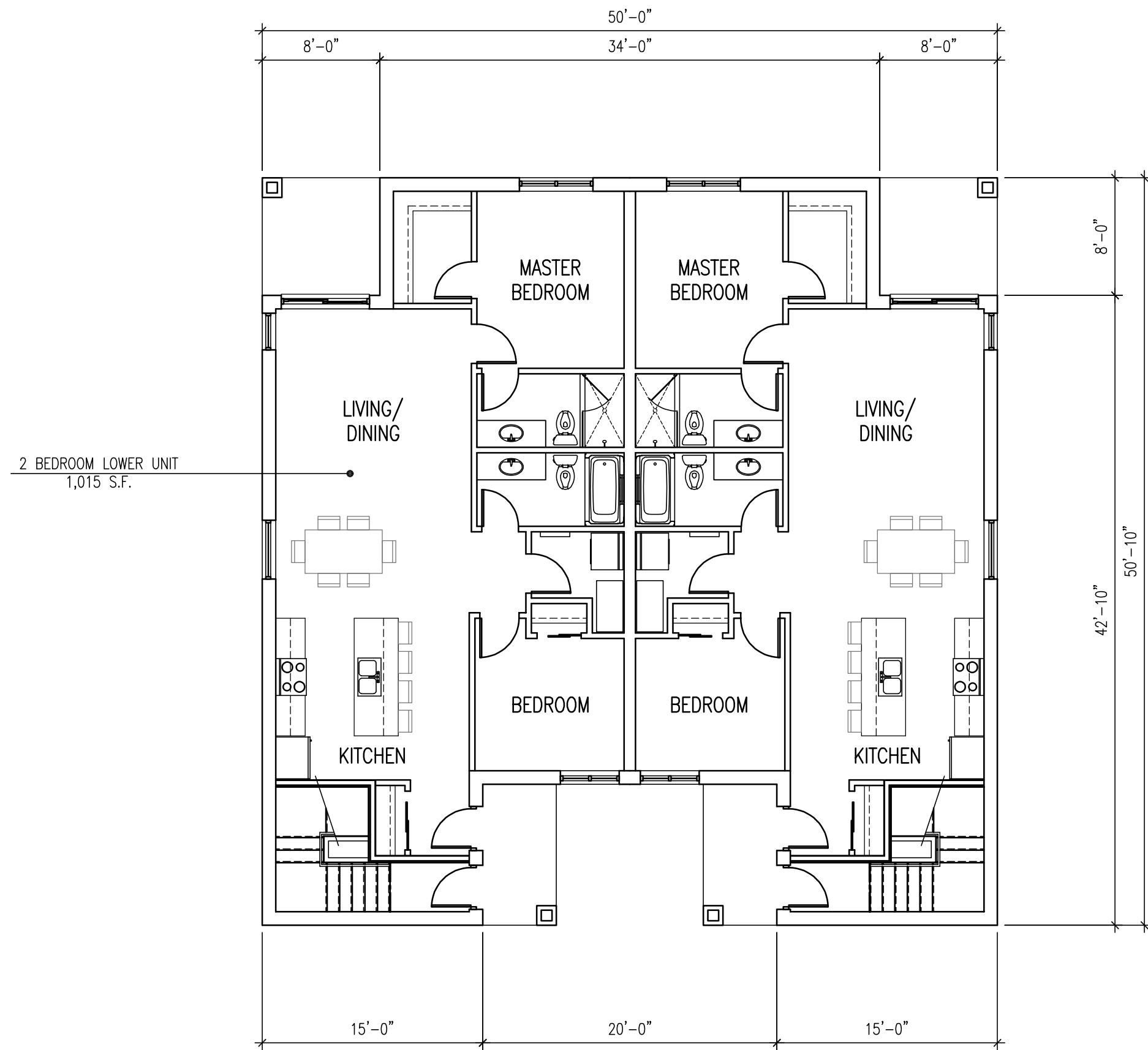
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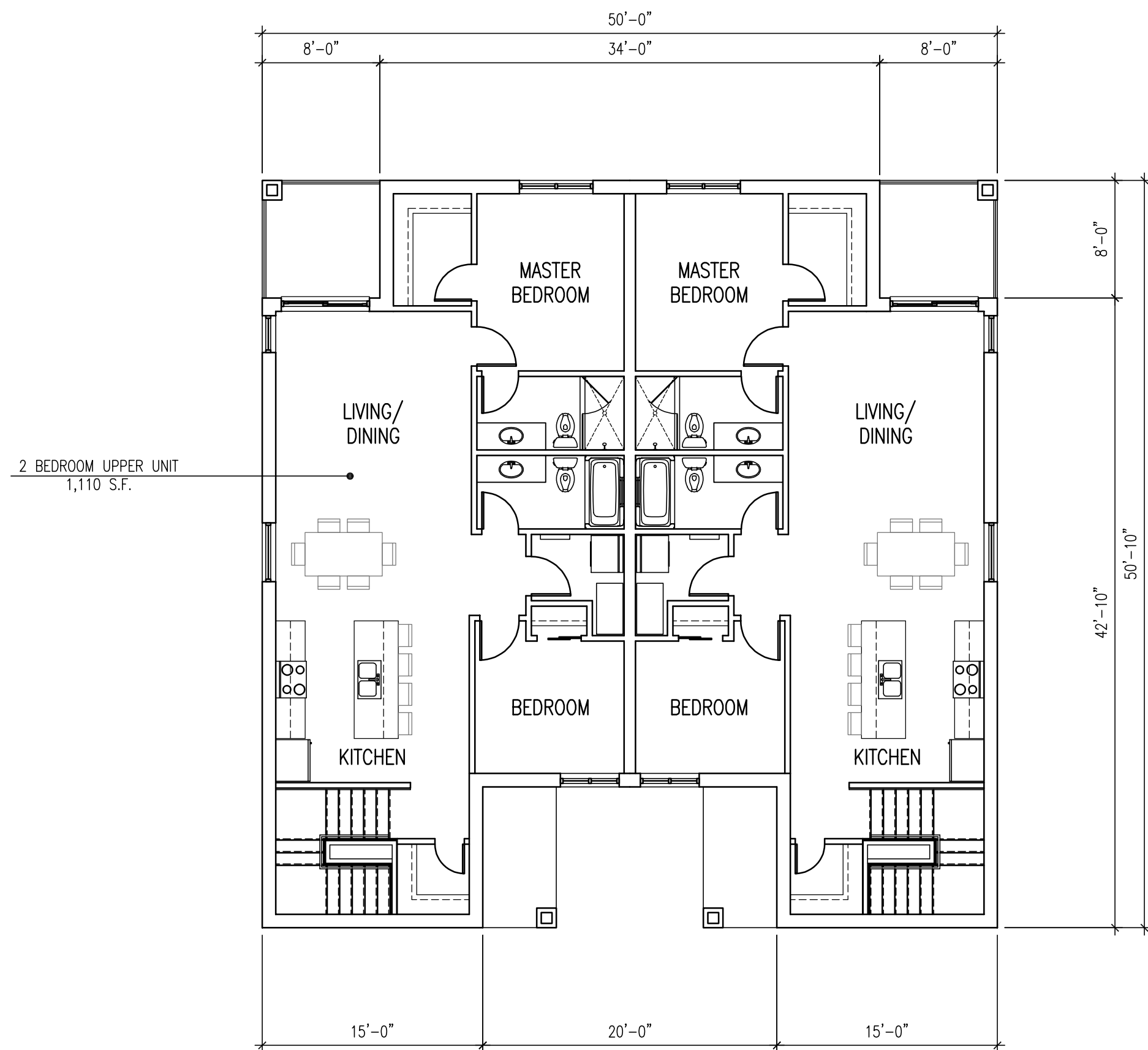
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**PROPOSED RESIDENTIAL  
DEVELOPMENT  
3623, 3631, 3637 HOWARD**

client:  
**VITTI**

title:  
**FLOOR PLANS  
BUILDING TYPE 'B'**

scale:  
**AS SHOWN**

drawn by:  
**PH/ JT**

checked by:  
**JBK**

date:  
**JULY, 2021**

comm. no.:  
**2021-068**

sheet no.:

**A1.2**



# **PLANNING RATIONALE REPORT**

## **ZONING BY-LAW AMENDMENT For Proposed RESIDENTIAL DEVELOPMENT**

**3623, 3631, and 3637 Howard Ave  
Windsor, Ontario**

**April 13, 2023**

**Prepared by:**



Tracey Pillon-Abbs, RPP  
Principal Planner  
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## 1.0 INTRODUCTION

I have been retained by 5050542 Ontario Inc. (herein the “Applicant”) to provide a land use Planning Rationale Report (PRR) in support of a proposed residential development for property located at 3623, 3631 and 3637 Howard Avenue (herein the “Site”) in the City of Windsor, Province of Ontario.

The Site is made up of 3 parcels of land located on the west side of Howard Avenue in Ward 9, South Windsor Planning District. Combined, there are three single detached dwellings and four accessory buildings, which all will be removed from the Site prior to development.

The Applicant is proposing to consolidate all 3 parcels of land and develop for residential use.

A concept plan has been prepared with 11 multiple dwellings (six 4-plexs and five 8-plexs) for a total of 64 units. Each dwelling will be 2 storeys in height. A total of 74 parking spaces are proposed for residents, including barrier free, bicycle parking and visitor parking.

Access to the Site will be from one entrance off of Howard Avenue.

Tenure will be freehold (condominium).

The proposed development will provide the City of Windsor with residential ‘missing middle’, which contributes to affordability and intensification.

A site-specific Zoning By-law Amendment (ZBA) is required in support of the proposed development. Council for the City of Windsor is the approval authority.

The proposed development will also be subject to Draft Plan of Condominium (CONDO) and Site Plan Control (SPC) prior to the issuance of any building permits.

The purpose of this report is to review the relevant land use documents, including the Provincial Policy Statement (PPS) 2020, the City of Windsor Official Plan (OP) and the City of Windsor Zoning By-law (ZBL).

Pre-submission was completed by the Applicant (City File #PS-047/22). Comments dated July 6, 2022, were received and have been incorporated into the proposed application.

This PRR will show that the proposed development is suitable, is consistent with the PPS, conforms with the intent and purpose of the City of Windsor OP, compiles with the intent of the City of Windsor ZBL and represents good planning.



## 2.0 SITE AND SURROUNDING LAND USES

### 2.1 Legal Description and Ownership

The Site is made up of 3 parcels of land located on the west side of Howard Avenue in Ward 9, South Windsor Planning District. Combined, there are three single detached dwellings and four accessory buildings, which all will be removed from the Site prior to development (see Site located in red on Figure 1 – Key Map).



Figure 1 – Key Map (City of Windsor GIS)



The Site is local known and legally described as follows:

Address	ARN	Legal	PIN	Ownership Name	Ownership Date
3623 Howard Ave	080-033-00100-0000	PLAN 1431 LOT 12	01299-0012 LT	Vitti, Peter Vaciaros, Christina	2022
3631 Howard Ave	080-033-00200-0000	PLAN 1431 N PT LOT 13; T/W & S/T ROW	01299-0322 LT	Vitti Construction Ltd.	2001
3637 Howard Ave	080-033-00300-0000	PLAN 1431 S PT LOT 13	01299-0323 LT	Vitti, Anna	2001

## 2.2 Physical Features of the Site

### 2.2.1 Size and Site Dimension

The Site consists of a total area of approximately 12,591.6 m<sup>2</sup> / 1.259 ha in size.

The Site has a total frontage of 61.0 m along Howard Avenue and a depth of 206.55 m.

### 2.2.2 Vegetation and Soil

The Site currently has mowed lawn and landscaping.

There are some scattered trees, mown lawn, and hedgerows.

The soil is made up Brookston Clay Sand, Spot Phase (B-s).

### 2.2.3 Topography and Drainage

The Site is flat and is outside the regulated area of the Essex Region Conservation Authority (ERCA). A permit should not be required for development.

The Site is not impacted by the ERCA Source Water Protection Event Based Area (EBA).

The Site is part of the Turkey Creek subwatershed area. There is a drain which crosses the Site along the most western property line.

### 2.2.4 Other Physical Features

There is currently fencing along portions of the Site boundary.



### **2.2.5 Municipal Services**

The property has access to municipal water, storm and sanitary services.

The closest fire hydrant is located on Howard Ave, directly east of the Site.

Streetlights and sidewalks are located on the east side of Howard Ave.

Howard Avenue is an arterial roadway (2-way / 2-lanes) with no on-street parking.

### **2.2.6 Nearby Amenities**

Five Elementary Schools are located within a 2-kilometre radius of the subject lands, including three public schools (Roseland Public School, Central Public School, and Southwood Public School) one Catholic School (St Gabriel Catholic Elementary School) and one Christian School (First Lutheran Christian Academy). A public, catholic and French Secondary Schools are also located within 5-kilometres of the subject lands and are easily accessed by the Transit Windsor Bus Routes.

There are many parks and recreation opportunities in close proximity of the Site, including Kenilworth Park which is located within a 5-minute walk to the north along Howard Avenue. Additional open spaces, parks and community facilities are located within the existing community to the west, providing community programs and services.

There are nearby commercial uses, such as food service, personal service shops, and retail. There are also nearby employment lands, places of worship, and local/regional amenities.

The Site has access to transit, with the nearest bus stop located at the corner of Medina Street and Dougall Avenue (Stop ID 1784) on the City of Windsor 6 bus line.

The Site has access to major roadways, including Cabana Road, Provincial Road, Dougall Pkwy, E.C. Row Expressway, Hwy 401 and Hwy 3.

## **2.3 Surrounding Land Uses**

Overall, the Site is located in an established residential area. The subject lands comprise part of a growing residential community in Windsor.

The surrounding area is characterized by a broad range of uses, including residential uses along Howard Avenue, a neighbourhood park and commercial center to the north, and additional commercial, residential and institutional uses to the south.

The subject lands are located along a Mixed-Use Corridor (Howard Avenue) that is transitioning from a typical automobile-oriented low density residential area to a higher density, pedestrian oriented and transit supportive community.

The following are the surrounding land uses immediately abutting the Site:



North – residential with frontage along Howard Ave.

East - residential with frontage along Howard Ave.

South – residential with frontage along Medina St and Lochmoor St.

West - residential with frontage along Howard Ave.



## 3.0 PROPOSAL AND CONSULTATION

### 3.1 Development Proposal

The Applicant is proposing to consolidate all 3 parcels of land and develop for residential use.

The overall vision for the proposed development is to create a medium density residential community that is transit supportive and compatible with the surrounding land uses. The proposed building design compliments and contributes to a desirable community character and strives to establish a sense of place along the Howard Avenue Corridor.

A concept plan has been prepared by ADA Inc. Architect, dated July 2021 (see Figure 3a – Site Plan).

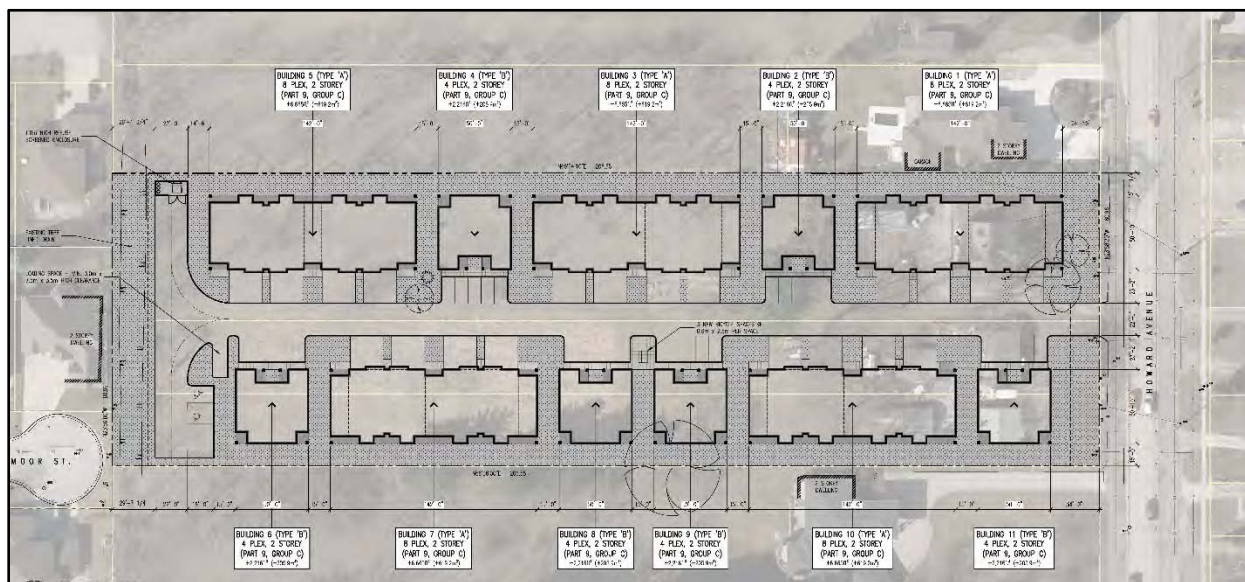


Figure 3a – Site Plan

The concept plan design includes the redevelopment of the subject lands to establish multiple residential uses. The proposed development includes 11 multiple residential buildings consisting of six 4-plex buildings and five 8-plex buildings with a total of 62 residential units.

The development will result in a net density of 50.95 units per hectare. Tenure will be freehold (condominium).

The architectural façade of the buildings provides a contemporary appearance. The façade design will include a mixture of materials, including bricks, wooden paneling, glass, and siding to create a visual interest while respecting the surrounding character.



The buildings will face a new internal private 2-lane roadway (see Figure 3b – Elevations).



Figure 3b – Elevations



Each dwelling will be 2 storeys / 8.0 m in height. The buildings will have a faux balcony at the front of the dwellings.

The 4-plex will be approximately 205.9 m<sup>2</sup> in size and the 8-plex will be approximately 619.2 m<sup>2</sup> in size. There will be six 2 bedroom units and two 1 bedroom units in the 8-plex buildings for a total of 40 units. There will be four 2 bedroom units in the 4-plex buildings for a total of 24 units.

Building entrances are planned to be highly visible and well lit with pedestrian scaled lighting. Waste receptacles are located at the rear of the property and setback and screened from sidewalks and adjacent land uses.

Building entrance points are planned to be highly visible from the internal road network, with landscaping and enhanced architectural features.

The townhome blocks have been sited to provide rear yard amenity space and allow for a side yard setback of a minimum of 5.4 metres. A setback of at least 7.5 metres will be provided from the proposed buildings fronting Howard Avenue. A minimum of 4.5 metres is provided between the buildings.

The existing surrounding uses have been considered in the design of the subject lands. The proposed buildings are setback from the existing adjacent residential uses to reduce the impacts of building height.

Accessible sidewalks will connect pedestrians to the proposed buildings from the parking areas and the municipal right-of-way (Howard Ave and Lochmoor St).

A total of 74 parking spaces are proposed for residents, including 2 barrier free, 3 bicycle parking and signed visitor parking. Parking will be located in private garages, in driveways, in front of the buildings and in a parking area to the east of the Site.

Access to the Site will be from one new 6.70 m wide entrance off of Howard Avenue. The internal roadway will include a signed fire route.

Landscaped area is proposed around the multiple dwellings. Landscaping on the Site will seek to provide an enhanced, functional, and attractive outdoor space. Pedestrian open spaces are located around the perimeter of the Site and between buildings. Pedestrian infrastructure is incorporated which provides connections to access the building and to Howard Avenue. Individual amenity space is also provided to each unit in the form of porches and rear yards.

The refuse will be located along the west side of the Site in a fenced bin with a double-door enclosure.

The proposed development will be serviced with full municipal services.

The municipal drain found along the western border of the Site will be retained with a 5m buffer. All of the trees within this buffer are proposed to be retained as part of the development and protected with tree protection measures.



## 3.2 Public Consultation Strategy

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, the Applicant proposes that the required public meeting will be sufficient as the size of the development is small scale.

At this time, no informal public open house is proposed to be held by the Applicant.



## **4.0 PROPOSED APPLICATION AND STUDIES**

### **4.1 Zoning By-Law Amendment (ZBA)**

A site-specific Zoning By-law Amendment (ZBA) is required to permit the proposed residential development.

The Site is currently zoned “Residential District 1.1 (RD1.1)” Zone and “Holding Residential District 1.1 (HRD1.1)” Zone on Map 8 of the City of Windsor Zoning By-Law #8600.

A site-specific zoning is required for the Site to permit the proposed multiple dwellings.

It is proposed to change the zoning of the Site to a site specific “Residential District 2.2 (RD2.2 – S.20(1) (XXX))” Zone to permit multiple dwellings with four dwelling units or less and multiple dwellings with 5 or more dwelling units.

All other zone provisions can be complied with.

Further analysis is provided in Section 5.1.3 of this PRR.

### **4.2 Other Applications**

The proposed development will also be subject to Draft Plan of Condominium (CONDO) and Site Plan Control (SPC) prior to the issuance of any building permits.

### **4.3 Supporting Studies**

The following supporting studies have been completed as part of this PRR in support of the application for the zoning amendment.

#### **4.3.1 Natural Heritage and Tree Preservation**

A Natural Heritage Evaluation (NHE) and Tree Preservation Study were prepared by Insight Environmental Solutions Inc. dated December 22, 2022.

The purpose of the report is to identify natural heritage features and functions on or adjacent to the Site, assess impacts of the proposed development, and recommend mitigation measures to ensure that the significant natural features are not adversely affected by the proposed development.

The proposed development was evaluated for their impacts to potential Species at Risk (SAR) habitat and natural heritage features.



The report demonstrated that the proposed development complies with applicable environmental legislation, policies, and regulations at the provincial, regional, and local levels.

A total of 53 trees were assessed and 44 trees are recommended for removal and 9 to be preserved.

One provincially significant plant was detected, Eastern Burning-bush (*Euonymus atropurpureus*) in the THDM3 and FODM11 communities.

There is a small strip of woodland overlay is located outside of the Site and abuts the western property boundary.

The naturalized area/hedgerows found along the western portion of the property surrounding the drain may act as a movement corridor for snakes and other wildlife, leading to larger contiguous woodland habitats. The properties contained brush piles and cover objects behind the existing houses and around the ditch and hedgerows that are ideal for snakes to forage, find over and thermoregulate.

It was concluded that the following mitigation to avoid impacts could be applied:

- Timing
- Site selection
- Contaminant and spill management
- Operation of machinery
- Drainage feature retained with a 5 m buffer
- Good housekeeping and construction practices (ie snake fencing)
- A tree protection zone of 1 m

Therefore, it is reasonable to conclude that there should not be any adverse impacts to the natural system on or adjacent to the Subject Properties.

#### **4.3.2 Sanitary Sewer**

A Sanitary Sewer Study was prepared by Aleo Associates Inc., Consulting Engineers, dated November 28, 2022.

The purpose of the report is to assess the capacity for sanitary sewer and the impacts on the proposed development.

It was concluded that the sewage flow from the proposed medium density residential development will have a negligible effect on the capacity of the existing municipal sewer system. There is sufficient capacity available to support the proposed development.

#### **4.3.3 Storm Sewer and Watershed**

A Storm Sewer Study was prepared by Aleo Associates Inc., Consulting Engineers dated November 28, 2022.



The purpose of the report is to assess the capacity for storm sewer and the impacts on the proposed development and provide for a watershed plan.

It was concluded that the runoff rate of the existing pre-developed condition is being maintained as part of the proposed development and therefore there will not be any effect on the receiving storm sewer system or surrounding properties.

A storm detention scheme will be carried out during the detailed design phase and will be completed to conform to the Windsor-Essex Region Stormwater Management Standards. Storage will be provided through surface storage on the parking lot surface, in swales and depressed grass areas, and in underground storm pipe and structures.

Stormwater quality control will be accomplished by incorporating an oil and grit separator unit at the outlet to treat stormwater captured from the Site before it is released to the municipal sewer system. The level of treatment will be normal (70% TSS removal).

#### **4.3.4 Traffic**

A Traffic impact Statement (TIS) was prepared by RC Spencer Associates Inc., dated November 2022 and further amended April 2023.

The purpose of the report is to examine the proposed development's potential impact on area traffic operations, including site line analysis and the need for improvement.

It was concluded that the proposed site access at Howard Ave will operate satisfactorily. A northbound left turn lane is warranted but not required at the proposed site access.

Further, the proposed location of the site access is safe for egress.

Therefore, the proposed development will not adversely impact area traffic operations.

#### **4.3.5 Urban Design**

An Urban Design Brief (UDB) was prepared by MHBC Planning Urban Design & Landscape Architecture dated December 2022.

The purpose of the report is to illustrate how the proposal is compatible with the surrounding neighbourhood and implements the design objectives provided by the City of Windsor Official Plan and the City of Windsor Intensification Guidelines.

This report recommends a preferred community concept plan that will be further refined through the more detailed site plan design process.

Recommendations are also advanced in order to give direction to the design and more detailed planning processes such as design considerations relating to site plans.



The proposal and related guidelines are intended to provide design direction to built form, landscape design, and the public realm with an overall objective of achieving a high standard of urban design. The design brief has been prepared to support the proposed zone change application. To this end, the proposed guidelines apply to the entirety of the subject lands.

The report has taken into consideration the City Intensification Urban Guidelines.

Overall, the proposed development supports intensification within the Mixed-Use Corridor and will contribute positively towards the economic development and vitality of South Windsor and implements the objectives within the City of Windsor Official Plan and Intensification Guidelines.

The following was concluded;

- the proposal adheres to the goals and design direction for development in the South Windsor Planning Area,
- the introduction of more compact residential in the form of cluster townhouses is appropriate along Howard Avenue,
- the proposal represents a compact, transit-supportive development that will bring density and vibrancy to underutilized parcels of land within the Mixed-Use Corridor along Howard Avenue,
- the proposal provides for high-quality architecture and design that adds visual interest and a well-defined pedestrian-friendly streetscape, and
- the development will use enhanced landscaping and high-quality architectural design to create visually appealing frontages that are scaled and oriented to define the street edge.

It was recommended that the proposal is in keeping with the City's design intent and that the proposed application should be approved. Additional design elements and details will have an opportunity to be considered at the Site Plan stage.

#### **4.3.6 Biology**

A Species At Risk Screening (SARS) was prepared by Insight Environmental Solutions Inc. dated January 9, 2023.

The purpose of the report is to inspect the current site condition and applicable Endangered Species Act (ESA), 2007 policies, identify any constraints and opportunities, and provide recommendation.

Based on information gathering efforts and field investigations, it has been concluded that the project is not likely to contravene the ESA 2007. The proposed development will have no impact on any Endangered or Threatened species or their habitat if the mitigation measures stated in this report are implemented during construction activities.

The report has been submitted to the Ministry.



## 5.0 PLANNING ANALYSIS

### 5.1 Policy and Regulatory Overview

#### 5.1.1 Provincial Policy Statement, 2020

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development providing for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environments.

The PPS is issued under Section 3 of the Planning Act and came into effect on May 1, 2020. It applies to all land use planning matters considered after this date.

The PPS supports improved land use planning and management, which contributes to a more effective and efficient land use planning system.

The following provides a summary of the key policy considerations of the PPS as it relates to the proposed development.

PPS Policy #	Policy	Response
1.0	..... Ontario's long-term prosperity, environmental health and social well-being depend on wisely managing change and promoting efficient land use and development patterns.....	<p>The proposed development provides a new 'missing middle' housing choice in an existing settlement area.</p> <p>The subject lands are located along a Mixed-Use Corridor (Howard Avenue) that is transitioning from a typical automobile-oriented low density residential area to a higher density, pedestrian oriented and transit supportive community.</p>
1.1.1	<p>Healthy, liveable and safe communities are sustained by:</p> <p>a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;</p>	<p>The proposed development is consistent with the policy to build strong, healthy and livable communities as it provides for a new housing choice in the form of multiple dwellings.</p> <p>There are no environmental or public health and safety</p>



PPS Policy #	Policy	Response
	<p>b) accommodating an appropriate affordable and market-based range and mix of residential types, employment, institutional, recreation, park and open space, and other uses to meet long-term needs;</p> <p>c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;</p> <p>d) avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;</p> <p>e) promoting.....cost-effective development patterns and standards to minimize land consumption and servicing costs;</p> <p>f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;</p> <p>h) promoting development and land use patterns that conserve biodiversity.</p>	<p>concerns as the area is well established.</p> <p>The development pattern does not require expansion of the settlement area as it is a use of an existing parcels of land.</p> <p>The Site has access to full municipal services and is close to nearby local parks, places of worship and schools.</p> <p>Accessibility of units will be addressed at the time of the building permit application.</p> <p>Public service facilities are available nearby, such as local schools.</p> <p>The development pattern is proposed to be an efficient use of the Site.</p>
1.1.2	<p>Sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of up to 25 years.</p> <p>Within settlement areas, sufficient land shall be made available through intensification and redevelopment and, if</p>	<p>The proposed development will help the City of Windsor meet the full range of current and future residential needs through infill and intensification.</p> <p>The Site will provide for residential 'missing middle' within an existing settlement area in the form of multiple dwellings.</p>



PPS Policy #	Policy	Response
	necessary, designated growth areas.	
1.1.3.1	Settlement areas shall be the focus of growth and development.	<p>The proposal enhances the vitality of the Municipality, as the proposal is within the City's settlement area.</p> <p>The Site will provide for a new housing choice consistent with developments in the area.</p>
1.1.3.2	<p>Land use patterns within settlement areas shall be based on densities and a mix of land uses which:</p> <ul style="list-style-type: none"> <li>a) efficiently use land and resources;</li> <li>b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;</li> <li>c) minimize negative impacts to air quality and climate change, and promote energy efficiency;</li> <li>d) prepare for the impacts of a changing climate;</li> <li>e) support active transportation;</li> <li>f) are transit-supportive, where transit is planned, exists or may be developed; and</li> <li>g) are freight-supportive.</li> </ul>	<p>The total density of the proposed development is considered appropriate as there are similar types of multiple buildings in the area.</p> <p>The Site offers an opportunity for intensification by creating new residential housing choice in a built up area.</p> <p>The intensification can be accommodated for the proposed development as it is an infilling opportunity within an existing land use pattern.</p> <p>The proposed design and style of the proposed multiple dwellings will blend with the residential uses in the area.</p> <p>Residents will have immediate access to shopping, employment, transit, active transportation, recreational areas and institutional uses.</p> <p>Transit is available for the area.</p>



PPS Policy #	Policy	Response
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.	<p>The intensification can be accommodated for the proposed residential development as it is an appropriate development of the Site.</p> <p>The Site is well-located and in close proximity to a range of uses, including commercial, institutional and recreational uses. The Site is well connected to the arterial road network and utilizes existing access to public transportation.</p> <p>The proposed development will positively contribute to the vision outlined in the City of Windsor Official Plan for Mixed-Use Corridors by providing medium density residential uses along the Howard Avenue Corridor supporting active transportation and housing targets for the City of Windsor.</p>
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.	<p>The intensification can be accommodated for the proposed development as it is a development opportunity within an existing land use pattern.</p> <p>There will be no risks to the public.</p>
1.1.3.5	Planning authorities shall establish and implement minimum targets for intensification and redevelopment within built-up areas, based on local conditions.	The City has established targets for intensification and redevelopment. The proposed development will assist in meeting those targets as the Site is located in an existing built-up area



PPS Policy #	Policy	Response
		and will add new residential units.
1.1.3.6	New development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.	<p>The proposed development does have a compact form.</p> <p>The density will allow for the efficient use of land, infrastructure and public services.</p>
1.4.1	<p>To provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall:</p> <p>a) maintain at all times the ability to accommodate residential growth for a minimum of 15 years through residential intensification and redevelopment and, if necessary, lands which are designated and available for residential development; and</p> <p>b) maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned to facilitate residential intensification and redevelopment, and land in draft approved and registered plans.</p>	<p>The proposed development will provide for a new housing choice and density in the existing built-up area. This addressed the need for more 'missing middle' housing.</p> <p>The intensification can be accommodated for the proposed development as it is a development opportunity within an existing land use pattern.</p> <p>The area is pedestrian-friendly, allowing people to access nearby amenities, such as public spaces, commercial, and recreational activities.</p> <p>The proposed density offers an opportunity to efficiently use existing municipal infrastructure.</p> <p>Full municipal services are available.</p>
1.4.3	Planning authorities shall provide for an appropriate range and mix of housing	The proposed density is compatible with the surrounding area and will



PPS Policy #	Policy	Response
	options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area.	<p>provide affordable intensification and infilling through the efficient use of the Site.</p> <p>The Site is close to nearby amenities.</p> <p>There is suitable and has access to full municipal infrastructure.</p>
1.6.1	Infrastructure and public service facilities shall be provided in an efficient manner that prepares for the impacts of a changing climate while accommodating projected needs.	<p>The development has access to full municipal services.</p> <p>Access to public transit is available.</p>
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.	<p>The proposed development will be serviced by municipal sewer, water and storm, which is the preferred form of serving for settlement areas.</p> <p>There will be no anticipated impacts on the municipal system and will not add to the capacity in a significant way, as supported by the required study.</p>
1.6.6.7	<p>Planning for stormwater management shall:</p> <p>a) be integrated with planning for sewage and water services and ensure that systems are optimized, feasible and financially viable over the long term;</p>	<p>There will be no risk to health and safety.</p> <p>The area is outside of the ERCA regulated area.</p> <p>Support studies have been provided.</p>



PPS Policy #	Policy	Response
	b) minimize, or, where possible, prevent increases in contaminant loads; 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.	
1.6.7.1	Transportation systems should be provided which are safe, energy efficient, facilitate the movement of people and goods, and are appropriate to address projected needs.	The subject property is near major roadways and has access to transit.
1.6.7.2	Efficient use should be made of existing and planned infrastructure, including through the use of transportation demand management strategies, where feasible.	The proposed development contributes to the City's requirements for development within a built-up area.  The area is serviced by transit with a bus stop close by.
1.6.7.4	A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation.	The proposed development contributes to the City's requirement for infilling within a built-up area.  Parking is provided on-site. No reduction of the required



PPS Policy #	Policy	Response
		<p>parking spaces is being requested.</p> <p>The area is pedestrian-friendly, allowing people to access nearby amenities, such as public spaces, commercial, and recreational activities.</p> <p>The proposed density offers an opportunity to efficiently use municipal infrastructure.</p>
1.8	Planning authorities shall support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and preparing for the impacts of a changing climate through land use and development patterns.	<p>The proposed development supports compact form within an existing built-up area of the City.</p> <p>The Site has access to transit and local amenities.</p>
2.1.1	Natural features and areas shall be protected for the long term.	<p>There are no natural features that apply to this Site.</p> <p>An NHE and Tree Study was completed. Some trees will be preserved.</p> <p>Mitigation measures are recommended including a buffer from the drain.</p>
2.2.1	Planning authorities shall protect, improve or restore the quality and quantity of water.	Full municipal services are available.
2.6.1	Significant built heritage resources and significant cultural heritage landscapes shall be conserved.	There are no heritage features that apply to this Site.
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	<p>There are no natural or human-made hazards that apply to this Site.</p> <p>The Site is outside of the ERCA regulated area.</p>



PPS Policy #	Policy	Response
	create new or aggravate existing hazards.	

Therefore, the proposed development is consistent with the PPS.

### 5.1.2 Official Plan

The City of Windsor Official Plan (OP) was adopted by Council on October 25, 1999, approved in part by the Ministry of Municipal Affairs and Housing (MMAH) on March 28, 2000 and the remainder approved by the Ontario Municipal Board (OMB) on November 1, 2002. Office consolidation version is dated September 7, 2012.

The OP implements the PPS and establishes a policy framework to guide land use planning decisions related to development and the provision of infrastructure and community services throughout the City.

The lands are designated “Mixed Use Corridor” according to Schedule “D-1: Land Use” (OPA 159) attached to the OP for the City of Windsor (see Figure 4 – OP).



Figure 4 – OP



The following provides a summary of the key policy considerations of the OP as it relates to the proposed development.

OP Policy #	Policy	Response
3.2.1.2	Encouraging a range of housing types will ensure that people have an opportunity to live in their neighbourhoods as they pass through the various stages of their lives.	<p>The proposed residential development supports the City's overall development strategies of providing for a range of housing types.</p> <p>Additional residents will contribute to the vitality of the neighbourhood and its multiple amenities, promote the increased reliance on transit, and provide additional economic benefits for the many existing businesses in the area.</p>
4.0	The implementing healthy community policies are interwoven throughout the remainder of the Plan, particularly within the Environment, Land Use, Infrastructure and Urban Design chapters, to ensure their consideration and application as a part of the planning process.	<p>The proposed development will support the City's goal of promoting a healthy community (live, work and play).</p> <p>The proposed development is close to nearby transit, employment, shopping, local/regional amenities and parks.</p>
5.0	A healthy and sustainable environment represents a balance between human activities and natural features and functions. In order to attain this balance, Council will enhance the quality of Windsor's natural environment and manage development in a manner that recognizes the environment as the basis of a safe, caring and diverse community and a vibrant economy.	<p>The proposed development will support the City's goal of a healthy and sustainable environment.</p> <p>The Site is pedestrian-friendly, as there are sidewalks that will link to the surrounding amenities.</p> <p>The Site is level, which is conducive to easy vehicular movements.</p> <p>There are no anticipated traffic concerns, no environmental</p>



OP Policy #	Policy	Response
		concerns, and no expected hazards.
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 residential needs of the City.</p> <p>The Site will provide for a new housing choice in the form of a 'missing middle' development.</p> <p>The subject lands comprise part of a growing residential community in Windsor, and if developed as proposed, would contribute to the existing population and housing density targets for the City of Windsor.</p>
6.1 - Goals	<p>In keeping with the Strategic Directions, Council's land use goals are to achieve:</p> <p>6.1.1 Safe, caring and diverse neighbourhoods.</p> <p>6.1.3 Housing suited to the needs of Windsor's residents.</p> <p>6.1.10 Pedestrian oriented clusters of residential, commercial, employment and institutional uses.</p>	<p>The proposed development supports the goals set out in the OP as it provides for housing that is suited to residents in this area of Windsor, is pedestrian-oriented, close to employment and schooling opportunities.</p> <p>The proposed development will make efficient use of existing land, infrastructure and services, and is located near the intersection of major roads, E.C. Row Expressway and Cabana Road East.</p> <p>Public transit is existing for the area, and the proposed development will provide a transit supportive density.</p> <p>The proposed development represents the development of underutilized parcels which</p>



OP Policy #	Policy	Response
		<p>were previously used for low-density residential uses. It is expected that redevelopment and new development will reflect the existing character of the neighbourhood and will provide a walkable environment with a pedestrian scale.</p> <p>The proposed development reflects the overall vision of the Windsor Official Plan and will contribute to the overall development of the area.</p>
6.2.1.2 – General Policies	<p>For the purpose of this Plan, Development Profile refers to the height of a building or structure. Accordingly, the following Development Profiles apply to all land use designations on Schedule D: Land Use unless specifically provided elsewhere in this Plan:</p> <p><b>(a) Low Profile developments are buildings or structures generally no greater than three (3) storeys in height;</b></p> <p>(b) Medium Profile developments are buildings or structures generally no greater than six (6) storeys in height; and</p> <p>(c) High Profile developments are buildings or structures generally, no greater than fourteen (14) storeys in height.</p>	The structure is considered a low profile building as the multiple dwellings are proposed to be 2 storeys in height.
6.5.3.1 – Mixed Use Corridor (OPA 159)	Uses permitted in the Mixed Use Corridor land use designation are primarily	Residential is proposed and supported as a permitted use



OP Policy #	Policy	Response
	<p>retail, wholesale store and service oriented uses and, to a lesser extent, office uses.</p> <p><b>Medium and High Profile residential uses either as standalone buildings</b> or part of a commercial-residential mixed use buildings shall be throughout the Corridors.</p>	<p>in the Mixed Use Corridor land use designation.</p> <p>The Site is well-located and in close proximity to a range of uses, including commercial, institutional and recreational uses.</p> <p>The Site is well connected to the arterial road network and utilizes existing access to public transportation.</p> <p>The proposed development will positively contribute to the vision outlined in the City of Windsor Official Plan for Mixed-Use Corridors by providing medium density residential uses along the Howard Avenue Corridor supporting active transportation and housing targets for the City of Windsor.</p>
6.5.3.3	<p>Council will encourage Mixed-Use Corridor development to provide a continuous street frontage and presence. Accordingly, development along a Mixed-Use Corridor shall be:</p> <p>a) no more than <b>four storeys</b> in height, except on lands at an intersection of any combination of the following roads: Class I Arterial Road, Class II Arterial Road, Class I Collector, or Class II Collector Road. The height of buildings shall generally not exceed the width of the road right-of-way</p>	<p>Each dwelling will be 2 storeys / 8.0 m in height.</p> <p>The proposed development will be compatible with the surrounding area.</p> <p>Primary pedestrian entrances will be provided via access from Howard Avenue, and landscaping will be planned throughout the development to enhance the private realm streetscape and the delineated private/public realm. Elements in the private street realm may include street trees, lighting</p>



OP Policy #	Policy	Response
	<p>abutting the development site; and b) Notwithstanding the identified maximum building height, the Council may consider additional height, where the Council is satisfied that the proposed height achieves <b>compatible development, and where appropriate transitions to abutting lower scale development are established.</b> Appropriate transitions may be achieved through the implementation of regulatory techniques including, but not limited to new height limitations, enhanced building setbacks and step backs, enhanced landscape buffers and planting requirements and/or the implementation of an angular plane. Permissions for taller buildings may be established through a site specific Zoning Bylaw Amendment. c) encouraged to locate the buildings at the <b>street frontage lot line</b> with parking accommodated at the rear of the site.</p>	<p>and landscaping. These items will be detailed through the site plan process.</p> <p>Building entrances will be visibly located along the private internal road with barrier-free sidewalks connecting from the entrances to parking areas and existing sidewalk infrastructure on Howard Avenue.</p>
6.5.3.4 - Infill	Council shall promote the infilling and consolidation of existing Commercial Corridors.	The proposed development is support by the policy to infill existing parcels of land.
6.5.3.6 – Location Criteria	Commercial Corridor development shall be located where: (a) there is access to Class I or Class II Arterial Roads or Class I Collector Roads; (b) full municipal physical services can be provided; and (c) commercial	The Site has access to Howard Ave.



OP Policy #	Policy	Response
	related traffic can be directed away from residential areas.	
6.5.3.7 - Evaluation Criteria	<p>At the time of submission, the proponent shall demonstrate to the satisfaction of the Municipality that a proposed commercial development is:</p> <p>(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) within a site of potential or known contamination; (iii) where traffic generation and distribution is a provincial or municipal concern; and (iv) 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; (e) compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and landscaped areas; and (f) acceptable in terms of the proposal's market impacts on other commercial areas (see Procedures chapter).</p>	<p>This PRR has addressed the PPS and the City OP policies.</p> <p>There are no constraint areas that impact this Site.</p> <p>There is no known contamination.</p> <p>Traffic is not anticipated to have any impact. A TIS has been prepared. Mitigation measures are recommended.</p> <p>There are no sensitive areas.</p> <p>Full municipal services are available.</p> <p>The proposed development will not have any impact on the enjoyment and privacy of abutting lands.</p> <p>The Site is pedestrian friendly and offers bicycle parking.</p> <p>On-site parking is provided.</p> <p>There is a need for more housing choices in the City of Windsor.</p>



OP Policy #	Policy	Response
6.5.3.8 - Design Guidelines	<p>The following guidelines shall be considered when evaluating the proposed design of a Commercial Corridor development: (a) the ability to achieve the associated policies as outlined in the Urban Design chapter of this Plan; (b) 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; (c) as a general rule, the height of buildings are consistent with the height of buildings which characterize the Commercial Corridor. Where Council deems it desirable that higher profile development be permitted in an existing Commercial Corridor, the development should be built at a human scale by utilizing one or both of the following measures: (i) treatment of the lower floors of building(s) to provide continuity; and/or (ii) setting back the upper floors of building(s) from the street to avoid overpowering effects at-grade; (d) where possible, parking is located in the rear of the property to encourage continuous building facades adjacent to the street; and (e) measures are taken in site design which provide for ease of access for pedestrians between the public sidewalk and building main entrances in a manner</p>	<p>A UDB has been completed and includes design recommendations.</p> <p>The proposed development will be built with high design standards and will comply with the City's design guidelines.</p> <p>The multiple dwelling design is a compact form of residential development.</p> <p>The Site is pedestrian friendly.</p> <p>The proposed development will blend well with the mix of commercial and residential uses in the existing built up area.</p> <p>The proposed building design will create an identifiable character, and include a variety of colours, materials and facade.</p> <p>The proposed architectural features will have high quality design, consistent with the guidelines set out in the City of Windsor Intensification Guidelines.</p> <p>Landscaping will soften the built form and provide additional character and visual interest within the development and along the street frontage of Howard Avenue.</p> <p>The proposed development has regard for neighbouring buildings and ensures that</p>



OP Policy #	Policy	Response
	<p>which is distinguishable from access provided for vehicles,</p> <p>(f) Council will adopt Design Guidelines that will assist in the design and review of development applications in a manner that will ensure implementation of these policies.</p>	<p>there is an appropriate transition in height and scale from the west and south of the lands. The new building massing has been limited to 2-storeys to ensure that the general proportions and fit with and complement the existing neighbourhood context.</p> <p>Adequate setbacks between adjacent buildings are proposed.</p>
6.5.3.9 - Site Plan Control	Council shall require all development within areas designated as Commercial Corridor to be subject to site plan control, with the exception of Public Open Space uses.	The proposed development will be subject to SPC prior to the issuance of a building permit.
7.0 - Infrastructure	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>The Site is close to nearby transit, off a major roadway and has access to full municipal services.</p> <p>An assessment of services has been completed.</p> <p>There will be no negative impacts on the municipal system as the proposed buildings will be limited to low profile and will not add to the capacity in a significant way.</p>
8 – Urban Design	A memorable, attractive and liveable city is one where people feel comfortable and are inspired by their surroundings. The physical systems and built form of the City are also designed to protect, maintain and improve the quality of life for present and future generations by	<p>A UDB has been prepared.</p> <p>The design of the proposed multiple dwellings will blend with the surrounding residential area as the dwellings are considered small scale low profile. The proposed building will be limited to 2 storeys in height.</p>



OP Policy #	Policy	Response
	<p>integrating the principles of sustainability and place making. In order for Windsor to be such a city, Council is committed to urban design principles that enhance the enjoyment and <b>image</b> of Windsor and its <b>people</b>.</p>	<p>The Site is pedestrian-friendly and is a safe place for people to live.</p> <p>The Site is compatible with the surrounding area in terms of scale, massing, height, and siting.</p> <p>The proposed parking area will be integrated with the development.</p> <p>The dwellings will have a clean façade facing the private internal roadway.</p> <p>The proposed development will contribute to the overall image of Windsor by providing additional housing opportunities along Howard Avenue. Howard Avenue is designated as a Mixed Use Corridor that should foster a distinctive and attractive area identity.</p> <p>It is expected that the new development will reflect the existing character of the neighbourhood and will provide a walkable environment with a pedestrian scale.</p> <p>The proposed development will make efficient use of existing land, infrastructure and services, and is located near the intersection of major roads, E.C. Row Expressway and Cabana Road East. Public transit is existing for the</p>



OP Policy #	Policy	Response
		<p>area, and the proposed development will provide a transit supportive density.</p> <p>The proposed development represents the development of underutilized parcels which were previously used for low-density residential uses. It is expected that redevelopment and new development will reflect the existing character of the neighbourhood and will provide a walkable environment with a pedestrian scale.</p> <p>The proposed development reflects the overall vision of the OP and will contribute to the overall development of the area.</p>
8.7.2.3 – Infill	<p>Council will ensure that proposed development within an established neighbourhood is designed to function as an integral and complementary part of that area's existing development pattern by having regard for:</p> <ul style="list-style-type: none"> <li>(a) massing;</li> <li>(b) building height;</li> <li>(c) architectural proportion;</li> <li>(d) volumes of defined space;</li> <li>(e) lot size;</li> <li>(f) position relative to the road;</li> <li>(g) building area to site area ratios;</li> <li>(h) the pattern, scale and character of existing development; and, (Added by OPA #66–11/05/07-B/L209-2007);</li> </ul>	<p>It is intended that the residential units will offer a new dwelling type within a primarily single detached residential neighbourhood.</p> <p>There is an appropriate transition in height and built-form to adjacent uses.</p> <p>This development is designed to become a functional component of the urban fabric of the existing and planned neighbourhood.</p> <p>The UDB has taken into consideration the City Intensification Urban Guidelines.</p>



OP Policy #	Policy	Response
	(i) exterior building appearance (Added by OPA #66–11/05/07-B/L209-2007); (j) Council adopted Design Guidelines that will assist in the design and review of applications for development in accordance with the policies noted above (OPA 159).	

Therefore, the proposed development conforms to the City of Windsor OP and an official plan amendment is not required.

### 5.1.3 Zoning By-law

The City of Windsor Zoning By-Law (ZBL) #8600 was passed by Council on July 8, 2002, and then a further Ontario Municipal Board (OMB) decision was issued on January 14, 2003.

A ZBL implements the PPS and the City OP by regulating the specific use of property and provide for its day-to-day administration.

The Site is currently zoned “Residential District 1.1 (RD1.1)” Zone and “Holding Residential District 1.1 (HRD1.1)” Zone on Map 8 of the City of Windsor Zoning By-Law #8600 (see Figure 5 – Zoning).





Figure 5 – Zoning

A site specific zoning is required for the Site in order to permit multiple dwellings with four dwelling units or less and multiple dwellings with 5 or more dwelling units.

It is proposed to change the zoning of the Site to a site specific “Residential District 2.2 (RD2.2– S.20(1) (XXX))” Zone.

*MULTIPLE DWELLING means one dwelling containing a minimum of three dwelling units. A double duplex dwelling, semi-detached dwelling, stacked dwelling, or townhome dwelling is not a multiple dwelling.*

A review of the RD2.2 zone provisions, as set out in Section 11.2.3.4 of the ZBL are as follows:

Zone Regulations	Required RD2.2	Proposed	Compliance and/or Relief Requested with Justification
Permitted Uses	One Double Duplex Dwelling	Multiple Dwellings - with four	Will comply, subject to the ZBA.



Zone Regulations	Required RD2.2	Proposed	Compliance and/or Relief Requested with Justification
	One Duplex Dwelling <b>One Multiple Dwelling containing a maximum of four dwelling units</b> One Semi-Detached Dwelling One Single Unit Dwelling Townhome Dwelling Any use accessory to any of the preceding uses	dwellings units or less and multiple dwellings with 5 or more dwelling units	Proposed 11 multiple dwellings (six 4-plexs and five 8-plexs) for a total of 64 units.
Lot Frontage – min	18.0 m	61.0 m	Complies
Lot Area – min	540.0 m <sup>2</sup>	12,591.6 m <sup>2</sup>	Complies
Lot Coverage - maximum	45.0%	34.4 %	Complies
Building Height – min/max	9.0 m	8.0 m	Complies
Front Yard Depth – min	6.0 m	9.4 m	Complies
Rear Yard Depth - minimum	7.50 m	7.50 m	Complies
Side Yard Width - minimum	1.80 m	North – 9.4 m South – 5.4 m	Complies
Parking Area Separation - minimum 25.5.20.2	A Street – 3.0 m	6.0 m	Complies
Parking Area Separation - minimum 25.5.20.3	An interior lot line or alley - 0.90 m	< 0.90 m	Complies



Zone Regulations	Required RD2.2	Proposed	Compliance and/or Relief Requested with Justification
Parking Area Separation - minimum 25.5.20.5	Building Wall (Main Entrance) – 2.0 m	< 2.0 m	Complies
Parking Area Separation - minimum 25.5.20.6	Building Wall (habitable room window) – 4.50 m	< 4.50 m	Complies
Parking Requirements 24.20.5.1	Multiple Dwelling containing a maximum of 4 Dwelling units - 1 for each dwelling unit  <b>24 x 1 = 24</b>  Multiple Dwelling containing a minimum of 5 Dwelling units - 1.25 for each dwelling unit  <b>40 x 1.25 = 50</b>	74	Complies  Includes garage, driveways and parking area.
Accessible Parking Spaces 24.24.1	26 to 100 <b>= 2</b>	2	Complies
Visitor 24.24.1	N/A	N/A	Complies
Bicycle Parking Spaces 24.30.1.1	20 or more - 2 for the first 19 paces plus 1 for each additional 20 parking spaces  <b>= 2</b>	3	Complies
Loading 24.40.1	N/A	0	Complies

Therefore, the proposed development will require a site-specific zoning RD2.2 - S.20(1)(XXX) Zone in order to permit the proposed multiple dwelling units.

All other zone provisions can be complied with.







## **6.0 SUMMARY AND CONCLUSION**

### **6.1 Context and Site Suitability Summary**

#### **6.1.1 Site Suitability**

The Site is ideally suited for residential development for the following reasons:

- The land area is sufficient to accommodate the proposed development,
- The Site is generally level, which is conducive to easy vehicular movements,
- The Site already accommodates municipal water, storm and sewer systems,
- There are no anticipated traffic concerns,
- There are no environmental concerns, and
- There are no hazards.

#### **6.1.2 Compatibility of Design**

The Site is compatible with the surrounding area in terms of scale, massing, height and siting.

The overall proposed building design will incorporate unique aesthetic properties while utilizing high quality building materials to ensure a façade and structure that promote a cohesive and compatible urban character.

#### **6.1.3 Good Planning**

Overall, the proposed development supports intensification within the Mixed-Use Corridor and will contribute positively towards the economic development and vitality of South Windsor and implements the objectives within the City of Windsor Official Plan and Intensification Guidelines.

The proposal represents good planning as it addresses the need for the City to provide 'missing middle' residential development.

The proposed units will contribute toward affordability and intensification requirements.

Residential use on the Site represents an efficient development pattern that optimizes the use of land in an existing built-up area which has residential and commercial uses surrounding the Site.

The proposed residential units will not put any additional stress on municipal infrastructure or the current Site.

#### **6.1.4 Natural Environment Impacts**

The proposal does not have any negative natural environmental impacts, as there are no natural heritage features on the Site.



### 6.1.5 Municipal Services Impacts

There will be no negative impacts on the municipal system as the residential development is limited to **low profile** and will not add to the capacity in a significant way.

### 6.1.6 Social and/or Economic Conditions

The proposed development does not negatively affect the social environment as the Site is in close proximity to major transportation corridors, transit, places of worship and community amenities.

Adding residential units on the Site 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 pattern, 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 development opportunity.

## 6.2 Conclusion

The proposal to add multiple dwellings on the Site is appropriate and should be approved by the City of Windsor.

This PRR has shown that the proposed development is suitable, is consistent with the PPS, conforms with the intent and purpose of the City of Windsor OP, compiles with the intent of the City of Windsor ZBL and represents good planning.

The report components for this PRR have set out the following, as required under the City of Windsor OP:

*10.2.13.2 Where a Planning Rationale Report is required, such a study should:*

- (a) Include a description of the proposal and the approvals required;*
- (b) Describe the Site's previous development approval history;*
- (c) Describe major physical features or attributes of the Site including current land uses(s) and surrounding land uses, built form and contextual considerations;*
- (d) Describe whether the proposal is consistent with the provincial policy statements issued under the Planning Act.*



- (e) Describe the way in which relevant Official Plan policies will be addressed, including both general policies and site-specific land use designations and policies;*
- (f) Describe whether the proposal addresses the Community Strategic Plan;*
- (g) Describe the suitability of the Site and indicate reasons why the proposal is appropriate for this Site and will function well to meet the needs of the intended future users;*
- (h) Provide an analysis of the compatibility of the design and massing of the proposed developments and land use designations;*
- (i) Provide an analysis and opinion as to why the proposal represents good planning, including the details of any methods that are used to mitigate potential negative impacts;*
- (j) Describe the impact on the natural environment;*
- (k) Describe the impact on municipal services;*
- (l) Describe how the proposal will affect the social and/or economic conditions using demographic information and current trends; and,*
- (m) Describe areas of compliance and non-compliance with the Zoning By-law.*

**Planner's Certificate:**

I hereby certify that this report was prepared by Tracey Pillon-Abbs, a Registered Professional Planner, within the meaning of the Ontario Professional Planners Institute Act, 1994.

  
**Tracey Pillon-Abbs, RPP**  
**Principal Planner**





# **PLANNING RATIONALE REPORT ADDENDUM**

## **ZONING BY-LAW AMENDMENT For Proposed RESIDENTIAL DEVELOPMENT**

**3623, 3631, and 3637 Howard Ave  
Windsor, Ontario**

**July 13, 2023**

**Prepared by:**



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## **1.0 INTRODUCTION**

I have been retained by 5050542 Ontario Inc. (herein the “Applicant”) to provide a land use Planning Rationale Report (PRR) in support of a proposed residential development for property located at 3623, 3631 and 3637 Howard Avenue (herein the “Site”) in the City of Windsor, Province of Ontario.

A site-specific Zoning By-law Amendment (ZBA) is required in support of the proposed development.

The purpose of this report is to provide additional information based on a discussion with City of Windsor Staff and request an amendment to the ZBA application based on a revised concept plan.

## **2.0 SITE**

The Site is made up of 3 parcels of land located on the west side of Howard Avenue in Ward 9, South Windsor Planning District (see Site located in red on Figure 1 – Key Map).





Figure 1 – Key Map (City of Windsor GIS)

The Site consists of a total area of approximately 12,591.6 m<sup>2</sup> / 1.259 ha in size. The Site has a total frontage of 61.0 m along Howard Avenue and a depth of 206.55 m.

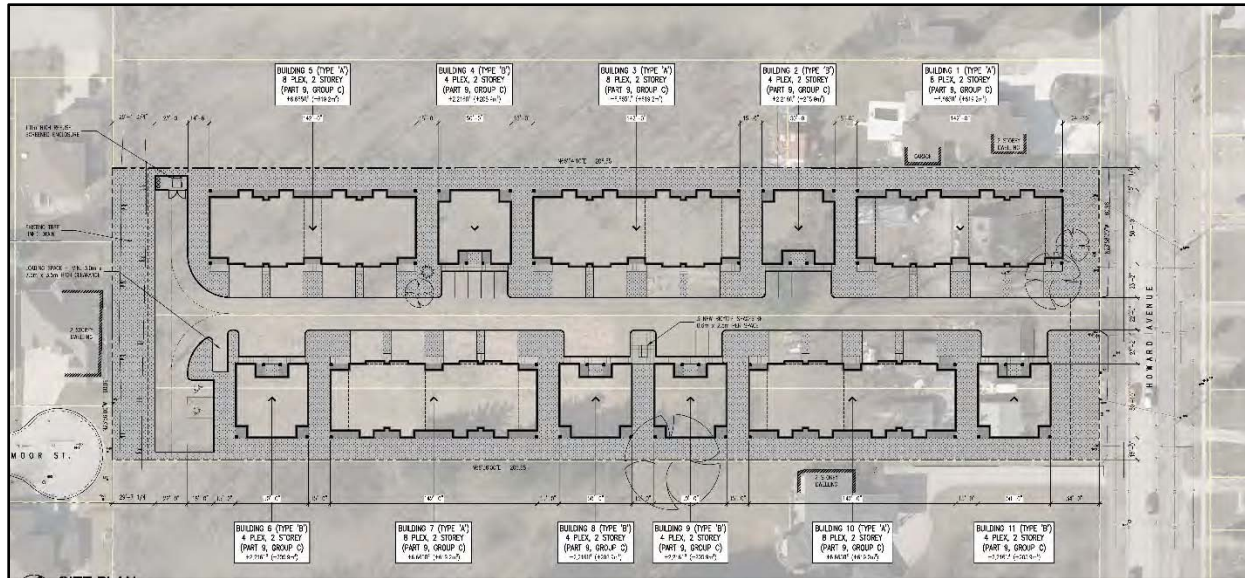
The property has access to municipal water, storm and sanitary services.

### 3.0 PROPOSAL

The Applicant is proposing to consolidate all 3 parcels of land and develop them for residential use.



A concept plan was prepared by ADA Inc. Architect, dated July 2021 (see Figure 2a – Site Plan).



The proposed development included 11 multiple residential buildings consisting of six 4-plex buildings and five 8-plex buildings with a total of 64 residential units. Tenure condominium (freehold). On site parking was provided.



Based on discussions with City of Windsor Staff, a revised concept plan has been prepared by ADA Inc. Architect, dated July 12, 2023 (see Figure 3 – Revised Site Plan).

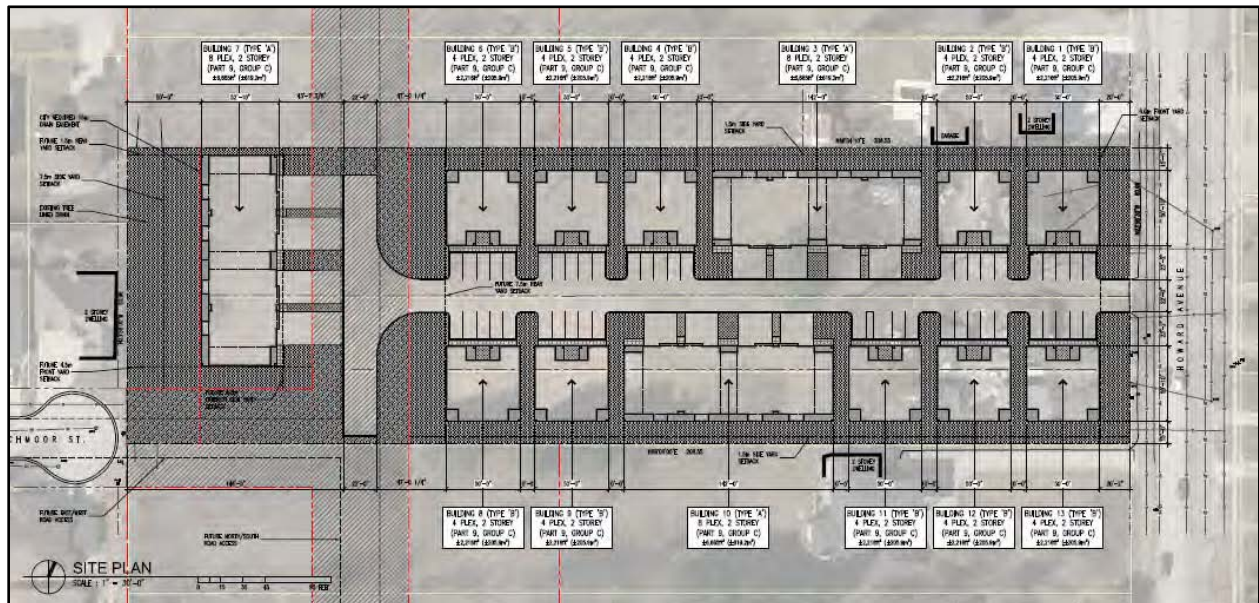


Figure 3 – Revised Site Plan

The revised concept plan still includes the redevelopment of the subject lands to establish multiple residential uses.

The proposed development now includes 13 multiple residential buildings consisting of ten 4-plex buildings and three 8-plex buildings with a total of 64 residential units.

Each dwelling will be 2 storeys / 8.0 m in height. Tenure will still be condominium (freehold).

On site parking is still proposed.

A new future right-of-way (r-o-w) of 20 m is proposed to facilitate any future connections and conveyed to the City.

An easement will be required for the Merritt Drain located on the west side of the Site.

The purpose of the revised concept is to allow for future vehicle and pedestrian connections to abutting lands to the west, north, and south to ensure future development is viable. Connections will also allow for coordinated provision of services and infrastructure.

A Guideline Plan is required to be undertaken to determine roads, infrastructure, and the form of development that should be permitted. This will include consultation with abutting property owners 120 m from the Site.



The h symbol can be applied to the westerly most 58 m of the Site and allow the balance to be developed in a phased approach.

An amendment to the Zoning By-Law Amendment (ZBA) application is required to facilitate the revised concept plan.

A site specific zoning is required for the Site in order to permit multiple dwellings with four dwelling units or less and multiple dwellings with 5 or more dwelling units.



It is proposed to change the zoning of the Site to a site specific “Residential District 2.2 (RD2.2–S.20(1) (XXX))” Zone.

If the new r-o-w is constructed, the proposed building 7, as shown on the revised concept plan will be located on a separate lot. The proposed building will be freehold. The front yard will be the east side of the lot and the rear yard will be the west side of the lot.

A review of the RD2.2 zone provisions, as set out in Section 11.2.3.4 of the ZBL are as follows:

Zone Regulations	Required RD2.2	Proposed (As Revised)	Compliance and/or Relief Requested with Justification
Permitted Uses	One Double Duplex Dwelling One Duplex Dwelling <b>One Multiple Dwelling containing a maximum of four dwelling units</b> One Semi-Detached Dwelling One Single Unit Dwelling Townhome Dwelling Any use accessory to any of the preceding uses	Multiple Dwellings - with four dwellings units or less and multiple dwellings with 5 or more dwelling units	Will comply, subject to the ZBA.  Proposed multiple dwellings
Lot Frontage – min	18.0 m	61.0 m  (building 7 – 49.56 m, east side, along north-south r-o-w)	Complies
Lot Area – min	540.0 m <sup>2</sup>	12,591.6 m <sup>2</sup>  (building 7 lot area – 1,885 m <sup>2</sup> )	Complies



Zone Regulations	Required RD2.2	Proposed (As Revised)	Compliance and/or Relief Requested with Justification
		(10,706.6 m <sup>2</sup> - without building 7)	
Lot Coverage - maximum	45.0%	31.0 %  (building 7 – 32.8 %)  (without building 7 – 36.4 %)	Complies
Building Height – min/max	9.0 m	8.0 m	Complies
Front Yard Depth – minimum	6.0 m	East – 6.2 m  (building 7 – east 6 m)	Complies
Rear Yard Depth - minimum	7.50 m	West – 15.2 m  (building 7 – west 7.5 m)	Complies
Side Yard Width - minimum	1.80 m	North – 4.6 m  South – 4.6 m  (building 7 – north 1.5 m and south 6.0)	Complies  Building 7 complies south side.  Relief is required for Building 7 on the north side (interior lot).
Parking Area Separation - minimum 25.5.20.2	A Street – 3.0 m	>3.0 m	Complies
Parking Area Separation - minimum 25.5.20.3	An interior lot line or alley - 0.90 m	>0.90 m	Complies



Zone Regulations	Required RD2.2	Proposed (As Revised)	Compliance and/or Relief Requested with Justification
Parking Area Separation - minimum 25.5.20.5	Building Wall (Main Entrance) – 2.0 m	>2.0 m	Complies
Parking Area Separation - minimum 25.5.20.6	Building Wall (habitable room window) – 4.50 m	>4.50m	Complies
Parking Requirements 24.20.5.1	<p>Multiple Dwelling containing a maximum of 4 Dwelling units - 1 for each dwelling unit</p> <p><b>40 x 1 = 40</b></p> <p>Multiple Dwelling containing a minimum of 5 Dwelling units - 1.25 for each dwelling unit</p> <p><b>24 x 1.25 = 30</b></p> <p><b>TOTAL = 70</b></p>	73	<p>Complies</p> <p>Includes garage, driveways, and parking area.</p>
Accessible Parking Spaces 24.24.1	<p>26 to 100</p> <p><b>= 2</b></p>	2	Complies
Visitor 24.24.1	N/A	N/A	Complies
Bicycle Parking Spaces 24.30.1.1	<p>20 or more - 2 for the first 19 paces plus 1 for each additional 20 parking spaces</p> <p><b>2 + 2.7 = 4.7 (4 rounded down)</b></p>	4	Complies
Loading 24.40.1	N/A	0	Complies



Therefore, the proposed development will require a site-specific zoning RD2.2 - S.20(1)(XXX) Zone in order to permit the proposed multiple dwelling units.

For Building 7, the following relief is required:

- a) Decrease the required minimum interior side yard width for building 7 (north side) from 1.80m to 1.5m.*

All other zone provisions can be complied with.

## **5.0 CONCLUSION**

Overall, the proposed development supports intensification within the Mixed-Use Corridor and will contribute positively towards the economic development and vitality of South Windsor and implements the objectives within the City of Windsor Official Plan and Intensification Guidelines.

The proposal represents good planning as it addresses the need for the City to provide 'missing middle' residential development.

The proposed units will contribute toward affordability and intensification requirements.

Residential use on the Site represents an efficient development pattern that optimizes the use of land in an existing built-up area which has residential and commercial uses surrounding the Site.

The proposed residential units will not put any additional stress on municipal infrastructure or the current Site.

This PRR has shown that the proposed development is suitable, is consistent with the PPS, conforms with the intent and purpose of the City of Windsor OP, compiles with the intent of the City of Windsor ZBL, 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**





## **APPENDIX F - RESULTS OF CIRCULATION – Z-003/23 ZNG/6949**

### **CANADA POST – BRUNO DESANDO**

Thank you for contacting Canada Post regarding plans for a proposed new multi-unit residential development in the City of Windsor. Please see Canada Post's feedback regarding the proposal, below.

#### **Service type and location**

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

#### **Municipal requirements**

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

#### **Developer timeline and installation**

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

#### **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.



## APPENDIX F - RESULTS OF CIRCULATION – Z-003/23 ZNG/6949

### CITY OF WINDSOR – 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 reached by phoning 519-255-6267 or, through email at [buildingdept@citywindsor.ca](mailto:buildingdept@citywindsor.ca)

### CITY OF WINDSOR – ENGINEERING - SHANNON MILLS

**Sewers** - The site may be serviced by a 525mm sanitary sewer and a 1050mm storm sewer located within the Howard Ave right-of-way. If possible existing connections should be utilized. Any redundant connections shall be abandoned in accordance with the City of Windsor Engineering Best Practice B.P 1.3.3.

A Sanitary Sewer Memo submitted with this application confirms that the proposed medium-density residential development sewage flow rates will not have a negative impact to the existing sanitary sewer system. A sanitary sampling manhole is required at the property line to the satisfaction of the City Engineer, if one does not already exist.

The applicant will be required to submit site servicing drawings and storm detention calculations restricting storm water runoff to pre-development levels, as per the Windsor Essex Regional Stormwater Management Standards Manual. A Storm Sewer Memo submitted with this application confirms the pre-development release rate to be 33L/s.

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

**Right-of-Way** - Howard Ave is classified as a Class II Arterial Road with a required right-of-way width of 23 meters per Howard Avenue Environmental Assessment (EA). The existing right-of-way along the frontage of the subject property is sufficient, therefore, a land conveyance is not required. A 0.3m reserve is required along the Lochmoor Street frontage of the subject property.

Currently, Howard Avenue is lacking curb and gutter as well as sidewalk along both sides of Howard Avenue. The owner shall agree to contribute \$7,010.00 towards the construction of sidewalks within the right-of-way, as well as contribute \$3,660.00 towards the future construction of curb and gutter along Howard Avenue.

In summary we have no objection to the proposed development, subject to the following requirements:

**Site Plan Control Agreement** - The applicant enter into an agreement with the City of Windsor for all requirements under the General Provisions of the Site Plan Control Agreement for the Engineering Department.



## APPENDIX F - RESULTS OF CIRCULATION – Z-003/23 ZNG/6949

**Curb & Gutters** – The Owner further agrees to pay to the Corporation, prior to the issuance of a construction permit, the sum of \$3,660.00 being the Owner's contribution towards the future construction of concrete curb and gutter on the frontage of the subject lands.

**Reserves** – The owner covenants and agrees that dead-ended highways shall terminate in 0.3 metre reserve blocks. The owner further agrees to gratuitously convey to the Corporation those 0.3 metre reserves in fee simple and without encumbrance and *prior to the issuance of any construction permits*, in order that the Corporation may hold the aforesaid reserve blocks, until required for future highway purposes or for development of adjacent lands.

**Servicing Study** – The owner agrees, at its own expense, to retain a Consulting Engineer to provide a detailed servicing study report on the impact of the increased flow to the existing municipal sewer systems, satisfactory in content to the City Engineer and prior to the issuance of a construction permit. The study shall review the proposed impact and recommend mitigating measures and implementation of those measures.

**Sidewalks** –The owner(s) agrees, to pay to the Corporation, prior to the issuance of a Building Permit, the sum of \$7,010.00 being the Owner's contribution towards the future construction of a concrete sidewalk on the Howard Avenue frontage of the subject lands.

If you have any further questions or concerns, please contact Shannon Mills at [smills@citywindsor.ca](mailto:smills@citywindsor.ca)

### CITY OF WINDSOR – PARKS & FACILITIES – CITY FORESTER – YEMI ADEYEYE

Forestry is in agreement with Stefan Fediuk's feedback.

### CITY OF WINDSOR – PARKS & FACILITIES – LANDSCAPE ARCHITECT – BARSOM SHERIF

After reviewing the submitted concept plans, layout, Planning Rationale Report that covers the points of 4.3.5 Urban design and point 4.3.6 Biology as for the SARS, Parks Development & Design has no issue or comments.

### CITY OF WINDSOR – PLANNING DEPARTMENT – HERITAGE PLANNING - TRACEY TANG

No supporting information required. There is no apparent built heritage concern with this property and it is located on an area of low archaeological potential. Nevertheless, the Applicant should note the following archaeological precaution.

1. Should archaeological resources be found during grading, construction or soil removal activities, all work in the area must stop immediately and the City's Planning & Building Department, the City's Manager of Culture and Events, and the Ontario Ministry of Citizenship and Multiculturalism must be notified and confirm satisfaction of any archaeological requirements before work can recommence.
2. In the event that human remains are encountered during grading, construction or soil removal activities, all work in that area must be stopped immediately and the site secured. The local police or coroner must be contacted to determine whether or not the skeletal remains are human, and whether the remains constitute a part of a crime scene. The Local police or coroner will then notify the Ontario Ministry of Citizenship and Multiculturalism and the Registrar at the Ministry of Government and Consumer Services if needed, and notification and satisfactory confirmation be given by the Ministry of Citizenship and Multiculturalism.



## APPENDIX F - RESULTS OF CIRCULATION – Z-003/23 ZNG/6949

### Contacts:

Windsor Planning Department:

519-255-6543 x6179, [ktang@citywindsor.ca](mailto:ktang@citywindsor.ca), [planningdept@citywindsor.ca](mailto:planningdept@citywindsor.ca)

Windsor Manager of Culture and Events (A):

Michelle Staadegaard, (O) 519-253-2300x2726, (C) 519-816-0711,  
[mstaadegaard@citywindsor.ca](mailto:mstaadegaard@citywindsor.ca)

Ontario Ministry of Citizenship and Multiculturalism

Archaeology Programs Unit, 1-416-212-8886, [Archaeology@ontario.ca](mailto:Archaeology@ontario.ca)

Windsor Police: 911

Ontario Ministry of Government & Consumer Services

A/Registrar of Burial Sites, War Graves, Abandoned Cemeteries and Cemetery  
Closures, 1-416-212-7499, [Crystal.Forrest@ontario.ca](mailto:Crystal.Forrest@ontario.ca)

### CITY OF WINDSOR – PLANNING DEPARTMENT – LANDSCAPE ARCHITECT & URBAN DESIGN – STEFAN FEDIUK

Pursuant to the application for a zoning amendment Z 003/23 to rezone to RD2.2 to permit development consisting of 11 multiple dwellings on the subject, please note also the following comments:

**Zoning Provisions for Parking Setback:** The proposed development respects the setback requirements for the proposed zoning. Therefore, no additional landscape requirements are requested.

**Climate Change and Tree & Natural Features Preservation:** The applicant has provided a Natural Heritage Evaluation and Tree Preservation Study prepared by Insight Environmental Solutions Inc. which, identifies no evidence of SARS Flora but that presence of a provincially significant S3 plant (*Euonymus atropurpureus*) Eastern Burning-Bush which is vulnerable due to its fairly restricted range as it rarely occurs outside of Essex Region.

The report identifies 53 existing trees on site of varying species, size and structure. It further recommends that nine trees within/adjacent to the municipal drain or buffer, near the south-west corner of the property, be preserved and protected. The proposed site plan however does not identify these trees and indicates five different trees that may or may not be able to be preserved due their proximity to the proposed building and/or paved areas. The proposed development is reducing a significant amount green field, which are considered a means to mitigate storm water runoff from hard surfaces. Preservation of and addition to the urban tree canopy will help to continue the sustainability of this site and reduce the amount of stormwater from reaching the city's sewers.

Any loss to the urban tree canopy is to be compensated at a rate of caliper-to-caliper based on the NHETP provided. It is calculated that there is 2710 cm of tree on the property, with 271.5 cm recommended to be retained for a net loss of 2438.5cm. Compensation would be 49 at 50 cm caliper trees to be planted in addition to the minimum requirements for Site Plan Approval, or cash-in-lieu to the satisfaction of the City Forester at the rate of 1 tree per 50cm tree as found in the Schedule of Fees at the time of a building permit being issued.



## APPENDIX F - RESULTS OF CIRCULATION – Z-003/23 ZNG/6949

The NHETP makes several recommendations related to project which are supported by the Landscape Architect from a healthy urban design perspective. These Include:

- 5.1.1. Timing for clearing to align with the Migratory Birds Convention Act 1994.
- 5.1.2. Clearing to be kept to a minimum especially along the civic drain to reduce any potential amphibian breeding habitat destruction.
- 5.1.3. Contaminant and Spill Mitigation.
- 5.1.4. Operation of Machinery to reduce any soil contamination and habitat destruction.

In addition, the recommended tree preservation techniques and recommendations found in section 6.5 of the report are supported.

**Urban Design:** The proposed facades on the development retain a suburban character and are supported. It is recommended however that the colour variation between the lower brickwork and the vertical siding be increased to provide better visual cues for persons with visual disabilities. Darker brickwork would also aid in temperature modification from a climate change perspective.

**Parkland Dedication:** All requirements will be determined at the time a Site Plan application is received.

### CITY OF WINDSOR – PLANNING DEPARTMENT – SITE PLAN CONTROL – JACQUELINE CABRAL

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>.

### CITY OF WINDSOR – TRANSPORTATION PLANNING – CLARE AMICARELLI

- Howard Ave is classified as a Class II Arterial Road with a required right-of-way width of 23 meters per Howard Avenue Environmental Assessment (EA). The existing right-of-way along the frontage of the subject property is sufficient, therefore, a land conveyance is not required.
- Per the Official Plan, a sidewalk is required on two sides of an Arterial Road. Engineering Right-of-Way to determine if a contribution or construction is required.
- The updated Traffic Impact Statement conducted by RC Spencer Associates Inc. dated April 2023 was reviewed and Transportation Planning has the following comments:
  - Report states the intersection of the proposed site access at Howard Ave will perform satisfactorily in the both AM and PM peak hours.
  - Report states, “a “slip-by” lane (ie. paved shoulder) should be integrated into the site access design as an interim measure until Howard Avenue is reconstructed to a four-lane cross section (in accordance with the May 2003 Environmental Assessment).” This offsite improvement should be provided at the time of development and should be provided at the developer’s cost. This can be addressed at time of Site Plan Control.
  - Report states sight lines at the site access appear to be unobstructed.



## **APPENDIX F - RESULTS OF CIRCULATION – Z-003/23 ZNG/6949**

- If development is significantly different at time of site plan, such as number of units or driveway location, supplementary view may be required at time of Site Plan Control.
- All parking must comply with ZBL 8600, otherwise a parking study may be required.
- All accesses shall conform to the TAC Geometric Design Guide for Canadian Roads and the City of Windsor Standard Engineering Drawings.
- All exterior paths of travel must meet the requirements of the Accessibility for Ontarians with Disabilities Act (AODA).

### **ENBRIDGE**

After reviewing the provided drawing at 3623-3631-3637 Howard Ave and consulting our mapping system, please note that Enbridge Gas has active infrastructure in the proposed area. A PDF drawing has 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 of 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 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

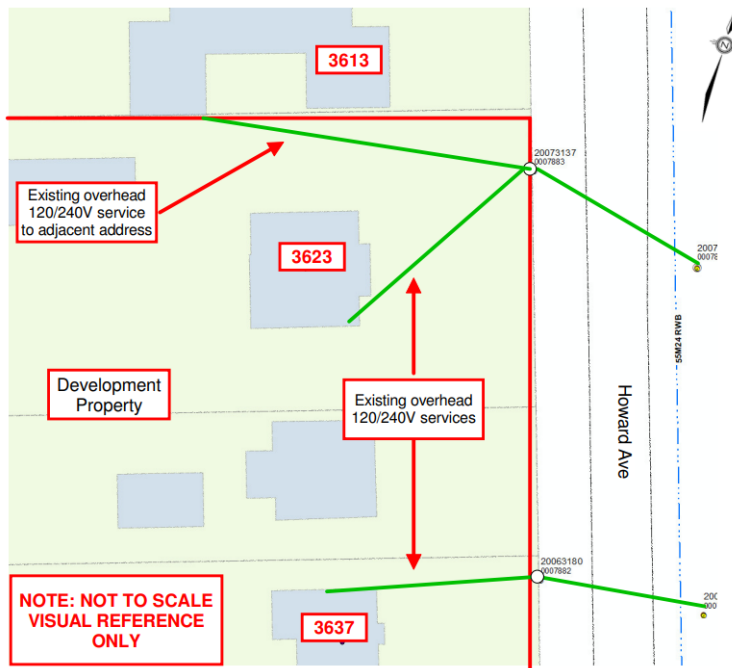
Please contact me if you have any further questions or concerns.



City Council Agenda - Tuesday, September 5, 2023  
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## APPENDIX F - RESULTS OF CIRCULATION – Z-003/23 ZNG/6949



**Water Engineering:** Water Engineering has no objections.

### TRANSIT WINDSOR - JASON SCOTT

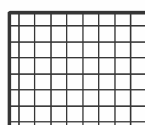

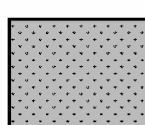
Transit Windsor has no objections to this development. The closest existing transit route to this property is with the South Windsor 7. The closest existing bus stop is directly in front of this property on Howard at Maguire Southwest Corner providing direct transit service. This will remain unchanged with our Council approved Transit Master Plan. Transit Windsor has no immediate or future plans on relocating the bus stop directly adjacent to this property. If the bus stop needs to temporarily be closed due to construction, Transit Windsor requires a minimum of 2 weeks notice.

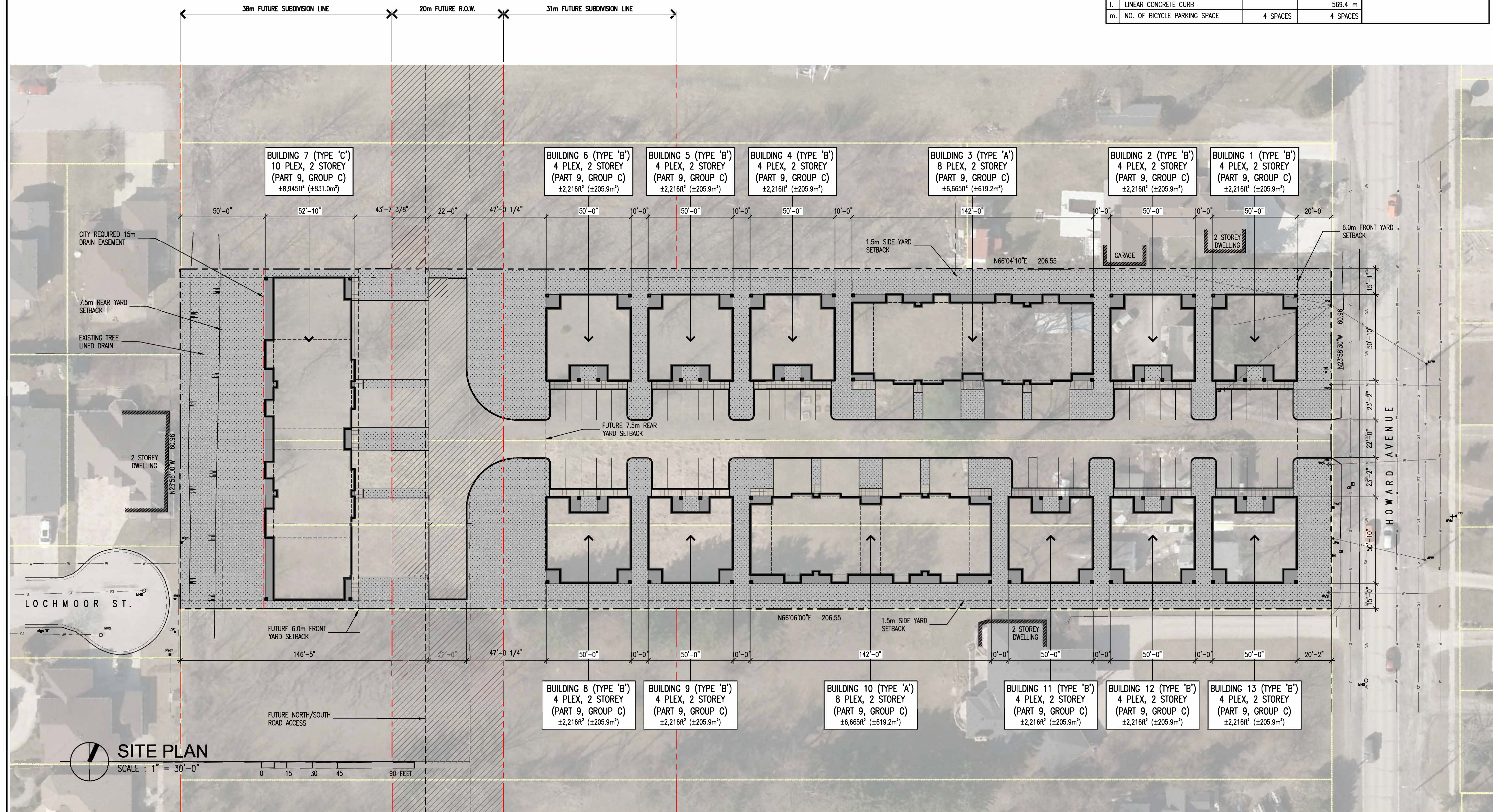


## Development & Heritage Standing Committee

### Item 7.2 - Additional Information

BUILDING TYPE 'A'	(6- 2BEDROOM UNITS + 2- 1BEDROOM UNITS) = 8 UNITS X 2 BUILDINGS = 16 UNITS
BUILDING TYPE 'B'	(4- 2BEDROOM UNITS) = 4 UNITS X 10 BUILDINGS = 40 UNITS
BUILDING TYPE 'C'	(8- 2BEDROOM UNITS + 2- 1BEDROOM UNITS) = 10 UNITS X 1 BUILDING = 10 UNITS
TOTAL UNITS PER SITE	= 66 UNITS

SITE DATA : SITE ZONING : RD1.1, HRD1.1		REQUIRED	PROPOSED	LEGEND
a.	LOT AREA		12,591.6 m <sup>2</sup>	 NEW HARD SURFACE LANDSCAPED AREA (WALKWAY)
b.	LOT FRONTAGE		61.0 m	
c.	BUILDING AREA		3,916.6 m <sup>2</sup>	
d.	BLDG LOT COVERAGE	MAX. 45%	31.0 %	
e.	BUILDING GROSS FLOOR AREA		N/A m <sup>2</sup>	
f.	BUILDING HEIGHT	MAX. 9.0 m	8.0 m	
g.	BUILDING SETBACKS			 NEW HARD SURFACE LANDSCAPED AREA (RESIDENT PATIO)
	EAST	MIN. 6.0 m	6.2 m	
	NORTH	MIN. 1.2 m	4.6 m	
	WEST	MIN. 7.5 m	15.2 m	
	SOUTH	MIN. 1.2 m	4.6 m	
	BUILDING SETBACKS (BLDG. 7)			
	EAST	MIN. 6.0 m	6.7 m	 NEW SOFT SURFACE LANDSCAPED AREA
	NORTH	MIN. 1.2 m	1.5 m	
	WEST	MIN. 7.5 m	15.2 m	
	SOUTH	MIN. 1.2 m	1.5 m	
h.	<u>NO. OF PARKING SPACES</u>			
	4 PLEX 1 PER DWELLING UNIT 8 PLEX 1.25 PER DWELLING UNIT TOTAL	40 SPACES 33 SPACES 75 SPACES	PRIVATE GARAGE 26 SURFACE PARKG 49 75 SPACES	
i.	<u>NO. OF ACCESSIBLE PARKING SPACES</u>			NOTE: FIRE-ROUTE SIGNS SHALL BE APPROVED BY THE CITY OF WINDSOR & FIRE DEPARTMENT – NEW SIGNS TO BE PLACED NO LESS THAN 50 FEET AND NOT MORE THAN 150 FEET APART.  AS FR ACCESSIBLE PARKING SIGN FIRE ROUTE SIGN PER CITY OF WINDSOR STANDARDS
	50 SURFACE PARKING SPACES 2% OF NO. OF SPACES	2 SPACES (1 'A' & 1 'B')	2 SPACES (1 'A' & 1 'B')	
j.	PAVED AREA COVERAGE		4,898.1 m <sup>2</sup> 38.9 %	
k.	LANDSCAPED AREA			
	HARD		710.7 m <sup>2</sup>	
	SOFT		4,286.0 m <sup>2</sup>	
	TOTAL		4,996.7 m <sup>2</sup>	
	COVERAGE		39.7 %	
l.	LINEAR CONCRETE CURB		569.4 m	
m.	NO. OF BICYCLE PARKING SPACE	4 SPACES	4 SPACES	



# A1.0





**Committee Matters: SCM 223/2023**

**Subject: Zoning By-law Amendment Application for 0 & 1466 St. Patrick Avenue, Z-037/22 [ZNG-6899], Ward 10**

Moved by: Councillor Fred Francis

Seconded by: Councillor Mark McKenzie

Decision Number: **DHSC 535**

That the Zoning By-law amendment application for 0 & 1466 St. Patrick Avenue—Ward 10 **BE DENIED** for the following reason:

1. Negative impact to surrounding neighbourhood due to financial implication of requiring sewer hook up not initiated by the residents.

Carried.

Councillors Kieran McKenzie and Jim Morrison voting nay.

Report Number: S 56/2023

Clerk's File: Z/14541

**Clerk's Note:**

1. The recommendation of the Development & Heritage Standing Committee and Administration are **NOT** the same.
2. Please refer to Item 7.3 from the Development & Heritage Standing Committee held on August 1, 2023.
3. To view the stream of this Standing Committee meeting, please refer to:  
<http://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20230801/-1/9422>



**Subject: Zoning By-law Amendment Application for 0 & 1466 St. Patrick Avenue, Z-037/22 [ZNG-6899], Ward 10**

**Reference:**

Date to Council: August 1, 2023  
Author: Brian Nagata, MCIP, RPP  
Planner II - Development Review  
(519) 255-6543 ext. 6181

Planning & Building Services  
Report Date: May 2, 2023  
Clerk's File #: Z/14541

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

**Recommendation:**

- I. THAT Zoning By-law 8600 **BE AMENDED** for the lands located on the east side of St. Patrick's Avenue, between Tecumseh Road West and Algonquin Street, described as Lots 14 to 16, Plan 973, by adding a site specific holding provision to permit a *Semi-Detached Dwelling* as an additional permitted use, subject to additional regulations:

**472. EAST SIDE OF ST. PATRICK'S AVENUE, BETWEEN TECUMSEH ROAD WEST AND ALGONQUIN STREET**

(1) For the lands comprising of Lots 14 to 16, Plan 973, PIN No. 01213-0284 LT & PIN No. 01213-0286 LT, a *Semi-Detached Dwelling* shall be an additional permitted use and the following shall apply:

1. Provisions in section 10.2.5, save and except s.10.2.5.1 and s.10.2.5.2
2. Lot Width - minimum 13.7 m
3. Lot Area - minimum 418.9 m<sup>2</sup>

[ZDM 4; ZNG/6899]

- II. 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) Servicing Study

The owner shall, at its own expense, retain a Consulting Engineer to



provide a detailed servicing study report on the impact of the increased flow to the existing municipal sewer systems, satisfactory in content to the City Engineer and prior to the issuance of a construction permit. The study shall review the proposed impact and recommend mitigating measures and implementation of those measures.

b) Off-site Improvements

The owner shall obtain, prior to the issuance of a building permit, an Enhanced Permit from the Right-of-way Division of the Engineering Department to supply, construct and install at its entire expense all applicable right-of-way improvements identified by the Engineering Department, submit detailed design drawings and obtain street opening permits to the satisfaction of the City Engineer and the Transportation Planning Senior Engineer.

The Enhanced Permit shall include all of the applicable Servicing General Provisions, as updated from time to time. Prior to issuance of the Enhanced Permit the following will be required:

- i. A detailed design, prepared by an Engineer licensed in the Province of Ontario, for the approval of the Commissioner of Infrastructure Services;
- ii. A detailed cost estimate for the Offsite Improvements prepared by the engineer of record;
- iii. Approval by the Manager of Risk Management of all necessary securities and insurance;
- iv. Engineering Development Review fee in accordance with the current City of Windsor User Fee Schedule; and
- v. The following special provisions are to be included in the Enhanced Permit:

- Sewer Extension

- The owner(s) shall, prior to the issuance of a building permit and at their entire expense, extend the sanitary sewer on St. Patrick's Avenue to service the subject lands.
- All work to be completed to the satisfaction of the Commissioner of Infrastructure Services.

- c) Landscape Plan prepared by a Landscape Architect (OALA) is to be provided by the owner to demonstrate how the tree plantings will provide the necessary stormwater runoff, to the satisfaction of the City Planner.

[ZDM 4; ZNG/6899]



## **Executive Summary:**

N/A

## **Background:**

## **Application Information:**

**Location:** 0 St. Patrick's Avenue  
(Lot 16 & Part of Lot 15, Plan 973; Roll No. 080-640-19700;  
PIN No. 01213-0284)  
1466 St. Patrick's Avenue  
(Lot 14 & Part of Lot 15, Plan 973; Roll No. 080-640-19600;  
PIN No. 01213-0286)

**Ward:** 10

**Planning District:** South Cameron

**Zoning District Map:** 4

**Owner:** Tian Yao Investment Ltd. [Yao Li (Eric)]

**Applicant/  
Authorized Agent:** Avant Group Inc. (Mohammad Hanash)

## **Proposal:**

The applicant is requesting an amendment to Zoning By-law 8600 for the lands located on the east side of St. Patrick's Avenue, between Tecumseh Road West and Algonquin Street, known municipally as 0 St. Patrick's Avenue and 1466 St. Patrick's Avenue (the subject property).

The applicant proposes to develop two (2) Semi-Detached Dwellings on the subject property. The applicant indicated that the Semi-Detached Dwellings will have two (2) storeys and contain an attached street-facing single car garage and accessory Additional Dwelling Unit (ADU) within each Semi-Detached Dwelling Unit. The Residential District 1.2 (RD1.2) zoning does not permit a Semi-Detached Dwelling use. The applicant proposes to change the current zoning to a Residential District 2.2 (RD2.2) zoning with a site specific exception to allow a Semi-Detached Dwelling use with a minimum lot width of 13.7 metres, minimum lot area of 418.9 m<sup>2</sup> and minimum rear yard depth of 5.30 metres.

Two (2) Semi-Detached Dwellings on a lot is not permitted under the RD1.2 zoning, and will not be supported through a site specific exception by the Planning Department. Consequently, the applicant has been advised and has acknowledged that the proposed development is dependent on the subject property being severed to create an equal sized lot for each Semi-Detached Dwelling.



**Note:**

The applicant has submitted a concurrent Alley Closure application (File No. SAA-7025) to close and purchase the section of alley abutting the subject property for the purpose of increasing the lot depth. The alley closure is necessary to achieve the desired building area, as the Planning Department is not in support of the requested reduction in minimum rear yard depth for the reasons noted herein.

**Submitted Information:** Conceptual Site Plan (See Appendix A), Planning Pre-Submission Letter (File No. PS-064/21), Topographic Survey, and Zoning By-law Amendment Application Form.

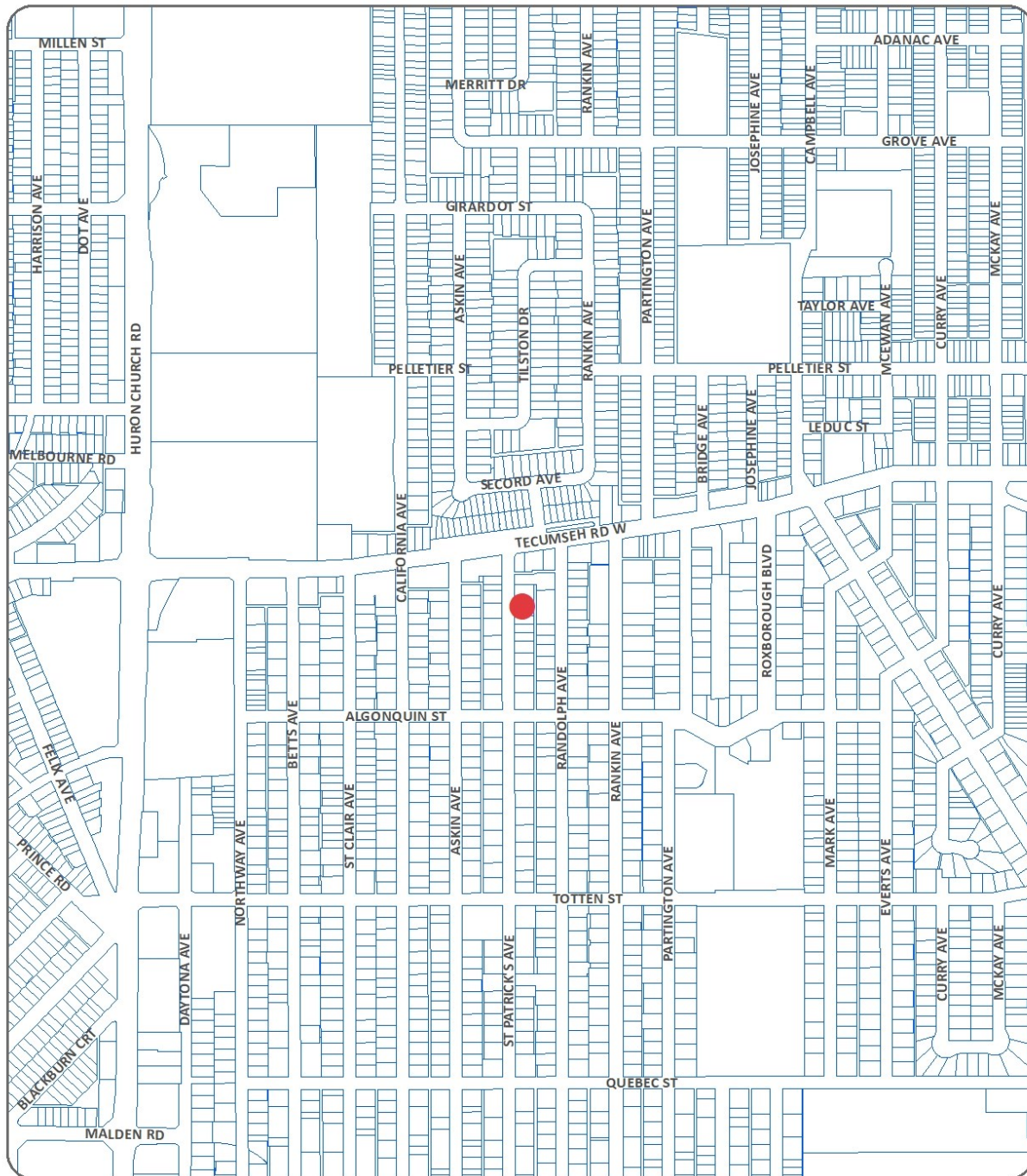
**Site Information:**

Official Plan	Zoning	Current Use	Previous Use
Residential  Low Profile Residential (South Cameron Secondary Plan)	Residential District 1.2  (RD1.2)	Single Family Dwelling	Agricultural
Lot Width	Lot Depth	Lot Area	Lot Shape
27.5 m	30.4 m	837.7 m <sup>2</sup>	Rectangular
<i>All measurements are based on Topographic Survey provided by the applicant.</i>			

The subject property contains a 1940 one (1) storey single family dwelling with detached side garage to the south. The remainder of the subject property is maintained as landscaped open space yard. The subject property is bound by a 4.27-metre-wide open alley to the east, which has been encroached on by the abutting property owners over the years. The applicant has a shed and a small portion of the detached garage located within the alley, both of which are proposed to be demolished along with the existing single family dwelling. The subject property was used for agricultural purposes prior to the residential use.



Figure 1: Key Map



KEY MAP - Z-037/22, ZNG-6899



● SUBJECT LANDS



**Figure 2: Subject Parcel - Rezoning**

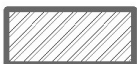


PART OF ZONING DISTRICT MAP 4

N.T.S.

## REQUESTED ZONING AMENDMENT

Applicant: Avant Group



SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT



DATE : JANUARY, 2023  
FILE NO. : Z-037/22, ZNG/6899



### Figure 3: Neighborhood Map



NEIGHBOURHOOD MAP - Z-037/22, ZNG/6899



## SUBJECT LANDS



## **Neighbourhood Characteristics:**

The subject property is located on the northern periphery of the South Cameron neighbourhood. The South Cameron neighbourhood constitutes the area north of E. C. Row Expressway, east of Huron Church Road, south of Tecumseh Road West and west of the Canadian Pacific Railway corridor and yard.

The neighbourhood is primarily occupied by a mix of low-density residential uses, interspersed with institutional, natural heritage, and open space uses throughout. The neighbourhood also includes Mixed-Use-Corridor uses along its northern periphery flanking Tecumseh Road West and northern part of its western periphery flanking Huron Church Road, Business Park uses along the southern part of its western periphery flanking Huron Church Road, and sporadic Industrial uses along its eastern periphery flanking South Cameron Boulevard. The neighbourhood also contains two (2) medium density residential uses at the southeast corner of Daytona Avenue and Totten Street.

## **Surrounding Land Uses:**

### ***North:***

- A & D Enterprise (Automobile Sales Lot) (2195 Tecumseh Road West)
- Imperial Auto Wash (1429 Randolph Avenue)
- Kim's Nails & Spa (2101 Tecumseh Road West)
- Piccolo's Pizza and Pasta House (2135 Tecumseh Road West)
- Single Family Dwelling (1450 St. Patrick's Avenue)

### ***East:***

- C. Landscaping & Design Inc. (Contractor's Office) (1465 Randolph Avenue)
- Low Density Residential
- Mei Mee Asian Foods Wholesaler (1425 Rankin Avenue)

### ***South:***

- Low Density Residential

### ***West:***

- Low Density Residential
- University Plaza (1420-1590 Huron Church Road)

## **Municipal Infrastructure:**

- Huron Church Road is classified as a Class I Arterial Road on *Schedule F - Roads & Bikeways* to the Official Plan.
- St. Patrick's Avenue is classified as a Local Road, which has a two-lane cross section with curbs and gutters on both sides, and a sidewalk and LED streetlights on the west side.



- Tecumseh Road West is classified as a Class II Arterial Road on *Schedule F - Roads & Bikeways* to the Official Plan.
- Sanitary sewers are not available to the subject property.
- Storm sewers and water lines are located within the St. Patrick's Avenue right-of-way.
- Transit Windsor operates the Central 3 bus route in both directions on Tecumseh Road West.

## Discussion:

The Provincial Policy Statement (PPS) provides direction on matters of provincial interest related to land use planning and development and sets the policy foundation for regulating the development and use of land in Ontario.

The following policies of PPS 2020 are considered relevant in discussing provincial interests related to this amendment:

### 1.0 Building Strong Healthy Communities

Policy 1.1.1 states:

- *Healthy, liveable and safe communities are sustained by:*
  - *a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term.*
    - This amendment will allow for a Semi-Detached Dwelling infill development that optimizes existing municipal services.
  - *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.*
    - This amendment will allow for a Semi-Detached Dwelling development, further diversifying the range and mix of residential types available in the South Cameron neighbourhood.
  - *c) avoiding development and land use patterns which may cause environmental or public health and safety concerns.*
    - This amendment will not cause any environmental or public health and safety concerns.
  - *e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit*



*investments, and standards to minimize land consumption and servicing costs.*

- This amendment will allow for the redevelopment of an underutilized parcel of land within a built-up area, thus avoiding the removal of agricultural lands and the construction of unnecessary new municipal infrastructure and public service facilities.
  - This amendment will allow for a development that optimizes existing municipal storm and water services.
  - This amendment requires the extension of the existing municipal sanitary service within St. Patrick's Avenue, consequently providing the following intensification opportunities for properties currently on private septic system:
    - Establishment of ADU's in an Accessory Building
    - Establishment of an ADU or ADU's in existing Single Family Dwelling
    - Subdivision of larger lots to create new building lots
  - This amendment will allow for a development in close proximity (e.g. biking or walking distance, short car or bus ride) to existing commercial uses, open spaces, public service facilities and institutional uses that are complementary to residential land uses.
  - This amendment will allow for a Semi-Detached Dwelling development that is compatible with surrounding land uses in the South Cameron Neighbourhood.
- *f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society.*
- The interior layout and exterior site design for a Semi-Detached Dwelling is exempt from having to comply with the Barrier-Free Design requirements of the *Ontario Building Code*.
  - The *Accessibility for Ontarians with Disabilities Act* does not apply to Semi-Detached Dwellings.
- *g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs.*
- There is a 150-millimetre watermain and 300-millimetre concrete storm sewer available in the St. Patrick's Avenue right-of-way to service the subject property.
  - There is a 200-millimetre concrete sanitary sewer located approximately 55.0 metres south of the subject property in the St. Patrick's Avenue right-of-way.
    - The Planning Department is recommending that a site-specific Holding symbol "H" (or "h") provision be added to require the extension of the sanitary sewer in accordance



with the conditions set forth by the Engineering Department in their comments *attached* hereto as Appendix F.

- Existing dwellings on properties abutting the sanitary sewer extension will be required to connect to it in a timeframe determined by the City Engineer.
- There are overhead hydro lines available to service the subject property.
- The subject property has direct access to a public highway in the form of St. Patrick's Avenue.
- Assumption College Catholic High School and Assumption College Catholic Middle School, École élémentaire catholique Saint-Edmond, École Secondaire De Lamothe-Cadillac, West Gate Public School and Westview Freedom Academy are located within approximately 1.2 kilometres, 750.0 metres, 1.2 kilometres, 950.0 metres and 400.0 metres of the subject property respectively.
- Adie Knox Arena and Adie Knox Herman Recreation Complex, and Windsor Public Library - Bridgeview Branch are located within approximately 2.3 kilometres and 900.0 metres of the subject property respectively.

Policy 1.1.3.1 states:

- *Settlement areas shall be the focus of growth and development.*
  - The subject property is located within a Settlement area.

Policy 1.4.3 states:

- *Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:*
  - *b) permitting and facilitating:*
    - *2. all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3;*
      - Refer to the response provided to PPS Policy 1.1.1 e) above.
    - *c) directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;*
      - Refer to the response provided to PPS Policy 1.1.1 g) above.



One or more of the aforesaid responses to PPS Policy 1.1.1 also speak to the following relevant PPS Policies:

- 1.1.3.2 Land use patterns within settlement areas shall be based on densities and a mix of land uses which:
  - a) efficiently use land and resources;
  - b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;
- 1.6.6.2 Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. Within settlement areas with existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services;
- 1.7.1 Long-term economic prosperity should be supported by:
  - b) encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of housing options for a diverse workforce;

## **Official Plan**

Relevant excerpts from Volume I and Volume II of the Official Plan are attached as Appendix C and Appendix D respectively. The following policies from these excerpts are considered relevant in discussing the amendment's conformity with the Official Plan.

The subject property is located within the South Cameron Planning District and South Cameron Planning Area on *Schedule A - Planning Districts & Policy Areas*, and a Residential land use designation on *Schedule D - Land Use Plan* of Volume I to the City of Windsor Official Plan. The subject property is located within a Low Profile Residential designation on *Schedule SC-1: Development Concept* of Volume II to the City of Windsor Official Plan.

## **Volume I**

### **Chapter 3 - Development Strategy**

#### **3.2.1 - Safe, Caring and Diverse Communities**

This amendment complies with the following applicable key policy direction for managing growth consistent with the Vision of the City of Windsor Community Strategic Plan.

*Encouraging a range of housing types will ensure that people have an opportunity to live in their neighbourhoods as they pass through the various stages of their lives. Residents will have a voice in how this new housing fits within their neighbourhood. As*



*the city grows, more housing opportunities will mean less sprawl onto agricultural and natural lands (Policy 3.2.1.2).*

## **Chapter 6 - Land Use:**

### **6.1 Goals**

This amendment complies with the following applicable land use goals:

- *Housing suited to the needs of Windsor residents (Goal 6.1.3).*
- *To direct residential intensification to those areas of the City where transportation, municipal services, community facilities and goods and services are readily available (Goal 6.1.14).*

### **6.3 Residential**

#### **6.3.1 Objectives**

The amendment complies with the following applicable Residential land use objectives:

- *To support a complementary range of housing forms and tenures in all neighbourhoods (Objective 6.3.1.1).*
- *To promote residential redevelopment, infill and intensification initiatives in locations in accordance with this plan (Objective 6.3.1.3).*

#### **6.3.2 Policies**

#### **Evaluation Criteria**

Policy 6.3.2.5 states:

- *At the time of submission, the proponent shall demonstrate to the satisfaction of the Municipality that a proposed residential development within an area having a Neighbourhood development pattern is:*
  - *(a) feasible having regard to the other provisions of this Plan, provincial legislation, policies and appropriate guidelines and support studies for uses:*
    - *(ii) adjacent to sources of nuisance, such as noise, odour, vibration and dust;*
      - The contractor's office at 1465 Randolph Avenue is located behind the subject property on the other side of the alley.
      - Nuisances commonly associated with the use and uses permitted under the property's Commercial District 2.1 (CD2.1) zoning will not be a factor, as an Outdoor Storage Yard is prohibited under the CD2.1 zoning.



- *(c) In existing neighbourhoods, compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and amenity areas.*
  - This amendment will allow for a development that is compatible with the established built environment found within the block and surrounding neighbourhood.
  - The Planning Department undertook a detailed analysis of the lots and buildings contained within the block, focusing on a variety of different factors. The purpose of the analysis was to determine if a development permitted through this amendment will be compatible with the established built environment within the block. The data collected through this analysis is included in the table *attached* hereto as Appendix H.
  - The analysis found the block to have a diverse built environment, resulting from a buildout occurring over a period of six decades. In this time building areas and amenity areas changed on multiple occasions to suit the needs of the consumer of the day.

### **Chapter 7 - Infrastructure:**

Policy 7.3.2.3 states:

- *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.*
  - Provision of required municipal infrastructure is included in the conditions for approval of the recommended zoning by-law amendment; and,
  - The site-specific Holding provision being recommended herein will prevent a building permit from being issued for any new development on the subject property until such time that its conditions have been satisfied and it has been removed by an amending by-law.

Policy 7.3.2.5 states:

- *Council shall not permit the installation of individual on-site sewage services in new developments.*
  - This amendment does not propose a development on on-site sewage services.
  - Zoning By-law 8600 prohibits the erection of a building or structure on a lot where municipal sanitary sewers are not available.

### **Chapter 11 - Tools:**

Land use compatibility throughout Windsor is an implementation goal to be achieved when administering a planning tool under this Chapter. Compatibility between land uses is also an objective of the Zoning By-law Amendment planning tool (Policy 11.6.1.2).



- Land use compatibility was considered as part of the evaluation of the applicable Official Plan and PPS policies referenced herein.

Policy 11.6.3.3 states:

- *When considering applications for Zoning By-law amendments, Council shall consider the policies of this Plan and will, without limiting the generality of the foregoing, consider such matters as the following:*
  - *(a) The relevant evaluation criteria contained in the Land Use Chapter of this Plan, Volume II: Secondary Plans & Special Policy Areas and other relevant standards and guidelines;*
  - *(b) Relevant support studies;*
  - *(c) The comments and recommendations from municipal staff and circularized agencies;*
  - *(d) Relevant provincial legislation, policies and appropriate guidelines; and*
  - *(e) The ramifications of the decision on the use of adjacent or similar lands.*
    - The ramifications of this amendment are the extension of existing municipal sanitary services within St. Patrick's Avenue, consequently providing intensification opportunities for properties currently on private septic system.

The aforesaid matters were considered as part of the evaluation of the applicable Official Plan and PPS policies referenced herein.

## **Volume II**

### **Chapter 4 - South Cameron Planning Area**

**Land Use Designation:** *Low Profile Residential, Schedule SC-1, Development Concept, South Cameron Planning Area, OP. Vol. II*

#### **4.5 Goals**

This amendment complies with the following applicable development goals:

- Promote land use patterns, residential densities and building forms that make efficient use of existing resources, services and infrastructure (Goal 4.5.1).
- Provide for a pattern of development in keeping with the scale and use of existing development in this district (Goal 4.5.8).

#### **4.7 Policies**

##### **4.7.1 Residential**

##### **Low Profile Residential Development**

Policy 4.7.1.4 states:



- *For the purpose of this secondary plan, Low Profile Residential development comprise of single detached and semi-detached dwellings only.*

## 4.10 Implementation

### 4.10.4 Zoning By-law Amendments

Policy 4.10.4.1 states:

- *Amendments to Zoning By-law 3072 (superseded by Zoning By-law 8600) will be considered having regard to the development policies for the South Cameron Planning District established by this secondary plan.*
  - The policies of the South Cameron Secondary Plan were considered as part of the analysis for this amendment.

Policy 4.10.4.2 states:

- *Zoning amendments will normally be considered when applications are received from property owners (or their authorized agents) within this planning district. ....*

## Zoning By-Law

Relevant excerpts from Zoning By-law 8600 are *attached* as Appendix E.

The subject property is within a RD1.2 zone of Zoning By-law 8600, which does not permit a Semi-Detached Dwelling use.

The applicant is requesting an amendment to Zoning By-law 8600 to change the zoning to RD2.2 with a site specific provision to allow a Semi-Detached Dwelling with a minimum lot width of 13.7 metres, minimum lot area of 418.9 square metres and minimum rear yard depth of 5.30 metres.

The applicant's request for a change in zoning with a site specific provision has been considered and is supported in this report, save and except for the change in zoning district and the reduction in minimum rear yard depth. The following rationale is provided for retaining the RD1.2 zoning and not supporting the reduction in minimum rear yard depth:

- Retention of RD1.2 Zoning
  - The Double Duplex Dwelling, Duplex Dwelling, Multiple Dwelling and Townhome Dwelling uses permitted under the RD2.2 zoning are **not** permitted in the Low Profile Residential Land Use designation within the South Cameron Secondary Plan Area, OP Volume II, as shown in section 4.7.1.4, OP Vol. II.
  - The Semi-Detached Dwelling provisions under both zoning districts are identical.
  - The minimum lot area and lot width provisions for a Single Unit Dwelling under the RD2.2 zoning are not consistent with those of properties within



the block. This could potentially result in the subject property being developed with three (3) Single Unit Dwellings with lot areas and lot widths that are not complimentary to those within the block.

- Reduction in minimum Rear Yard Depth
  - The Planning Department does not agree with the justification submitted by the applicant via email, *attached* hereto as Appendix I. The justification does not explain why compliance with the rear yard depth provision is not possible for a new development on a vacant regular shaped lot with no known constraints (i.e. easement, irregular lot configuration, natural heritage feature, heritage conservation district, etc.).
  - The Planning Department is of the opinion that the request for a reduction in rear yard depth is solely for the purpose of achieving a greater building area.

The Planning Department is recommending that the zoning for the subject property be amended in the following manner to support the proposed Semi-Detached Dwelling development.

- Adding a site specific holding provision to permit a *Semi-Detached Dwelling* as an additional permitted use, subject to additional regulations to permit its development on a lot with a reduced lot width and lot area.
- The holding provision will remain until such time that the conditions referenced herein have been fulfilled to the satisfaction of the designated approval authority.

No other zoning deficiencies have been identified or supported.

A draft amending by-law is attached as Appendix G. Subsection 24 (1) of the *Planning Act*, R.S.O. 1990, c. P.13., prohibits a by-law from being passed that does not conform with the Official Plan. As discussed through the Official Plan section herein, the proposed amendment conforms to the applicable policies of the Official Plan.

### **Risk Analysis:**

N/A

### **Climate Change Risks**

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

Residential intensification minimizes the impact on the community greenhouse gas emissions. Development within existing communities and neighbourhoods while using currently available infrastructure such as sewers, sidewalks, and public transit helps to mitigate development impact.

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

The proposed construction of a new dwelling provides an opportunity to increase resiliency for the development and surrounding area.



## **Financial Matters:**

N/A

## **Consultations:**

Comments received from City Departments, external agencies and members of the public on this application were taken into consideration when preparing this report. A record of the comments is included as Appendix E herein.

There are no objections to the proposed amendment.

Public Notice: Statutory notice was advertised in the Windsor Star, a local daily newspaper. A courtesy notice was mailed to property owners and residents within 120 metres of the subject parcel.

## **Conclusion:**

The *Planning Act* requires that a decision of Council in respect of the exercise of any authority that affects a planning matter, “*shall be consistent with*” Provincial Policy Statement 2020. The recommended zoning amendment has been evaluated for consistency with the Provincial Policy Statement 2020 and conformity with the policies of the City of Windsor Official Plan.

The recommended zoning by-law amendment is consistent the PPS, with the policy direction of the City of Windsor Official Plan, is compatible with existing and permitted uses in the surrounding neighbourhood and constitutes good planning.

## **Planning Act Matters:**

*Brian Nagata, MCIP, RPP*  
*Planner II - Development Review*

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

*Justina Nwaesei, MCIP, RPP*  
*Acting Manager of Policy Planning*

*Thom Hunt, MCIP, RPP*  
*City Planner*

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

*JP*

*JM*



**Approvals:**

<b>Name</b>	<b>Title</b>
Justina Nwaesei	Acting Manager of Planning Policy/Deputy City Planner
Thom Hunt	City Planner / Executive Director, Planning & Development Services
Wira Vendrasco	Deputy City Solicitor, Legal Services & Real Estate
Jelena Payne	Commissioner, Economic Development & Innovation
Joe Mancini	Chief Administration Officer

**Notifications:**

<b>Name</b>	<b>Address</b>	<b>Email</b>
Applicant & Authorized Agent: Avant Group Inc. c/o Mohammad Hanash	5980 Tecumseh Rd. E. Windsor, ON N8T 1E3	mohammad@avantgroupincorp.com
Owner: Tian Yao Investment Ltd. c/o Eric Yao Li	1638 St. Clair Ave. Windsor, ON N9B 3L1	tianyaoltd@gmail.com
Councillor Jim Morrison (Ward 10)	350 City Hall Square West, Suite 530 Windsor, ON N9A 6S1	jmorrison@citywindsor.ca
Abutting property owners, tenants/occupants within 120-meter (400 feet) radius of the subject property		

**Appendices:**

- 1 Appendix A - Conceptual Site Plan
- 2 Appendix B - Site Images
- 3 Appendix C - Excerpts from Official Plan Volume I
- 4 Appendix D - Excerpts from Official Plan Volume II
- 5 Appendix E - Excerpts from Zoning By-law 8600
- 6 Appendix F - Consultations
- 7 Appendix G - Draft Amending By-law
- 8 Appendix H - Lot and Building Analysis (1400 to 1500 Block of St. Patrick Avenue)
- 9 Appendix I - Applicant's Rationale for Reduction in Rear Yard Depth



[illegible]



**APPENDIX “B”**  
**Site Photos (April 20, 2023)**



*Figure 1 - Looking east towards subject property from St. Patrick Avenue*



*Figure 2 - Looking east towards subject property from St. Patrick Avenue (1450 St. Patrick Avenue on left)*





*Figure 3 - Looking east towards subject property from St. Patrick Avenue (1482 St. Patrick Avenue on right)*



*Figure 4 - St. Patrick Avenue looking south from subject property*





*Figure 5 - St. Patrick Avenue looking north from subject property*



*Figure 6 - Looking east towards single family dwelling and detached garage on subject property*



## **APPENDIX “C”**

### **Excerpts from Official Plan Volume I**

## **3 Development Strategy**

This chapter was amended as part of Official Plan Amendments #76 and #79 as part of a 5-year review of the Official Plan. Official Plan Amendment #76 was approved by the Ministry of Municipal Affairs and Housing on 01/06/2012. Official Plan Amendment #79 was approved by the Ministry of Municipal Affairs and Housing on 06/05/2012.

### **3.2 Growth Concept**

#### **3.2.1 Safe, Caring and Diverse Community**

*NEIGHBOURHOOD  
HOUSING  
VARIETY*

- 3.2.1.2 Encouraging a range of housing types will ensure that people have an opportunity to live in their neighbourhoods as they pass through the various stages of their lives. Residents will have a voice in how this new housing fits within their neighbourhood. As the city grows, more housing opportunities will mean less sprawl onto agricultural and natural lands.

### **3.3 Urban Structure Plan**

The Urban Structure Plan identifies the key structural elements within the municipality. These key structural elements and the linkages between these elements establish the strategic framework within which more detailed land use designations can be established.

#### **3.3.3 Neighbourhoods**

Neighbourhoods are the most basic component of Windsor’s urban structure and occupy the greatest proportion of the City. Neighbourhoods are stable, low-to-medium-density residential areas and are comprised of local streets, parks, open spaces, schools, minor institutions and neighbourhood and convenience scale retail services.

The three dominant types of dwellings in Windsor’s neighbourhoods are single detached, semi-detached and townhouses. The density range for Windsor’s neighbourhoods is between 20 to 35 units per net hectare. This density range provides for low and some medium-density intensification to occur in existing neighbourhoods. Multiple dwelling buildings with medium and high-densities are encouraged at nodes identified in the Urban Structure Plan.



## 6. Land Use

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### 6.1 Goals

In keeping with the Strategic Directions, Council's land use goals are to achieve:

<i>RESIDENTIAL</i>	6.1.3	Housing suited to the needs of Windsor's residents.
<i>RESIDENTIAL INTENSIFICATION</i>	6.1.14	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 Residential

The lands designated as "Residential" on Schedule D: Land Use provide the main locations for housing in Windsor outside of the City Centre Planning District. In order to develop safe, caring and diverse neighbourhoods, opportunities for a broad range of housing types and complementary services and amenities are provided.

The following objectives and policies establish the framework for development decisions in Residential areas.

#### 6.3.1 Objectives

<i>RANGE OF FORMS &amp; TENURES</i>	6.3.1.1	To support a complementary range of housing forms and tenures in all neighbourhoods.
<i>INTENSIFICATION, INFILL AND REHABILITATION</i>	6.3.1.3	To promote residential redevelopment, infill and intensification initiatives in locations in accordance with this plan.

#### 6.3.2 Policies

In order to facilitate the orderly development and integration of housing in Windsor, the following policies shall apply.

<i>EVALUATION CRITERIA FOR A NEIGHBOURHOOD DEVELOPMENT PATTERN</i>	6.3.2.5	At the time of submission, the proponent shall demonstrate to the satisfaction of the Municipality that a proposed residential development within an area having a Neighbourhood development pattern is: <ul style="list-style-type: none"> <li>(a) feasible having regard to the other provisions of this Plan, provincial legislation, policies and appropriate guidelines and support studies for uses:</li> </ul>
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- (ii) adjacent to sources of nuisance, such as noise, odour, vibration and dust;
- (c) In existing neighbourhoods, compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and amenity areas.

In Mature Neighbourhoods as shown on Schedule A-1, compatible with the surrounding area, as noted above, and consistent with the streetscape, architectural style and materials, landscape character and setback between the buildings and streets;

## 7 Infrastructure

This chapter was amended as part of Official Plan Amendments #81 as part of a 5-year review of the Official Plan. Official Plan Amendment #81 was approved by the Ministry of Municipal Affairs and Housing on 09/07/2012.

### 7.3.2 General Policies

NEW  
DEVELOPMENT

- 7.3.2.3 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 INDIVIDUAL  
ON-SITE SEWAGE  
SERVICES

- 7.3.2.5 Council shall not permit the installation of individual on-site sewage services in new developments.

## 11 Tools

This chapter was amended as part of Official Plan Amendments #84 as part of a 5-year review of the Official Plan. Official Plan Amendment #84 was approved by the Ministry of Municipal Affairs and Housing on 07/09/2012.

### 11.6 Zoning

A municipality can regulate the use and development of lands, buildings and other structures under the zoning provisions of the *Planning Act*.

#### 11.6.1 Objectives

- 11.6.1.1 To provide for the establishment of a zoning by-law.
- 11.6.1.2 To ensure compatibility between land uses.



### 11.6.3 Zoning By-law Amendment Policies

- 11.6.3.1 All amendments to the Zoning By-law(s) shall conform with this Plan. The Municipality will, on each occasion of approval of a change to the zoning by-law(s), specify that conformity with the Official Plan is maintained or that the change will be in conformity upon the coming into effect of an amendment to the Official Plan.
- 11.6.3.2 All applications for Zoning By-law amendments shall be processed in accordance with the provisions of the *Planning Act*, and regulations pursuant thereto, and the procedural requirements of this Plan. In general, after an applicant's pre-application consultation meeting with municipal staff and submission of an application that is determined to be complete, all applications shall: **Added by OPA 65 – 10/22/2007– By-law 192-2007**
- (a) Be circulated to appropriate agencies and those agencies be provided with sufficient time to respond; **Added by OPA 65 – 10/22/2007– By-law 192-2007**
  - (b) Be advertised and be presented to the public and the views of the public ascertained at a public meeting to be held in accordance with the Planning Act; and **Added by OPA 65 – 10/22/2007– By-law 192-2007**
  - (c) Be given due and thorough consideration by Council. **Added by OPA 65 – 10/22/2007– By-law 192-2007**
- 11.6.3.3 When considering applications for Zoning By-law amendments, Council shall consider the policies of this Plan and will, without limiting the generality of the foregoing, consider such matters as the following:
- (a) The relevant evaluation criteria contained in the Land Use Chapter of this Plan, Volume II: Secondary Plans & Special Policy Areas and other relevant standards and guidelines;
  - (b) Relevant support studies;
  - (c) The comments and recommendations from municipal staff and circularized agencies;
  - (d) Relevant provincial legislation, policies and appropriate guidelines; and
  - (e) The ramifications of the decision on the use of adjacent or similar lands.



## **APPENDIX “D”**

### **Excerpts from Official Plan Volume II**

## **4. South Cameron Planning Area**

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### **4.5 Goals**

Based on the background analysis and input received at the public meetings, the following development goals are established.

<i>EFFICIENT LAND USE</i>	4.5.1	Promote land use patterns, residential densities and building forms that make efficient use of existing resources, services and infrastructure.
<i>COMPATIBLE SCALE &amp; USE</i>	4.5.8	Provide for a pattern of development in keeping with the scale and use of existing development in this district.

### **4.7 Policies**

Based upon the background analysis, public input, and consultants’ studies, a development concept was prepared (refer to Schedule SC-1: Development Concept). The intent of this secondary plan is to achieve the previously described goals and objectives, establish a land use pattern and set out policies to guide future development.

#### **4.7.1 Residential**

This secondary plan provides primarily for residential development which complements the development that has already occurred within this planning district. In this regard, residential development will be primarily low profile with limited provision for medium and high profile housing to afford a variety of choices in housing forms.

Residential areas are allocated to allow safe and convenient access to parks, schools and major roads leading to commercial facilities and employment areas.

<i>LOW PROFILE RESIDENTIAL DEFINED</i>	4.7.1.4	For the purpose of this secondary plan, Low Profile Residential development comprise single detached and semi-detached dwellings only.
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## 4.10 Implementation

### 4.10.4 Zoning By-law Amendments

#### *ZONING AMENDMENTS*

- 4.10.4.1 Amendments to Zoning By-law 3072 will be considered having regard to the development policies for the South Cameron Planning District established by this secondary plan.

#### *INITIATION*

- 4.10.4.2 Zoning amendments will normally be considered when applications are received from property owners (or their authorized agents) within this planning district. This does not, however, preclude the Corporation of the City of Windsor from initiating amendments to Zoning By-law 3072 where the amendments are perceived to be in the interest of good planning.



## **APPENDIX “E”**

### **Excerpts from Zoning By-law 8600**

## **SECTION 10 - RESIDENTIAL DISTRICTS 1. (RD1.)**

(B/L 10358 Jul 16/1990; B/L 11093 Jul 20/1992; B/L 33-2001 Oct 23/2001, OMB Decision/Order No. 1716 Case No. PL010233; B/L 370-2001 Nov 15/2001; B/L 363-2002 Dec 31/2002; B/L 220-2002, Feb 24/2003; B/L 10-2004 OMB Order PL040143, File No. R040023, Decision/Order No. 0055, Issued Jan 12/2005 B/L 114-2016 Sep 19/2016); B/L 164-2017, Dec. 7/2017 [ZNG/5270]; B/L 95-2019, Sept. 27/2019

### **10.2 RESIDENTIAL DISTRICT 1.2 (RD1.2)**

#### **10.2.1 PERMITTED USES**

*Existing Duplex Dwelling*

*Existing Semi-Detached Dwelling*

*One Single Unit Dwelling*

Any use accessory to the preceding uses

#### **10.2.5 PROVISIONS**

	Duplex Dwelling	Semi-Detached Dwelling	Single Unit Dwelling
.1 Lot Width – minimum	9.0 m	15.0 m	12.0 m
.2 Lot Area – minimum	360.0 m <sup>2</sup>	450.0 m <sup>2</sup>	360.0 m <sup>2</sup>
.3 Lot Coverage – maximum	45.0%	45.0%	45.0%
.4 Main Building Height – maximum	10.0 m	10.0 m	10.0 m
.5 Front Yard Depth – minimum	6.0 m	6.0 m	6.0 m
.6 Rear Yard Depth – minimum	7.50 m	7.50 m	7.50 m
.7 Side Yard Width – minimum	1.20 m	1.20 m	1.20 m



## SECTION 11 - RESIDENTIAL DISTRICTS 2. (RD2.)

(B/L 10358 Jul 16/1990; B/L 11093 Jul 20/1992; B/L 12651 Approved by OMB Order R960323, Feb 25/1997  
 B/L 169-2001 Jun 1/2001; B/L 33-2001 Oct 23/2001, OMB Decision/Order No. 1716 Case No. PL010233  
 B/L 370-2001 Nov 15/2001; B/L 363-2002 Dec 31/2002; B/L 142-2006 Aug 24/2006; B/L 114-2016 Sep 19/2016)  
 B/L 164-2017, Dec. 7/2017 [ZNG/5270]

### 11.2 RESIDENTIAL DISTRICT 2.2 (RD2.2)

#### 11.2.1 PERMITTED USES

*One Double Duplex Dwelling*

*One Duplex Dwelling*

*One Multiple Dwelling containing a maximum of four dwelling units*

*One Semi-Detached Dwelling*

*One Single Unit Dwelling*

*Townhome Dwelling*

Any use accessory to any of the preceding uses

#### 11.2.5 PROVISIONS

##### .1 Duplex Dwelling

.1	Lot Width – minimum	12.0 m
.2	Lot Area – minimum	360.0 m <sup>2</sup>
.3	Lot Coverage – maximum	45.0%
.4	Main Building Height – maximum	10.0 m
.5	Front Yard Depth – minimum	6.0 m
.6	Rear Yard Depth – minimum	7.50 m
.7	Side Yard Width – minimum	1.20 m

##### .2 Semi-Detached Dwelling

.1	Lot Width – minimum	15.0 m
.2	Lot Area – minimum	450.0 m <sup>2</sup>
.3	Lot Coverage – maximum	45.0%
.4	Main Building Height – maximum	10.0 m
.5	Front Yard Depth – minimum	6.0 m
.6	Rear Yard Depth – minimum	7.50 m
.7	Side Yard Width – minimum	1.20 m

##### .3 Single Unit Dwelling

.1	Lot Width – minimum	9.0 m
.2	Lot Area – minimum	270.0 m <sup>2</sup>
.3	Lot Coverage – maximum	45.0%
.4	Main Building Height – maximum	10.0 m
.5	Front Yard Depth – minimum	6.0 m
.6	Rear Yard Depth – minimum	7.50 m
.7	Side Yard Width – minimum	1.20 m



.4 Double Duplex Dwelling or Multiple Dwelling

.1	Lot Width – minimum	18.0 m
.2	Lot Area – minimum	540.0 m <sup>2</sup>
.3	Lot Coverage – maximum	45.0%
.4	Main Building Height – maximum	10.0 m
.5	Front Yard Depth – minimum	6.0 m
.6	Rear Yard Depth – minimum	7.50 m
.7	Side Yard Width – minimum	1.80 m

.5 Townhome Dwelling

.1	Lot Width – minimum	20.0 m
.2	Lot Area – per <i>dwelling unit</i> – minimum	200.0 m <sup>2</sup>
.3	Lot Coverage – maximum	45.0%
.4	Main Building Height – maximum	10.0 m
.5	Front Yard Depth – minimum	6.0 m
.6	Rear Yard Depth – minimum	7.50 m
.7	Side Yard Width – minimum	1.50 m



## **APPENDIX “F” Consultations**

### **BELL CANADA WSP**

No comments provided

**[Charleyne Hall, Bell Canada External Liaison]**

### **CALDWELL FIRST NATION COMMUNITY**

No comments provided

### **COGECO**

No comments provided

### **ENBRIDGE (FORMERLY UNION GAS)**

After reviewing the provided drawing at 1466 St Patrick's Ave. and consulting our mapping system, please note that Enbridge Gas has active infrastructure in the proposed area. A PDF drawing has 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.

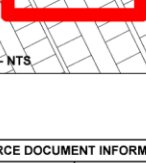
Enbridge Gas requires a minimum separation of 0.6 m horizontal and 0.3 m vertical from all of our plant less than NPS 16 and a minimum separation 1.0 m horizontal and 0.6 m vertical between any CER-regulated and vital pipelines. For all pipelines (including vital pipelines), when drilling parallel to the pipeline, a minimum horizontal clearance measured from the edge of the pipeline to the edge of the final bore hole of 1.0 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 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







**KEY PLAN - NTS**


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**SOURCE DOCUMENT INFORMATION**

Qualified Individual: _____  Worker / Passer: _____  In Service Date: _____  Design Pressure: _____ 1. Time On: _____ 2. Time Off: _____	Pipeline Certificate No.: _____  Ticket Number: _____  G-Track Update By: _____ Date: _____ Total Medium: _____ Pressure: _____ Pressure: _____
--	---

**REVISIONS**

Date	By	App'd	Remarks

  
**AS - Built**

Title  
**1466 - 1482 St Patricks Ave Windsor**

Description:

**1466 St Patricks Ave Windsor**

Project #	Work Management Work Order	% SMPS
Drawn by <b>WINDSOR</b>	Municipality <b>WINDSOR</b>	Authorized:
Drawn By <b>GCJOYNS</b>	Date Drawn <b>20230427</b>	Custodian
Scale <b>1:500</b>	Drawn By <b>JOBNO40006</b>	Drawing Number <b>1 OF 1</b>

Owner will need to make appropriate arrangements for removals with ENWIN (they can send request to [tsd@enwin.com](mailto:tsd@enwin.com) when the time comes) for any hydro service/meter removal as well as account closures.



Prior to working in these areas, we recommend notifying your contractor and referring to the proposed buildings and/or building additions must have adequate clearance requirements from all hydro distribution and services.

We recommend referring to the Occupational Health and Safety Act for minimum safe limits of approach during construction and the Ontario Building Code for adequate clearance requirements for New Buildings and/or Building Additions.

**[Tia McCloskey, Hydro Engineering Technologist]**

### **ENWIN UTILITIES - WATER**

Water Engineering has no objections. 0 St. Patrick's does not have a water service and the existing water service for 1466 St. Patrick's would not be sufficient for the proposed development and would need to be abandoned and a new water service installed.

**[Bruce Ogg, Water Project Review Officer]**

### **ENVIRONMENTAL SERVICES**

No concerns from Environmental Services.

**[Anne-Marie Albidone, Manager, Environmental Services]**

### **PARKS & FACILITIES**

2 City trees in front of these 2 lots: Maple 48 cm & Lilac 11 cm. Given that proposal calls for both to be removed. Recovery costs are as noted below

#### **REMOVALS**

- By city contractor: \$1,100.00

#### **REPLACEMENT**

- Diameter to replace 59 cm
- 5 cm Tree Required: 12 New Trees
- Replacement costs \$600.00/tree
- REPLACEMENT: \$7,200.00

Also, there are 2 other Larger private trees on this lot. An assessment to confirm species, size and condition for possible canopy replacement should be completed.

**[Yemi Adeyeye, City Forester]**



**PLANNING DEPARTMENT - LANDSCAPE**

Pursuant to the application for a zoning amendment (Z 037/22) to permit the construction of a two (2) storey four (4) unit Townhome Dwelling on the subject, please note the following comments:

**Zoning Provisions for Parking Setback:**

The revised proposal retains 50.5% of the front yard as soft landscape and is therefore now compliant with the Zoning Bylaw.

**Tree Preservation:**

There are two existing trees on the privately owned developed property at 1466 St. Patrick's Avenue as well two existing municipal trees on St. Patrick's. This new proposed development will result in the removal of all four trees.

A large Norway Maple tree (*Acer platanoides*) with a 76 cm trunk diameter and a mature Arborvitae (*Thuja occidentalis*) with a 45 cm trunk diameter are situated in the middle of the proposed development and are scheduled to be removed.

A large Norway Maple tree (*Acer platanoides*) with a 50.8 cm trunk diameter and a smaller Ivory Silk Lilac tree (*Syringa reticulata*) with a 12.7 cm trunk diameter are situated in the City right-of-way on St. Patrick's immediately in front of the subject properties.

The applicant will require to compensated this loss to the urban tree canopy and the municipal trees in the form of a cash-in-lieu payment, to the satisfaction of the City Forester.

**Parkland Dedication:**

Require a parkland dedication in the form of cash-in-lieu representing 5% of the subject lands, to the satisfaction of the Executive Director of Parks, as per By-law 12780 and the Planning Act, payable at the time of issuance of a building permit.

**[Stefan Fediuk, Landscape Architect]**

**PLANNING DEPARTMENT - URBAN DESIGN****Climate Change and Urban Design:**

The revised proposal has addressed the previous concerns related to stormwater runoff by increasing the amount of soft landscape area on the property. The separating into two buildings instead of a single row of townhouses, will also aid in stormwater to not collect in the rear of the yard which would have had a potential for standing water. This solution is now more contextually appropriate to the neighbourhood.

As identified in the Planning Rationale, Section 3.1 the owner is proposing new trees to manage storm water runoff. A landscape plan prepared by a Landscape Architect (OALA) is to be provided by the owner to demonstrate how the tree plantings will provide the



necessary runoff. The additional greenspace above will provide area where those trees can be planted to provide additional stormwater mitigation.

**[Stefan Fediuk, Landscape Architect]**

## **PUBLIC WORKS DEPARTMENT**

We have reviewed the subject Zoning By-law Amendment application and have the following comments:

### **Sewer**

The site may be serviced by an existing 300mm concrete storm sewer located below the centerline of St. Patrick's Ave. Currently, St. Patrick's Ave. does not contain a municipal sanitary sewer, fronting the subject site. The applicant has submitted a sanitary sewer study, prepared by McCloskey Engineering Ltd, dated January 31, 2023, which has been review by the City. This report demonstrates that there is adequate capacity and invert in the existing receiving municipal sanitary sewers to support the proposed sewer extension. No negative impacts will be realized by existing areas adjacent to the proposed development. An official approval of this report will be issues following a detailed review.

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.

### **Right-of-Way**

St. Patrick's Ave is classified as a Local Road, as per the Official Plan. The current right-of-way width is 20 meters; therefore, no land conveyance is required.

In summary we have no objection to the proposed development, subject to the following requirements:

**Servicing Study** - The owner agrees, at its own expense, to retain a Consulting Engineer to provide a detailed servicing study report on the impact of the increased flow to the existing municipal sewer systems, satisfactory in content to the City Engineer and prior to the issuance of a construction permit. The study shall review the proposed impact and recommend mitigating measures and implementation of those measures.

**Off-site Improvements** - The owner shall obtain, prior to the issuance of a building permit, an Enhanced Permit from the Right-of-way Division of the Engineering Department to supply, construct and install at its entire expense for all applicable right-of-way improvements identified by the Engineering Department, submit detailed design drawings and obtain street opening permits to the satisfaction of the City Engineer and the Transportation Planning Senior Engineer.

The Enhanced Permit shall include all of the applicable Servicing General Provisions, as updated from time to time. Prior to issuance of the Enhanced Permit the following will be required:



- a. A detailed design, prepared by an Engineer licensed in the Province of Ontario, for the approval of the Commissioner of Infrastructure Services
- b. A detailed cost estimate for the Offsite Improvements prepared by the engineer of record.
- c. Approval by the Manager of Risk Management of all necessary securities and insurance
- d. Engineering Development Review fee in accordance with the current City of Windsor User Fee Schedule
- e. The following special provisions are to be included in the Enhanced Permit:
  - Sewer Extension - The owner(s) further agrees, prior to the issuance of a building permit and at their entire expense, to extend the sanitary sewer on St. Patrick's Ave. to service the subject lands. Any oversizing shall be based on cost-sharing satisfactory to the City Engineer. Payment of any oversizing will be based on its inclusion in a Capital budget, subject to City Council's approval in a future year and may be subject to a servicing agreement. All work to be completed to the satisfaction of the Commissioner of Infrastructure Services.

**[Rob Perissinotti, Development Engineer]**

### **TRANSPORTATION PLANNING**

The Official Plan classifies St. Patrick's Ave as a Local Road with a required right-of-way width of 20 metres. The current right-of-way width is sufficient, therefore, a land conveyance is not required.

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.

**[Clare Amicarelli, Transportation Planner I]**

### **WALPOLE ISLAND FIRST NATION**

No comments provided

### **WINDSOR POLICE**

The Windsor Police Service has no concerns or objections with the proposed amendment to the Zoning By-law to change the zoning from RD1.2 to RD2.2 to permit construction of two, two-storey, semi-detached dwellings plus accessory dwelling units. The revised design features improvements to the driveway access configuration, making it safer for ongoing vehicular entry and egress from the property, compared to what was originally proposed. The outcome from this Zoning By-law amendment is not anticipated to negatively impact public safety or affect the ability to provide police service delivery to the subject property or those properties abutting it. Since the nature of the application is such that it will not be



subject to site plan control, we do recommend the following measures that are intended to enhance safety and security:

- Porch lights be provided that will yield sufficient illumination to allow good visibility of the building's entry points and street address numbers. Lights that yield at least 4.0 foot-candles (43 lux) would be optimal.
- Both new semi-detached dwellings should have their own highly visible (with no obstructions) street address number with numerals that are at least 6 - 8" high, be of a contrasting colour to the background onto which they are mounted, and be clearly visible from the adjacent roadway (St. Patrick Avenue).
- To protect each building and its contents against unlawful access that will trigger crime, appropriate target hardening measures should be considered as follows:
  - All windows should lock to guard against unlawful entry being gained, particularly all ground floor windows.
  - Exterior doors should have a dead bolt lock (with a minimum 1" bolt throw), steel door frame, and a one-way privacy viewing port to allow tenants to safely screen visitors before opening their door.

**[Barry Horrobin, Director of Planning & Physical Resources]**



## BY-LAW NUMBER -2023

Passed the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

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

- For the lands comprising of Lots 14 to 16, Plan 973, PIN No. 01213-0284 LT and PIN No. 01213-0286 LT, a *Semi-Detached Dwelling* shall be an additional permitted use and the following shall apply:

- |    |   |                      |
|----|---|----------------------|
| 1. | Provisions in section 10.2.5, save and except section 10.2.5.1 and section 10.2.5.2 |                      |
| 2. | Lot Width - minimum   | 13.7 m               |
| 3. | Lot Area - minimum  | 418.9 m <sup>2</sup> |

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

1. Item Number	2. Zoning District Map Part	3. Lands Affected	4. Official Plan Amendment Number	5. Zoning Symbol
1	4	Lots 14 to 16, Plan 973 PIN 01213-0284 LT and PIN 01213-0286 LT (located on the east side of St. Patrick's Avenue, between Tecumseh Road West and Algonquin Street)		S.20(1)H472



3. 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) Servicing Study

The owner shall, at its own expense, retain a Consulting Engineer to provide a detailed servicing study report on the impact of the increased flow to the existing municipal sewer systems, satisfactory in content to the City Engineer and prior to the issuance of a construction permit. The study shall review the proposed impact and recommend mitigating measures and implementation of those measures.

b) Off-site Improvements

The owner shall obtain, prior to the issuance of a building permit, an Enhanced Permit from the Right-of-way Division of the Engineering Department to supply, construct and install at its entire expense for all applicable right-of-way improvements identified by the Engineering Department, submit detailed design drawings and obtain street opening permits to the satisfaction of the City Engineer and the Transportation Planning Senior Engineer.

The Enhanced Permit shall include all of the applicable Servicing General Provisions, as updated from time to time. Prior to issuance of the Enhanced Permit the following will be required:

- i. A detailed design, prepared by an Engineer licensed in the Province of Ontario, for the approval of the Commissioner of Infrastructure Services;
- ii. A detailed cost estimate for the Offsite Improvements prepared by the engineer of record;
- iii. Approval by the Manager of Risk Management of all necessary securities and insurance;
- iv. Engineering Development Review fee in accordance with the current City of Windsor User Fee Schedule; and
- v. The following special provisions are to be included in the Enhanced Permit:
  - Sewer Extension
    - The owner(s) shall, prior to the issuance of a building permit and at their entire expense, extend the sanitary sewer on St. Patrick's Avenue to service the subject lands.
    - All work to be completed to the satisfaction of the Commissioner of Infrastructure Services.

- c) Landscape Plan prepared by a Landscape Architect (OALA) is to be provided by the owner to demonstrate how the tree plantings will provide the necessary runoff, to the satisfaction of the City Planner.



DREW DILKENS, MAYOR

CLERK

First Reading - , 2023

Second Reading - , 2023

Third Reading - , 2023



**SCHEDULE 2**

1. By-law \_\_\_\_\_ has the following purpose and effect:

To amend the zoning of the lands located on the east side of St. Patrick's Avenue, between Tecumseh Road West and Algonquin Street, described as Lots 14 to 16, Plan 973, PIN 01213-0284 LT and PIN 01213-0286 LT, so as to permit the development of a semi-detached dwelling on the subject land.

The amending by-law maintains the RD1.2 zoning on the subject land and adds a special zoning provision permitting a semi-detached dwelling on a lot with a reduced lot width and lot area.

2. Key map showing the location of the lands to which By-law \_\_\_\_\_ applies.



PART OF ZONING DISTRICT MAP 4

N.T.S.

## REQUESTED ZONING AMENDMENT

Applicant: Avant Group



SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT



DATE : JANUARY, 2023  
FILE NO. : Z-037/22, ZNG/6899



APPENDIX “H”  
Lot and Building Analysis  
(1400 to 1500 Block of St. Patrick Avenue)

Municipal No.	Building Area (m2) (Approx.)	Site Area (ha) (Approx.)	Lot Coverage (Approx.)	Building Area to Site Area Ratio (Approx.)	Storeys	Lot Width (m) (Approx.)	Main Building Construction Date	Lot Coverage Max (m2) (Approx.)
0 St. Patrick Ave*	208.1	0.042	49.7%	2.0	2.0	13.7	N/A	188.5
1429 St. Patrick Ave	121.9	0.041	29.8%	3.4	1.5	13.4	1925	183.9
1435 St. Patrick Ave	104.5	0.028	37.5%	2.7	1.0	9.1	1930	125.3
1443 St. Patrick Ave	118.0	0.065	18.1%	5.5	1.0	21.3	1925	292.6
1450 St. Patrick Ave	160.4	0.111	14.4%	6.9	1.0	36.4	1955	501.6
1465 St. Patrick Ave	227.8	0.074	30.7%	3.3	1.0	24.3	1972	334.4
1466 St. Patrick Ave*	208.1	0.042	49.7%	2.0	2.0	13.7	1940	188.5
1482 St. Patrick Ave	105.4	0.042	25.2%	4.0	2.0	13.7	1923	188.1
1483 St. Patrick Ave	238.8	0.084	28.6%	3.5	1.0	27.3	1950	376.2
1494 St. Patrick Ave	241.3	0.042	57.7%	1.7	2.0	13.7	1923	188.1
1498 St. Patrick Ave	202.8	0.056	36.4%	2.7	2.0	18.3	1940	250.7
1501 St. Patrick Ave	207.2	0.070	29.7%	3.4	1.0	22.8	1971	313.5
1515 St. Patrick Ave	199.1	0.070	28.6%	3.5	1.0	22.8	1965	313.5
1520 St. Patrick Ave	103.0	0.056	18.5%	5.4	2.0	18.2	1978	250.8
1535 St. Patrick Ave	229.3	0.074	30.9%	3.2	2.0	24.3	1964	334.4
1542 St. Patrick Ave	207.8	0.056	37.3%	2.7	1.0	18.2	1955	250.8
1555 St. Patrick Ave	116.9	0.075	15.7%	6.4	2.0	21.4	1965	335.5
1560 St. Patrick Ave	296.7	0.084	35.5%	2.8	2.0	27.3	1977	376.2
1580 St. Patrick Ave	249.5	0.084	29.8%	3.4	2.0	27.3	1975	376.2
1585 St. Patrick Ave	247.3	0.074	33.3%	3.0	1.0	24.3	1972	334.3
*Denotes the subject property								
	Minimum Value							
	Maximum Value							
Average (Excludes 0 & 1466 St. Patrick Avenue)	187.7	0.1	29.9%	3.7	1.5	21.3		295.9
Average (Includes 0 & 1466 St. Patrick Avenue)	189.7	0.1	31.9%	3.6	1.5	20.6		285.1



## APPENDIX “I”

### Applicant’s Rationale for Reduction in Rear Yard Depth

**From:** Jacky Ng <jacky@avantgroupincorp.com>

**Sent:** April 26, 2023 9:00 PM

**To:** Nagata, Brian <bnagata@citywindsor.ca>

**Cc:** Porter, Ashley <aporter@citywindsor.ca>; mohammad@avantgroupincorp.com; 'Tian Yao Li'

[REDACTED]; Matthews, Meghan (She/Her) <MMatthews@citywindsor.ca>

**Subject:** RE: Z-037/22 [ZNG-6899] (0 & 1466 St Patrick Avenue)

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Brian,

I’ve reached out to Andrew from Verhaegen regarding conducting the survey but he has yet to reply. But with their current schedule it would take them at least a month or so to conduct our survey. We’d like to move forward with the site specific provision for rear yard setback. We believe the below justification would explain the reduction of rear yard setback along with not favoring the alley closure:

1. **Historical Ineffectiveness of the Alley:** As indicated on the City map, the alley in question has not served its intended function prior to 2000. This extended period of ineffectiveness suggests that alternative routes and access points have been established, rendering the alley redundant for regular traffic flow and property access. Given its historical ineffectiveness, permanently closing the alley may not significantly impact the community's daily routines and accessibility. Therefore, allowing a reduction in the rear yard setback would not compromise the overall functionality of the neighborhood.
2. **Preservation of Green Space:** We recognize the importance of preserving green space for landscaping and environmental considerations. By not favoring an alley closure, we can retain the existing alley area as green space, which provides various benefits. Green spaces enhance the aesthetic appeal of the neighborhood, improve air quality, mitigate the urban heat island effect, and support biodiversity. By leaving the alley intact, we can contribute to the preservation of valuable green space and create a more sustainable and pleasant environment for the community.
3. **Prevention of Changes to Stormwater Direction:** Altering the existing stormwater flow direction can have adverse effects on the surrounding infrastructure and natural drainage patterns. By maintaining the alley, we can prevent further changes to stormwater direction, ensuring that the current drainage system remains intact. This approach minimizes the need for costly alterations, preserves the natural stormwater flow, and reduces the potential for drainage issues and increased flood risks in the area.
4. **Community Well-being:** The preservation of green space can positively impact the community's well-being by providing recreational opportunities, promoting a connection with nature, and creating a sense of tranquility within the urban environment. Green spaces are known to contribute to mental health, physical activity, and overall quality of life. Retaining the alley as a green space can enhance the community's livability and contribute to a more vibrant and sustainable neighborhood.
5. **Sustainable Development:** Incorporating green space and preserving the natural stormwater flow aligns with principles of sustainable development. It promotes environmental stewardship,



biodiversity conservation, and the overall resilience of the built environment. By embracing sustainable practices, the proposed development can serve as a positive example of responsible urban planning and contribute to a healthier and more sustainable city.

Regarding the requirement for completing the sanitary sewer connection before obtaining a building permit. To streamline the process and minimize delays, we propose submitting the building permit application concurrently with the sanitary sewer connection work. We acknowledge that the permit will only be issued upon completion and approval of the connection.

Applying for the permit in tandem aims to expedite the review and pre-approval process, allowing us to address any identified issues beforehand. This ensures all necessary documentation and requirements are met in advance, facilitating a smooth transition from the sewer connection completion to prompt permit issuance.

Please let us know if you have questions, thank you.

**Best Regards,**

**JACKY NG**

PROJECT & ARCHITECTURAL DESIGNER



e: [jacky@avantgroupincorp.com](mailto:jacky@avantgroupincorp.com)

m: 519.300.9839

w: <https://avantgroupincorp.com>

a: 5980 Tecumseh Rd. East, Windsor, ON, N8T 1E3



**Development & Heritage Standing Committee**  
**June 5, 2023**  
**Item 7.2 – Written Submission**

**From:** Cynthia Williams

**Sent:** June 2, 2023 9:26 AM

**To:** clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>

**Subject:** Amendment to Zoning By-Law 8600 for 1466 St Patrick's Windsor Ontario N8X 3P7

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning:

We would like to communicate our concerns for this proposed development.

First we would like comment that building new homes on this proper, would be preferable to the abandoned lot and shack that that is current their. However, we have concerns about the multiple dwelling (8 unit) rental properties being proposed for this space.

Here is a list of some of our concerns:

**Financial Burden due to a new sewer connection that would be required for the current residents**

- Many of the residents in this neighbourhood are retired and on a fixed income. The cost of connecting to the sewer system would be a financial burden for many. Currently some of the residence are on septic systems or Sewer to storm drain connections.
- The cost of the connection and interest would overwhelm many of the residence

**Parking Congestion on the Street**

- Street parking is already congested at times due to Tecumseh Rd businesses/restaurant overflow
- These proposed additional 8 units in this very small lot space would create additional burden to an already taxed parking situation

**Green Space**

- The volume of land consumption on this lot due to the proposed dwellings will greatly diminished the current green space

**The Overall Aesthetic of the neighbourhood**

- Most homes in this neighbourhood are single family range style homes that are privately owned, occupied and maintained.
  - Building rental properties in this neighbourhood will diminish the overall aesthetic of the neighbourhood
  - I have additional concerns of the care and maintenance of the property by renters:
    - Snow removal
    - Grass and Landscaping maintenance
    - Property repair and maintenance

Please submit our concerns to Standing Committee for the hearing on June 5<sup>th</sup>. In addition, we had a neighbourhood meeting yesterday, and to respect Standing Committee's time we have assigned two delegates on behalf of our group to speak to our collective concerns.

Your consideration on this matter is appreciated. Also can you advise do I have to register to attend the zoom meeting or just log onto the link provided in the communication?

Regards. Donald and Cynthia Williams  
1498 St Patrick's Ave  
Windsor Ontario N8X 3 P7



**June 5, 2023**  
**Development & Heritage Standing Committee**  
**Item 7.2 – Written Submission**

**From:**  
**Sent:** June 2, 2023 9:10 AM  
**To:** clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>  
**Subject:** amendment to zoning by-law8600

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I am completely opposed to amending the zoning by-law 8600 which would allow for the construction of two(2) two?(2) story semi-detached dwellings with an accessory additional dwelling unit within each semi detached dwelling unit which is now zoned as a low profile residential.

By allowing this, it would alter the character of the neighborhood as it would be for many renters, not homeowners. It would also cause street congestion and lack of parking. This would also put a financial burden on homeowners who would have to put in sewers to city connections who are now on septic systems or sewer to storm drain connections. Please leave our peaceful, well maintained , long-established neighborhood as is.

Respectfully Mrs.W Robertson  
1501 St.Patrick's



Hello,

We hope this email finds you well. Our names are Nawal Mathkoo and Tamara Khalaf, and we are the daughter and granddaughter of Ameera Al-Dhamad, respectively. Mrs. Al-Dhamad is a resident of Rankin Street in Windsor, and we have some concerns about the planned rezoning on the nearby block of St. Patrick Avenue and how it may impact us.

It has come to our attention that there is a planned rezoning of one of the empty lots on St. Patrick Avenue, near the intersection of Tecumseh Road West. We have been told that there are plans to construct a twelve-unit building in that lot. Mrs. Al-Dhamad and us have concerns about how the addition of this property will disrupt the surrounding area, including Rankin Street.

Having such a high-density property in a neighbourhood composed of detached single homes would have an overwhelmingly negative impact on the surrounding area. Furthermore, we are concerned about this proposed property being used for student housing, which would bring increased traffic and noise disruptions to the area. We cannot support such a development at this time, and would like to discuss the situation in further detail at your earliest convenience.

We look forward to hearing back from you, and we thank you for your time.

Sincerely,

Nawal Mathkoo and Tamara Khalaf





**Subject: Closure of north/south alley located between Alexandra Avenue and Labelle Street, Ward 10**

Moved by: Councillor Fred Francis

Seconded by: Councillor Mark McKenzie

Decision Number: **DHSC 540**

- I. THAT the 4.57-metre-wide north/south alley located between Alexandra Avenue and Labelle Street, and shown on Drawing No. CC-1817 (*attached* hereto as Appendix "A"), and hereinafter referred to as the "subject alley", **BE ASSUMED** for subsequent closure;
- II. THAT the subject alley **BE CLOSED AND CONVEYED** to the abutting property owners and as necessary, in a manner deemed appropriate by the City Planner, subject to the following:
  - a. 3.0-metre-wide easement, measured 1.50 metres from either side of the following utility infrastructure, subject to there being accepted in the City's standard form and in accordance with the City's standard practice, be granted to:
    - i. Bell Canada to protect existing aerial facilities;
    - ii. ENWIN Utilities Ltd. to accommodate an existing 16,000-volt pole line and associated distribution system and down guy(s); and
    - iii. MNSi to accommodate existing aerial facilities.
  - b. Ontario Land Surveyor be directed to use existing encroachments for determining the boundaries of the lands to be conveyed to each abutting property owner, save and except that portion abutting 0 Longfellow Avenue (P.I.N. 01311-0965 LT), 2658 Longfellow Avenue, 2659 Alexandra Avenue, 2663 Alexandra Avenue, 2676 Longfellow Avenue and 2695 Alexandra Avenue in which case the middle of the alley shall be used; as well as those portions abutting 2724 Longfellow Avenue and 2799 Alexandra Avenue, in which case the full width of the alley shall be used if it is determined that the aforesaid properties do not have any encroachments in the subject alley.
- III. THAT Conveyance Cost **BE SET** as follows:
  - a. For alley conveyed to abutting lands zoned RD1.4, \$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.
- IV. THAT The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1817, *attached* hereto as Appendix "A".



- V. THAT The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s).
- VI. THAT The Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor

Carried.

Report Number: S 81/2023  
Clerk's File:SAA2023

**Clerk's Note:**

1. The recommendation of the Development & Heritage Standing Committee and Administration are the same.
2. Please refer to Item 11.1 from the Development & Heritage Standing Committee held on August 1, 2023.
3. To view the stream of this Standing Committee meeting, please refer to:  
<http://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20230801/-1/9422>



**Subject: Closure of north/south alley located between Alexandra Avenue and Labelle Street, Ward 10, SAA-6786**

**Reference:**

Date to Council: August 1, 2023  
Author: Brian Nagata, MCIP, RPP  
Planner II - Development Review  
(519) 255-6543 ext. 6181

Planning & Building Services  
Report Date: July 5, 2023  
Clerk's File #: SAA2023

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

**Recommendation:**

- I. THAT the 4.57-metre-wide north/south alley located between Alexandra Avenue and Labelle Street, and shown on Drawing No. CC-1817 (*attached* hereto as Appendix "A"), and hereinafter referred to as the "subject alley", **BE ASSUMED** for subsequent closure;
- II. THAT the subject alley **BE CLOSED AND CONVEYED** to the abutting property owners and as necessary, in a manner deemed appropriate by the City Planner, subject to the following:
  - a. 3.0-metre-wide easement, measured 1.50 metres from either side of the following utility infrastructure, subject to there being accepted in the City's standard form and in accordance with the City's standard practice, be granted to:
    - i. Bell Canada to protect existing aerial facilities;
    - ii. ENWIN Utilities Ltd. to accommodate an existing 16,000-volt pole line and associated distribution system and down guy(s); and
    - iii. MNSi to accommodate existing aerial facilities.
  - b. Ontario Land Surveyor be directed to use existing encroachments for determining the boundaries of the lands to be conveyed to each abutting property owner, save and except that portion abutting 0 Longfellow Avenue (P.I.N. 01311-0965 LT), 2658 Longfellow Avenue, 2659 Alexandra Avenue, 2663 Alexandra Avenue, 2676 Longfellow Avenue and 2695 Alexandra Avenue in which case the middle of the alley shall be used; as well as those portions abutting 2724 Longfellow Avenue and 2799



Alexandra Avenue, in which case the full width of the alley shall be used if it is determined that the aforesaid properties do not have any encroachments in the subject alley.

III. THAT Conveyance Cost **BE SET** as follows:

a. For alley conveyed to abutting lands zoned RD1.4, \$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.

IV. THAT The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1817, *attached* hereto as Appendix "A".

V. THAT The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s).

VI. THAT The Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor

### Executive Summary:

N/A



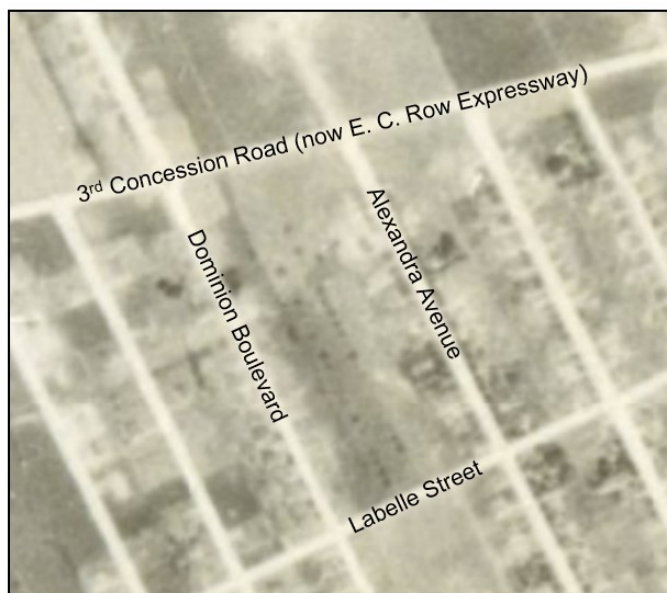
Figure 1 - Location Map



## Background:

Type The applicant, Lisa Paolatto, owner of the property known municipally as 2798 Longfellow Avenue (the subject property), applied to close the north/south alley located between Alexandra Avenue and Labelle Street (the alley), and shown on Drawing No. CC-1817 *attached* hereto as Appendix “A”, and also shown on the aerial photo *attached* hereto as Appendix “B”.

The alley was established by Windsor Manor No. 2 Registered Plan of Subdivision 1307, registered on June 14, 1928, and used for agricultural purposes until approximately 1935 when the abutting lands began to be developed as single family dwelling lots (progression of development illustrated in Figure 2 below). Over the years abutting properties encroached into the alley with accessory buildings, fences, landscaped open space and structures. Each lot roughly encroached into its abutting half of the alley. This excludes 2663 Alexandra Avenue (in part), 2701 Alexandra Avenue (in part), 2725 Alexandra Avenue, 2735 Alexandra Avenue (in part) and the subject property (in part), which appear to have encroached into their entire abutting alley. The alley also contains utility poles with guy wires and anchors. There are no Encroachment Agreements on record for the use of the alley.



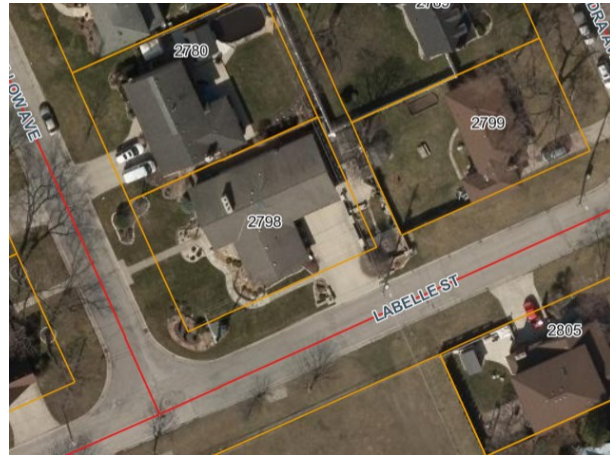
**Figure 2 - 1954 Aerial Photo**  
(Ontario Department of Lands and Forests)

The applicant wishes to close the alley for the purpose of addressing longstanding encroachments over the entire width of the alley abutting the subject property. The applicant claims that there have been encroachments within the alley since approximately 1960. City of Windsor aerial photography ranging from 1969 to 2021 illustrates the said encroachments (refer to Figures 3 & 4 below).





**Figure 3 - 1969 Aerial Photo**



**Figure 4 - 2021 Aerial Photo**

## **Discussion:**

The decision to recommend closure of an alley is derived from the City's *Classification of Alleys and Suitability for Closure* guideline document (the document), *attached* hereto as Appendix "E". The document details four classifications of alleys based on their usefulness, and provides corresponding criteria for determining suitability for closure.

## **Classification of Public Right-of-Ways**

The initial step is to determine if the alley is indispensable. This is achieved through the evaluation of the following criteria set forth in Section 1 of the document.

1. *Does the subject alley serve commercial properties?*
  - a. The alley does not serve any commercial properties.
2. *Does the subject alley serve properties fronting on heavily traveled streets i.e. major arterial routes?*
  - a. The alley does not serve any properties fronting on heavily traveled streets.
3. *Does the subject alley contain sewers, and must the alley remain accessible for servicing?*
  - a. The alley does not contain any sewers.
4. *Does the subject alley serve as the only vehicular means of access to rear parking areas and garages where the property has insufficient lot width for a side drive?*
  - a. The alley does not provide vehicular access to any rear parking areas or garages.



5. *Does the subject alley contain Fire Department connections that are deemed to be necessary for firefighting access?*
  - a. The alley does not contain any Fire Department connections.
6. *Does the subject alley lie within a Holding zone or other similar undeveloped areas where the right-of-way system is clearly obsolete and has never been developed, but where the City needs to keep its options open until new area plans are prepared and development is imminent?*
  - a. The alley does not lie within a Holding zone or other similar undeveloped area.

Based on the above, the Planning Department deems the alley “dispensable”, and supports the requested closure.

It is our recommendation that, upon closure, the abutting property owners be given the chance to acquire the alley in the manner described in the Recommendation section herein. Hence the recommendation is to close and convey the alley to the abutting property owners, which is the standard manner of conveyance. This recommendation includes direction to the Ontario Land Surveyor to use existing encroachments or the centre of the alley where there are no encroachments for determining the boundaries of the lands to be conveyed to each abutting property owner.

This excludes those portions of the alley abutting 2701 Alexandra Avenue (in part), 2725 Alexandra Avenue, 2735 Alexandra Avenue (in part) and the subject property (in part), which are recommended to be offered firstly to the owners of the said properties if it is determined that the property or properties on the opposite side do not have any encroachments into the alley. This recommendation is based on the historical use of the alley by the aforesaid properties and the owners of the properties on the opposite side of the alley waiving their right to purchase their half of the abutting alley.

This also excludes 2676 Longfellow Avenue, whose owner has requested that the middle of the alley be used in lieu of their encroachments.

### **Risk Analysis:**

The recommended closure will divest the City of associated liability risks and maintenance costs. The recommended closure poses no known risk to City.

### **Climate Change Risks**

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

N/A

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

N/A



## **Financial Matters:**

The rate for an alley conveyed to abutting lands zoned RD1.4 is assessed at \$1.00 plus HST (if applicable), deed preparation fee and proportionate share of the survey costs as invoiced to the City by an Ontario Land Surveyor.

## **Consultations:**

Consultations were held with Municipal Departments and Utility Companies, which resulted in the information found in *attached* hereto as Appendix "C".

Notice of this application was issued to property owners abutting the alley by regular mail, with no objections being received as of the date of writing this report.

On June 7, 2023, letters were issued to the owners of 2658 Longfellow Avenue, 2724 Longfellow Avenue and 2799 Alexandra Avenue requesting written confirmation by June 21, 2023 on whether they wish to exercise or waive their rights to acquire the half of the alley abutting their property. This action was taken due to their half of the alley being encroached on by the property or properties on the opposite side of the alley.

The owners of 2658 Longfellow Avenue confirmed via June 20, 2023 email that they wish to exercise their right to purchase their half of the alley.

The owner of 2676 Longfellow Avenue confirmed via July 5, 2023 telephone conversation that they wish to exercise their right to purchase their half of the alley. The owner indicated that they would like to obtain their full half of the alley in lieu of that portion that they are currently encroaching on.

No responses were received from the other property owners.

Notice of Development & Heritage Standing Committee meeting and Council meeting are published in the Windsor Star prior to each of the meetings. In addition, notice of each of the public meetings will be mailed to the abutting/affected property owners prior to the meetings.

## **Conclusion:**

The Planning Department recommends closure of the subject alley shown on attached Appendix "A", subject to easements in favour of Bell Canada, ENWIN Utilities Ltd., and MNSi as in Recommendation II of this report respectively.

The closed alley is to be conveyed to the abutting property owners as in Recommendation II of this report.

## **Planning Act Matters:**

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

Justina Nwaesei, *MCIP, RPP*  
*Acting Manager of Planning Policy*

Greg Atkinson, *MCIP, RPP*  
*Acting City Planner*



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

*JP*

*JM*

**Approvals:**

<b>Name</b>	<b>Title</b>
Justina Nwaesei	Acting Manager of Planning Policy/Deputy City Planner
Greg Atkinson	Acting City Planner / Executive Director, Planning & Development Services
Stephanie Santos	Coordinator of Real Estate Services
Kate Tracey	Senior Legal Counsel
Jelena Payne	Commissioner, Economic Development & Innovation
Joe Mancina	Chief Administration Officer

**Notifications:**

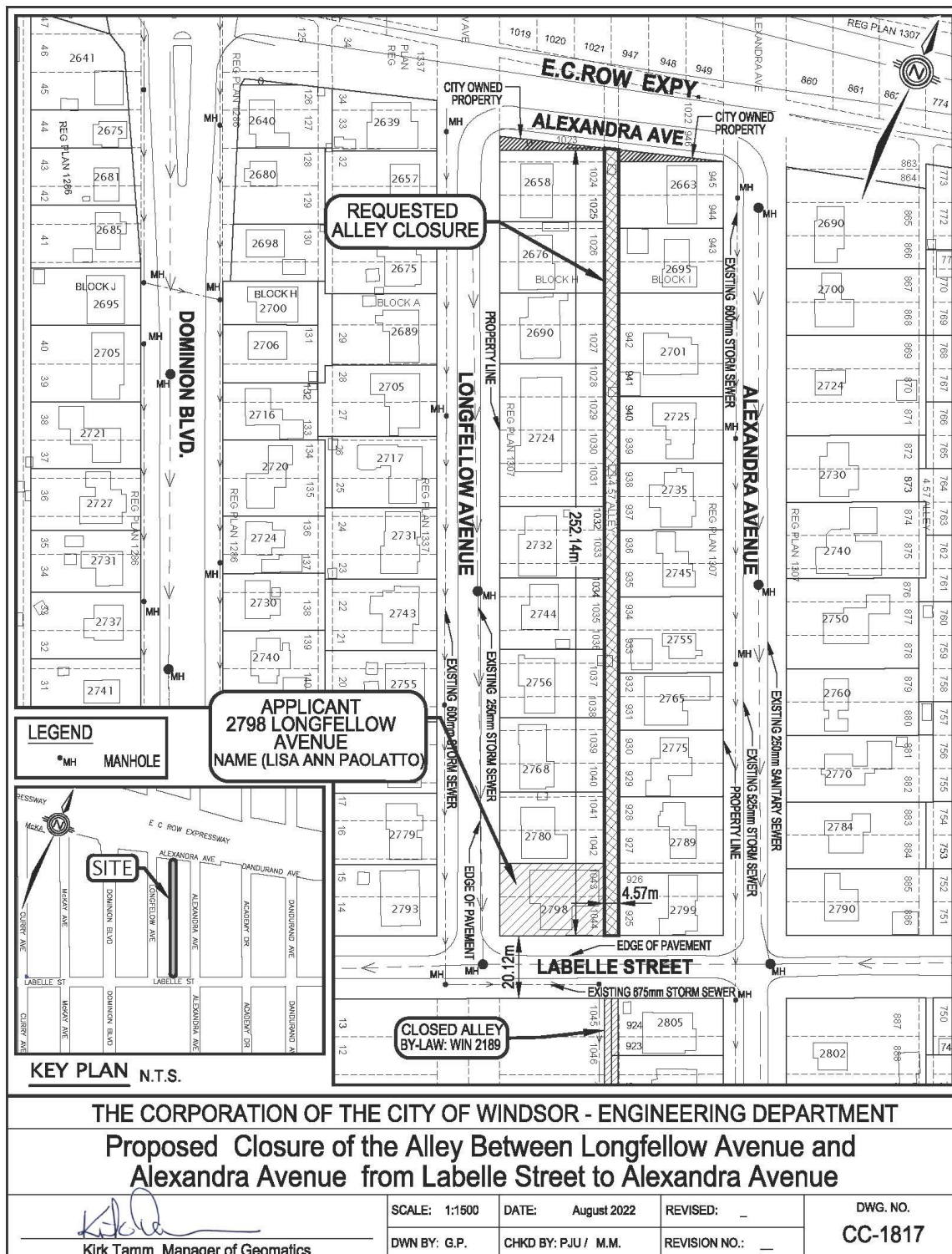
<b>Name</b>	<b>Address</b>	<b>Email</b>
Ward 10 Councillor Jim Morrison	350 City Hall Square West, Suite 220 Windsor, Ontario N9A 6S1	jmorrisson@citywindsor.ca
List of mailing labels for property owners abutting alley issued to Clerks office		

**Appendices:**

- 1 Appendix A - Drawing No. CC-1817
- 2 Appendix B - EIS Drawing - Aerial Photo
- 3 Appendix C - Consultations with Municipal Departments and Utility Companies
- 4 Appendix D - Site Photos
- 5 Appendix E - Classification of Alleys and Suitability for Closure



# **APPENDIX "A"** **Drawing No. CC-1817**





## APPENDIX "B"

### EIS Drawing - Aerial Photo



### STREET & ALLEY CLOSING (SAA/6786)

1:1,500

APPLICANT : LISA ANN PAOLATTO

 SUBJECT LANDS

PLANNING DEPARTMENT - DEVELOPMENT DIVISION

DATE: JUNE, 2022





## APPENDIX “C”

### Consultations with Municipal Departments and Utility Companies

#### **BELL CANADA WSP**

Bell Canada requests an easement over the entire closure area to protect existing aerial facilities.

**[Charleyne Hall - Bell Canada External Liaison, Right of Way & Indigenous Relation]**

#### **COGECO CABLE SYSTEMS INC.**

No comments provided

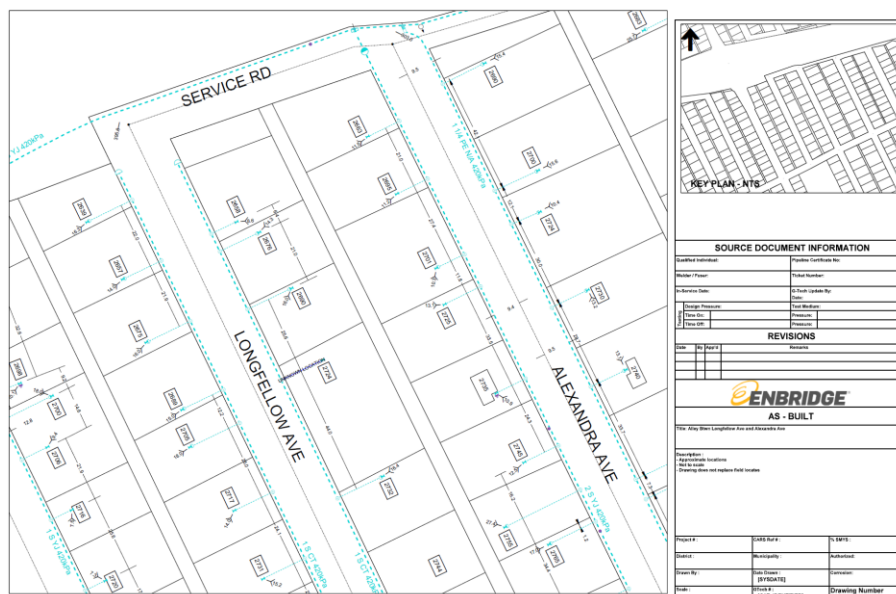
#### **ENBRIDGE GAS**

After reviewing the provided drawing of the alley between Longfellow Ave and Alexandra Ave and consulting our mapping system, please note that Enbridge Gas has no active infrastructure in the proposed area. A PDF drawing has been attached for reference.

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

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

**[James Makhoulf - Summer Student, Drafting]**





**ENVIRONMENTAL SERVICES**

Comments not provided

**ENWIN UTILITIES - HYDRO**

No objection, however, upon closing, and easement named to ENWIN Utilities Ltd is required for the entire area to accommodate an existing 16,000-volt pole line and associated distribution system and down guy(s).

**[Anwar Nagar - Senior Hydro Engineering Technologist]**

**ENWIN UTILITIES - WATER**

Water Engineering has no objections.

**[Bruce Ogg - Water Project Review Officer]**

**LEGAL DEPARTMENT**

For lands being conveyed to RD1.4, \$1 plus deed preparation and proportionate share of the survey cost as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor

**[Chris Carpenter - Coordinator of Real Estate Services]**

**MNSi**

MNSi will require an Aerial Easement through this entire alley we are on the Poles in the alley

**[Dave Hartleib - Outside Plant Manager]**

**PARKS & FACILITIES**

No comments

**[Sherif Barsom - Landscape Architect]**

**PLANNING DEPARTMENT**

No comments provided

**PLANNING DEPARTMENT - LANDSCAPE ARCHITECT**

No objection from a landscape architectural perspective.

**[Stefan Fediuk - Landscape Architect]**



**PUBLIC WORKS - ENGINEERING**

The subject grass alley is approximately 250 m long and 5 m wide. There are no sewers running through this alley. There are hydro poles and guy wires in this alley. An easement will be required for the utilities. There are no driveway approaches at either end of the alley. There are many fence, shed and other encroachments in the alley. This subject alley has no usefulness as per CR146/2005; therefore, we have no objections to the closure.

**[Adam Pillon - Manager of Right-of-Way]**

**PUBLIC WORKS - TRAFFIC**

Current alley way is blocked off with privacy fencing at each end. No vehicular or pedestrian access is available. No concern with closing the alley as proposed.

**[Mike Spagnuolo - Signal Systems Analyst]**

**ROGERS COMMUNICATIONS**

No comments provided

**TELUS COMMUNICATIONS**

TELUS has no underground infrastructure in the area of your proposed work

**[Meghna Patel - Permit Coordinator]**

**TRANSPORTATION PLANNING**

There are no concerns with closing this alley as proposed since it is not being used for transportation purposes and access is not available due to the fence on the north end of the alley.

**[Shannon Deehan - Transportation Planning Coordinator]**

**TRANSIT WINDSOR**

No comments provided

**WINDSOR FIRE**

No comments provided

**WINDSOR POLICE**

The Windsor Police Service has no concerns or objections with the closure of this alley. Closure will not create problems for police to otherwise gain access for emergency incident response or vehicle patrol purposes within the immediate area, as other viable options will remain for this.

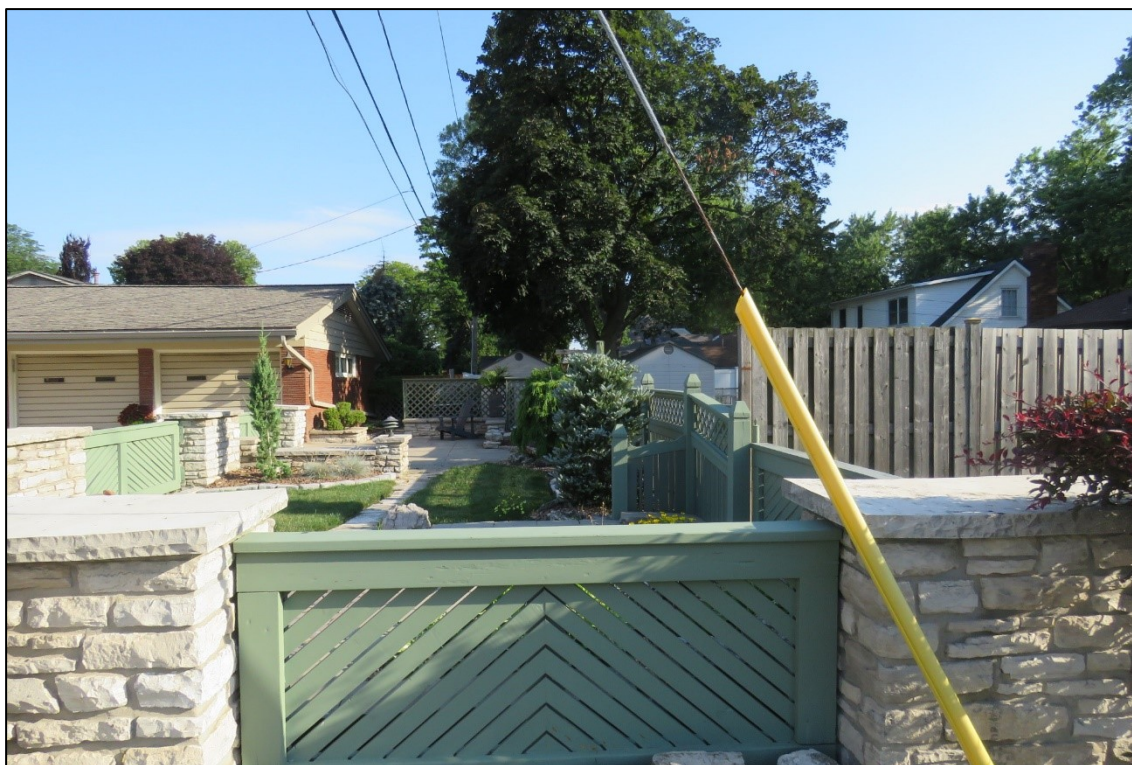
**[Barry Horrobin - Director of Planning & Physical Resources]**



**APPENDIX “D”**  
**Site Photos (June 30, 2022)**



*Figure 1 - Looking north towards alley from Labelle Street*

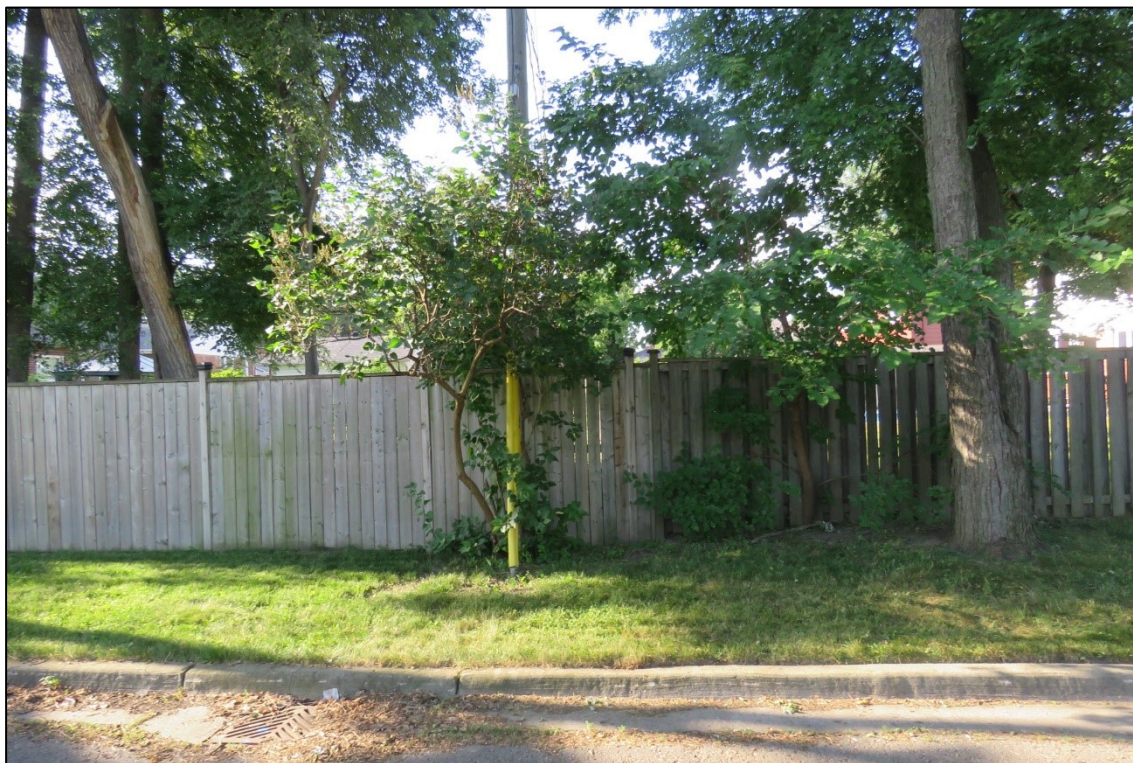


*Figure 2 - Encroachments in south end of alley (2798 Longfellow Avenue on left)*





*Figure 3 - Encroachments in north end of alley (2663 Alexandra Avenue on left)*



*Figure 4 - Looking south towards alley from Alexandra Avenue)*





*Figure 5 - Encroachments in north end of alley (2658 Longfellow Avenue on right)*



## **APPENDIX “E”**

### **Classification of Alleys and Suitability for Closure**

#### **Classification of Public Rights-of-Ways:**

Currently streets and alleys fall into four classifications on the basis of their usefulness:

- 1) Alleys that are **indispensable**. These would be alleys serving commercial properties and properties fronting on heavily traveled streets i.e. major arterial routes and alleys which contain sewers and must remain accessible for servicing; alleys or streets which serve as the only vehicular means of access to rear parking areas and garages where the property has insufficient lot width for a side drive; and, alleys which contain Fire Department connections that are deemed to be necessary for firefighting access.
- 2) Alleys that, **have some usefulness**, are nevertheless dispensable and may or may not be a complete liability.
- 3) Alleys that appear to serve **no useful purpose**, either now, or anticipated. Such alleys are in residential areas and locations where generally the lots are wide enough for side drives, or those alleys abutting parks and other parcels of land that do not require any servicing from the alley. Remnant or stub-end streets which are dead-ended and do not serve as access to other streets.
- 4) Alleys lying in Holding zones and other similar undeveloped areas where the alley system is **clearly obsolete** and has never been developed, but where the City needs to keep its options open until new area plans are prepared and development is imminent.

#### **Suitability for Closing:**

Following are the criteria and suitability for closing alleys in each of the above classifications:

- 1) Indispensable alleys should **not be closed**, conveyed, reduced or otherwise jeopardized through minority interests unless a suitable substitute alley is opened in lieu thereof. They are essential from the viewpoint of fire protection, police protection, emergency services (i.e. ambulance) and loading or unloading of goods, refuse collection, servicing of blocked sewers and utility services. Without such alleys, the above noted services would at least be more costly if not impossible to complete or adequately access; and would noticeably interfere with street traffic, thereby reducing the access capacity of the adjacent arterial, collector, or street for business.
- 2) Alleys having some usefulness should **be considered for closing** only upon request of abutting owners rather than by encouragement of the City.
- 3) Alleys that serve no useful purpose should **be closed** if at all possible, and in fact the owners abutting thereon should be encouraged to accept conveyance.
- 4) Alleys that are clearly obsolete should **not be closed** unless there is a municipal need or specific development proposals acceptable to the City are submitted.





**Subject: Closure of north/south alley located between Algonquin Street and 1429 Randolph Avenue, Ward 10**

Moved by: Councillor Mark McKenzie

Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 518 DHSC 541**

- I. THAT the 4.27-metre-wide north/south alley located between Algonquin Street and the property known municipally as 1429 Randolph Avenue (legally described as Lot 9, Lots 513 to 515 & Block C, Plan 973) and shown on Drawing No. CC-1834 (*attached* hereto as Appendix "A"), and hereinafter referred to as the "subject alley", **BE ASSUMED** for subsequent closure;
- II. THAT the subject alley **BE CLOSED AND CONVEYED** to the abutting property owners and as necessary, in a manner deemed appropriate by the City Planner, subject to the following:
  - a. 3.0-metre-wide easement, measured 1.50 metres from either side of the following utility infrastructure, subject to there being accepted in the City's standard form and in accordance with the City's standard practice, be granted to:
    - i. Bell Canada to accommodate existing aerial facilities;
    - ii. ENWIN Utilities Ltd. to accommodate the existing overhead secondary 120/240-volt and 347/600-volt hydro distribution; and
    - iii. MNSi. to accommodate existing plant on the pole lines.
  - b. Easement over that portion of the subject alley abutting Lot 513, Plan 973, in favour of 1429 Randolph Avenue for access to repair and maintain the south face of the existing building on the property, **if** the owner of 1429 Randolph Avenue is unable to purchase the full width of the aforesaid portion of the subject alley abutting their property.
  - c. Ontario Land Surveyor be directed to use existing encroachments for determining the boundaries of the lands to be conveyed to each abutting property owner, save and except:
    - i. That portion located between 0, 1450 & 1466 St. Patrick Avenue (legally described as Lots 10 to 16, Plan 973), and 1429 & 1465 Randolph Avenue (legally described as Lots 9, 507 to 515 & Block C, Plan 973), in which case the middle of the alley shall be used.
- III. THAT Conveyance Cost **BE SET** as follows:
  - a. For alley conveyed to abutting lands zoned CD2.1, \$20.00 per front foot without easements plus HST (if applicable) and \$10.00 per front foot with easements plus HST (if applicable).



- b. For alley conveyed to abutting lands zoned RD1.2, \$1.00 plus HST (if applicable), deed preparation fee and proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.
- IV. THAT The City Planner **BE REQUESTED** to supply the appropriate legal description for that portion of the subject alley abutting the properties known municipally as 0 and 1466 St. Patrick Avenue.
- V. THAT The City Planner **BE REQUESTED** to supply the appropriate legal description for the remaining portion of the subject alley abutting the properties legally described as Lots 10 to 13, 17 to 31, 492 to 506 & 510 to 513, Plan 973.
- VI. THAT The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s) for each portion of the subject alley.
- VII. THAT The Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor.

Carried.

Report Number: S 57/2023

Clerk's File:SAA2023

**Clerk's Note:**

1. The recommendation of the Development & Heritage Standing Committee and Administration are the same.
2. Please refer to Item 11.2 from the Development & Heritage Standing Committee held on August 1, 2023.
3. To view the stream of this Standing Committee meeting, please refer to:  
<http://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20230801/-1/9422>



**Subject: Closure of north/south alley located between Algonquin Street and 1429 Randolph Avenue, Ward 10, SAA-7025**

**Reference:**

Date to Council: August 1, 2023  
Author: Brian Nagata, MCIP, RPP  
Planner II - Development Review  
(519) 255-6543 ext. 6181

Planning & Building Services  
Report Date: May 5, 2023  
Clerk's File #: SAA2023

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

**Recommendation:**

- I. THAT the 4.27-metre-wide north/south alley located between Algonquin Street and the property known municipally as 1429 Randolph Avenue (legally described as Lot 9, Lots 513 to 515 & Block C, Plan 973) and shown on Drawing No. CC-1834 (*attached* hereto as Appendix "A"), and hereinafter referred to as the "subject alley", **BE ASSUMED** for subsequent closure;
- II. THAT the subject alley **BE CLOSED AND CONVEYED** to the abutting property owners and as necessary, in a manner deemed appropriate by the City Planner, subject to the following:
  - a. 3.0-metre-wide easement, measured 1.50 metres from either side of the following utility infrastructure, subject to there being accepted in the City's standard form and in accordance with the City's standard practice, be granted to:
    - i. Bell Canada to accommodate existing aerial facilities;
    - ii. ENWIN Utilities Ltd. to accommodate the existing overhead secondary 120/240-volt and 347/600-volt hydro distribution; and
    - iii. MNSi. to accommodate existing plant on the pole lines.
  - b. Easement over that portion of the subject alley abutting Lot 513, Plan 973, in favour of 1429 Randolph Avenue for access to repair and maintain the south face of the existing building on the property, **if** the owner of 1429 Randolph Avenue is unable to purchase the full width of the aforesaid portion of the subject alley abutting their property.



- c. Ontario Land Surveyor be directed to use existing encroachments for determining the boundaries of the lands to be conveyed to each abutting property owner, save and except:
  - i. That portion located between 0, 1450 & 1466 St. Patrick Avenue (legally described as Lots 10 to 16, Plan 973), and 1429 & 1465 Randolph Avenue (legally described as Lots 9, 507 to 515 & Block C, Plan 973), in which case the middle of the alley shall be used.

III. THAT Conveyance Cost **BE SET** as follows:

- d. 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).
- e. 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.

IV. THAT The City Planner **BE REQUESTED** to supply the appropriate legal description for that portion of the subject alley abutting the properties known municipally as 0 and 1466 St. Patrick Avenue.

V. THAT The City Planner **BE REQUESTED** to supply the appropriate legal description for the remaining portion of the subject alley abutting the properties legally described as Lots 10 to 13, 17 to 31, 492 to 506 & 510 to 513, Plan 973.

VI. THAT The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s) for each portion of the subject alley.

VII. THAT The Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor.

**Executive Summary:**

N/A







## Background:

The applicant, Tian Yao Investment Ltd., owner of the property known municipally as 0 and 1466 St. Patrick Avenue (the subject property), applied to close the north/south alley located between Algonquin Street and 1429 Randolph Avenue (the alley), and shown on Drawing No. CC-1834 *attached* hereto as Appendix “A”, and also shown on the aerial photo *attached* hereto as Appendix “B”.

The alley was established by Registered Plan of Subdivision 973, registered on October 19, 1920. The alley originally extended to the untraveled east/west alley bordering 1429 Randolph Avenue to the north. This section of the alley was closed on April 16, 1961.

City of Windsor aerial photography from 1969 to 2021 illustrates that the alley has been encroached on over the years by abutting properties with accessory buildings, fences, landscaped open space and structures. Each property roughly encroached into its abutting half of the alley. This excludes the subject property which encroached on the full width of the alley, and the properties to the north which did not encroach within the alley. The alley also contains utility poles with guy wires and anchors. There are no Encroachment Agreements on record for the use of the alley.

The applicant wishes to close the alley for the purpose of enlarging the subject property to accommodate a larger building area for the Semi-Detached Dwelling development being proposed through the concurrent Zoning By-law Amendment Application (File No. Z-037/22). This application is necessary as the Planning Department will not support the applicant's request for a reduced rear yard depth to achieve a greater building area.

## Discussion:

The decision to recommend closure of an alley is derived from the City's *Classification of Alleys and Suitability for Closure* guideline document (the document), **attached** hereto as **Appendix “E”**. The document details four classifications of alleys based on their usefulness, and provides corresponding criteria for determining suitability for closure.

### Classification of Public Right-of-Ways

The initial step is to determine if the alley is indispensable. This is achieved through the evaluation of the following criteria set forth in Section 1 of the document.

1. *Does the subject alley serve commercial properties?*
  - a. The alley does not serve any commercial properties.
2. *Does the subject alley serve properties fronting on heavily traveled streets i.e. major arterial routes?*
  - a. The alley does not serve any properties fronting on heavily travelled streets.



3. *Does the subject alley contain sewers, and must the alley remain accessible for servicing?*
  - a. The alley does not contain any sewers.
4. *Does the subject alley serve as the only vehicular means of access to rear parking areas and garages where the property has insufficient lot width for a side drive?*
  - a. The alley does not serve as a vehicular means of access to any rear parking areas and garages.
5. *Does the subject alley contain Fire Department connections that are deemed to be necessary for firefighting access?*
  - a. The alley does not contain any Fire Department connections.
6. *Does the subject alley lie within a Holding zone or other similar undeveloped areas where the right-of-way system is clearly obsolete and has never been developed, but where the City needs to keep its options open until new area plans are prepared and development is imminent?*
  - a. The alley does not lie within a Holding zone or other similar undeveloped area.

Based on the above, the Planning Department deems the alley “dispensable”, and supports the requested closure.

It is our recommendation that, upon closure, the abutting property owners be given the chance to acquire the alley in the manner described in the Recommendation section herein. Hence the recommendation is to close and convey the alley to the abutting property owners, which is the standard manner of conveyance.

The applicant has confirmed that they will be preparing their own Reference Plan for the portion of alley abutting their property. This is being done to avoid waiting for the City to obtain a Reference Plan, which is currently taking six to eight months from the date of the Council decision for an alley closure. The applicant is able to obtain their Reference Plan within a month, due to having a Topographic Survey recently prepared for the subject property.

The Legal Department has confirmed that this approach will require instructions from the City Planner directing the City Solicitor to prepare separate sets of by-laws to close and convey the applicant’s portion of the alley prior to the remainder of the alley. The Planning Department has no concerns with this approach and is instructing that it be carried out in the manner described in the Recommendation section herein.

### **Risk Analysis:**

The recommended closure will divest the City of associated liability risks and maintenance costs. The recommended closure poses no known risk to City.



## **Climate Change Risks**

### **Climate Change Mitigation:**

N/A

### **Climate Change Adaptation:**

N/A

### **Financial Matters:**

The rate for an alley conveyed to abutting lands zoned CD2.1 is assessed at \$20.00 per square foot without easements plus HST (if applicable) and \$10.00 per square foot with easements plus HST (if applicable).

The rate for an alley conveyed to abutting lands zoned RD1.2 is assessed at \$1.00 plus HST, deed preparation fee and proportionate share of the survey costs as invoiced to the City by an Ontario Land Surveyor.

### **Consultations:**

Consultations were held with Municipal Departments and Utility Companies, which resulted in the information found in *attached* hereto as Appendix “C”.

Notice of this application was issued to property owners abutting the alley by regular mail, with no objections being received as of the date of writing this report.

Notice of Development & Heritage Standing Committee meeting and Council meeting are published in the Windsor Star prior to each of the meetings. In addition, notice of each of the public meetings will be mailed to the abutting/affected property owners prior to the meetings.

### **Conclusion:**

The Planning Department recommends closure of the alley shown on attached Appendix “A”, subject to easements in favour of Bell Canada, ENWIN Utilities Ltd. and MNSi as in Recommendation II of this report.

The closed alley is to be conveyed to the abutting property owners as in Recommendation II of this report.

### **Planning Act Matters:**

N/A



**Approvals:**

<b>Name</b>	<b>Title</b>
Justina Nwaesei	Acting Manager of Planning Policy/Deputy City Planner
Thom Hunt	City Planner / Executive Director, Planning & Development Services
Wira Vendrasco	Deputy City Solicitor, Legal Services & Real Estate
Jelena Payne	Commissioner, Economic Development & Innovation
Joe Mancina	Chief Administration Officer

**Notifications:**

<b>Name</b>	<b>Address</b>	<b>Email</b>
Ward 10 Councillor	350 City Hall Square West, Suite 220 Windsor, Ontario N9A 6S1	jmorrisson@citywindsor.ca
List of mailing labels for property owners abutting alley issued to Clerks office		

**Appendices:**

- 1 Appendix "A" - Drawing No. CC-1834
- 2 Appendix "B" - EIS Drawing - Aerial Photo
- 3 Appendix "C" - Consultations with Municipal Departments and Utility Companies
- 4 Appendix "D" - Site Photos
- 5 Appendix "E" - Classification of Alleys and Suitability for Closure



# APPENDIX "A"

## Drawing No. CC-1834





[illegible]

1:875

 SUBJECT PROPERTIES

DATE: MAY, 2023



## APPENDIX “C”

### Consultations with Municipal Departments and Utility Companies

#### **BELL CANADA WSP**

Bell Canada requests a 3.0 m wide easement, 1.5 m on either side of aerial facilities for the length of the entire alley.

**[Charleyne Hall - Bell Canada External Liaison, Right of Way & Indigenous Relation]**

#### **COGECO CABLE SYSTEMS INC.**

No comments provided

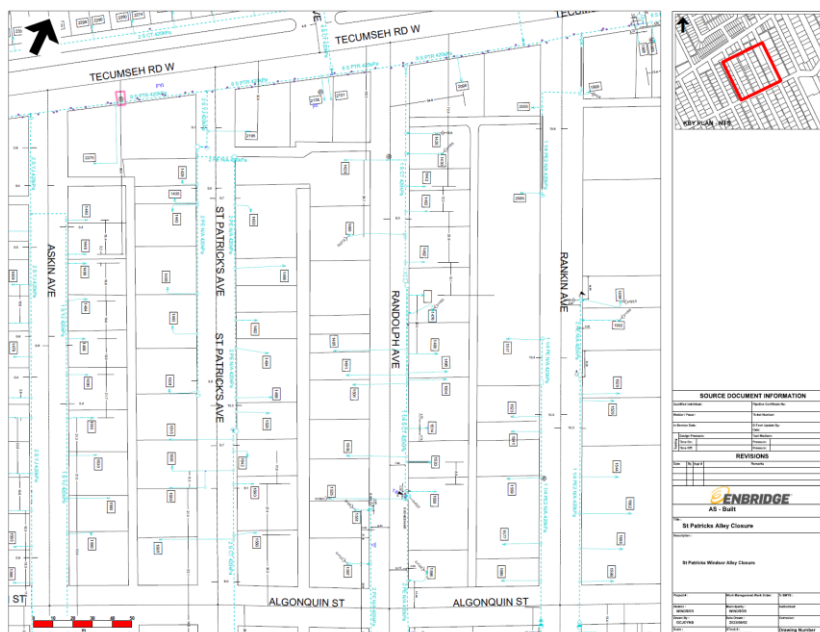
#### **ENBRIDGE GAS**

After reviewing the provided drawing at St Patrick's Alley Closure and consulting our mapping system, please note that Enbridge Gas has no active infrastructure in the proposed area. A PDF drawing has been attached for reference.

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

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

**[Gord Joynson - Drafter Estimator]**





**ENVIRONMENTAL SERVICES**

Comments not provided

**[Anne-Marie Albidone - Manager, Environmental Services]**

**ENWIN UTILITIES - HYDRO**

No objection, however an easement named to ENWIN Utilities Ltd is required for the entire North / South alley upon closing to accommodate the existing overhead secondary 120/240 volt and 347/600-volt hydro distribution.

**[Zachary Mancini - Hydro Engineering Technologist]**

**ENWIN UTILITIES - WATER**

Water Engineering has no objections.

**[Bruce Ogg - Water Project Review Officer]**

**LEGAL DEPARTMENT**

For lands abutting RD1.2, \$1.00 plus HST (if applicable), deed preparation fee and proportionate share of the survey cost as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.

For alley-abutting lands zoned CD 2.1, \$20.00 per square foot without easements and \$10.00 per square front foot with easements.

**[Stephanie Santos - Coordinator of Real Estate Services]**

**MNSi**

MNSi will require an aerial easement through the entire length of this closure we have existing plant on the pole lines.

**[Dave Hartleib - Outside Plant Manager]**

**PARKS & FACILITIES**

No comments from Natural Areas on this one.

**[Karen Alexander - Naturalist and Outreach Coordinator]**

Parks Development & Design has no objection for this SAA/7025 Liaison

**[Sherif Barsom - Landscape Architect]**



**PLANNING DEPARTMENT - LANDSCAPE ARCHITECT**

No comments provided

**[Stefan Fediuk - Landscape Architect]**

**PUBLIC WORKS - ENGINEERING**

Comments not provided

**PUBLIC WORKS - TRAFFIC**

Alley is not needed, no objections with the closure as proposed.

**[Mike Spagnuolo - Signal Systems Analyst]**

**ROGERS COMMUNICATIONS**

No comments provided

**TELUS COMMUNICATIONS**

TELUS has no underground infrastructure in the area of your proposed work

**[Meghna Patel - Permit Coordinator]**

**TRANSPORTATION PLANNING**

Transportation Planning has no concerns with the proposed closure.

**[Clare Amicarelli - Transportation Planner I]**

**TRANSIT WINDSOR**

No objections from Transit Windsor

**[Jason Scott - Supervisor, Planning]**

**WINDSOR FIRE**

No objection from fire.

**[Mike Coste - Chief Fire Prevention Officer]**

**WINDSOR POLICE**

No comments provided

**[Barry Horrobin - Director of Planning & Physical Resources]**



**APPENDIX “D”**  
**Site Photos (April 20, 2023)**



*Figure 1 - Looking east towards alley from St. Patrick Avenue (1466 St. Patrick Avenue on left)*



*Figure 2 - Looking east towards alley from St. Patrick Avenue (1482 St. Patrick Avenue on right)*





*Figure 3 - Looking north towards alley from Algonquin Street (1597 Randolph Avenue in centre)*



## **APPENDIX “E”**

### **Classification of Alleys and Suitability for Closure**

#### **Classification of Public Rights-of-Ways:**

Currently streets and alleys fall into four classifications on the basis of their usefulness:

- 1) Alleys that are **indispensable**. These would be alleys serving commercial properties and properties fronting on heavily traveled streets i.e. major arterial routes and alleys which contain sewers and must remain accessible for servicing; alleys or streets which serve as the only vehicular means of access to rear parking areas and garages where the property has insufficient lot width for a side drive; and, alleys which contain Fire Department connections that are deemed to be necessary for firefighting access.
- 2) Alleys that, **have some usefulness**, are nevertheless dispensable and may or may not be a complete liability.
- 3) Alleys that appear to serve **no useful purpose**, either now, or anticipated. Such alleys are in residential areas and locations where generally the lots are wide enough for side drives, or those alleys abutting parks and other parcels of land that do not require any servicing from the alley. Remnant or stub-end streets which are dead-ended and do not serve as access to other streets.
- 4) Alleys lying in Holding zones and other similar undeveloped areas where the alley system is **clearly obsolete** and has never been developed, but where the City needs to keep its options open until new area plans are prepared and development is imminent.

#### **Suitability for Closing:**

Following are the criteria and suitability for closing alleys in each of the above classifications:

- 1) Indispensable alleys should **not be closed**, conveyed, reduced or otherwise jeopardized through minority interests unless a suitable substitute alley is opened in lieu thereof. They are essential from the viewpoint of fire protection, police protection, emergency services (i.e. ambulance) and loading or unloading of goods, refuse collection, servicing of blocked sewers and utility services. Without such alleys, the above noted services would at least be more costly if not impossible to complete or adequately access; and would noticeably interfere with street traffic, thereby reducing the access capacity of the adjacent arterial, collector, or street for business.
- 2) Alleys having some usefulness should **be considered for closing** only upon request of abutting owners rather than by encouragement of the City.
- 3) Alleys that serve no useful purpose should **be closed** if at all possible, and in fact the owners abutting thereon should be encouraged to accept conveyance.
- 4) Alleys that are clearly obsolete should **not be closed** unless there is a municipal need or specific development proposals acceptable to the City are submitted.





**Subject: Closure of north/south alley located between Laforet Street and 3217 Baby Street, Ward 2**

Moved by: Councillor Fred Francis

Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 542**

- I. THAT the 5.49-metre-wide north/south alley located between Laforet Street and the property known municipally as 3217 Baby Street (legally described as Part of Lots P & Q, Plan 43; Part of Lot C, Plan 40; and Parts 1 to 3, RP 12R-26943) and shown on Drawing No. CC-1832 (*attached* hereto as Appendix "A"), and hereinafter referred to as the "subject alley", **BE ASSUMED** for subsequent closure;
- II. THAT the subject alley **BE CLOSED AND CONVEYED** to the abutting property owners and as necessary, in a manner deemed appropriate by the City Planner, subject to the following:
  - a. 3.0-metre-wide easement (measured 1.50 metres from either side of the below mentioned infrastructure), subject to there being accepted in the City's standard form and in accordance with the City's standard practice, be granted to:
    - i. Bell Canada to accommodate existing aerial facilities;
    - ii. Enbridge to accommodate existing underground infrastructure; and
    - iii. ENWIN Utilities Ltd. to accommodate existing 120/240v secondary overhead hydro distribution pole line.
  - b. Easement over west half of the subject alley abutting the property known municipally as 3231 Baby Street (legally described as Part of Block R, Plan 43), subject to there being accepted in the City's standard form and in accordance with the City's standard practice, be granted to:
    - iv. The owner of 3231 Baby Street for access to repair and maintain the east face of the existing accessory building on the said property **IF** they waive their right to purchase the abutting half of the subject alley;
- III. THAT 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.

- IV. THAT The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1832, *attached* hereto as Appendix "A".
- V. THAT The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s).
- VI. THAT the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor.

Carried.

Report Number: S 71/2023  
Clerk's File:SAA2023

**Clerk's Note:**

- 1. The recommendation of the Development & Heritage Standing Committee and Administration are the same.
- 2. Please refer to Item 11.3 from the Development & Heritage Standing Committee held on August 1, 2023.
- 3. To view the stream of this Standing Committee meeting, please refer to:  
<http://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20230801/-1/9422>



**Subject: Closure of north/south alley located between Laforet Street and 3217 Baby Street, Ward 2, SAA-6994**

**Reference:**

Date to Council: August 1, 2023  
Author: Brian Nagata, MCIP, RPP  
Planner II - Development Review  
(519) 255-6543 ext. 6181

Planning & Building Services  
Report Date: June 8, 2023  
Clerk's File #: SAA2023

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

**Recommendation:**

- I. THAT the 5.49-metre-wide north/south alley located between Laforet Street and the property known municipally as 3217 Baby Street (legally described as Part of Lots P & Q, Plan 43; Part of Lot C, Plan 40; and Parts 1 to 3, RP 12R-26943) and shown on Drawing No. CC-1832 (*attached* hereto as Appendix "A"), and hereinafter referred to as the "subject alley", **BE ASSUMED** for subsequent closure;
- II. THAT the subject alley **BE CLOSED AND CONVEYED** to the abutting property owners and as necessary, in a manner deemed appropriate by the City Planner, subject to the following:
  - a. 3.0-metre-wide easement (measured 1.50 metres from either side of the below mentioned infrastructure), subject to there being accepted in the City's standard form and in accordance with the City's standard practice, be granted to:
    - i. Bell Canada to accommodate existing aerial facilities;
    - ii. Enbridge to accommodate existing underground infrastructure; and
    - iii. ENWIN Utilities Ltd. to accommodate existing 120/240v secondary overhead hydro distribution pole line.
  - b. Easement over west half of the subject alley abutting the property known municipally as 3231 Baby Street (legally described as Part of Block R, Plan 43), subject to there being accepted in the City's standard form and in accordance with the City's standard practice, be granted to:



- i. The owner of 3231 Baby Street for access to repair and maintain the east face of the existing accessory building on the said property **IF** they waive their right to purchase the abutting half of the subject alley;

III. THAT Conveyance Cost **BE SET** as follows:

- c. 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.
- d. 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.

IV. THAT The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1832, *attached* hereto as Appendix "A".

V. THAT The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s).

VI. THAT The Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor.

### Executive Summary:

N/A

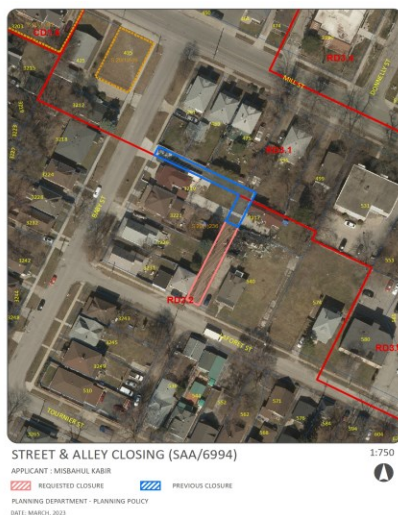


Figure 1 - Location Map



## Background:

The applicant, Misbahul Kabir, owner of the property known municipally as 3217 Baby Street (the subject property), applied to close the north/south alley located between Laforet Street and the subject property (the alley), and shown on Drawing No. CC-1832 *attached* hereto as Appendix “A”, and also shown on the aerial photo *attached* hereto as Appendix “B”. The alley originally extended further north to the south limit of 475 Mill Street. This section of alley together with the 3.66-metre-wide intersecting east/west alley, east of Baby Street, were closed and conveyed to the subject property by way of Council’s approval of the applicant’s previous alley closure application (SAA-4690) on January 9, 2017.

The alley is unmaintained and composed primarily of grass and gravel bordered on the west side by sporadic trees and shrubs. The alley contains one utility pole with a guy wire and anchor. The subject property has a vehicular gate off of the alley. Notwithstanding this gate, the subject property is not permitted to have vehicular access off of an unmaintained alley. It should be noted that the subject property has a driveway off of Baby Street. The driveway was completed on November 8, 2018 under Driveway Permit DV 18-150294.

The applicant wishes to close the alley for the purpose of establishing a sanitary sewer connection to the 250.0 millimetre vitrified clay combined sewer within the Laforet Street right-of-way.

The Planning Department and Public Works Department, **prior to the submission of this application**, advised the applicant on **multiple occasions** that the requested sewer connection will **not be allowed**. This is due to the deeper and larger 575.0 millimetre brick combined sewer within the Baby Street right-of-way being available and the preferred option for a sanitary sewer connection to the subject property.

## Discussion:

The decision to recommend closure of an alley is derived from the City’s *Classification of Alleys and Suitability for Closure* guideline document (the document), *attached* hereto as Appendix “E”. The document details four classifications of alleys based on their usefulness, and provides corresponding criteria for determining suitability for closure.

### Classification of Public Right-of-Ways

The initial step is to determine if the alley is indispensable. This is achieved through the evaluation of the following criteria set forth in Section 1 of the document.

1. *Does the subject alley serve commercial properties?*
  - a. The alley does not serve commercial properties.
2. *Does the subject alley serve properties fronting on heavily traveled streets i.e. major arterial routes?*
  - a. The alley does not serve properties fronting on heavily travelled streets.



3. *Does the subject alley contain sewers, and must the alley remain accessible for servicing?*
  - a. The alley does not contain any sewers.
4. *Does the subject alley serve as the only vehicular means of access to rear parking areas and garages where the property has insufficient lot width for a side drive?*
  - a. The alley does not serve as the only vehicular means of access to any rear parking areas or garages.
5. *Does the subject alley contain Fire Department connections that are deemed to be necessary for firefighting access?*
  - a. The alley does not contain Fire Department connections.
6. *Does the subject alley lie within a Holding zone or other similar undeveloped areas where the right-of-way system is clearly obsolete and has never been developed, but where the City needs to keep its options open until new area plans are prepared and development is imminent?*
  - a. The alley does not lie within a Holding zone or other similar undeveloped areas.

Based on the above, the Planning Department deems the alley “dispensable”, and supports the requested closure.

It is our recommendation that, upon closure, the abutting property owners be given the chance to acquire the alley in the manner described in the Recommendation section herein. Hence the recommendation is to close and convey the alley to the abutting property owners, which is the standard manner of conveyance.

The Planning Department, **prior to the submission of this application**, advised the applicant on **multiple occasions** that the standard manner of conveyance will be recommended for the requested closure. The Planning Department also explained to the applicant that the standard manner of conveyance will **not** give him first right to purchase any portion of the alley.

### **Risk Analysis:**

The recommended closure will divest the City of associated liability risks and maintenance costs. The recommended closure poses no known risk to City.

### **Climate Change Risks**

### **Climate Change Mitigation:**

N/A



## **Climate Change Adaptation:**

N/A

## **Financial Matters:**

The rate for an alley conveyed to abutting lands zoned RD3.1 is assessed at \$193.75 per square metre (\$18.00 per square foot) without easements, or \$96.87 per square metre (\$9.00 per square foot) with easements. Survey cost & deed preparation fee included.

The rate for an alley conveyed to abutting lands zoned RD2.2 is assessed at \$1.00 plus deed preparation fee and proportionate share of the survey costs as invoiced to the City by an Ontario Land Surveyor.

## **Consultations:**

Consultations were held with Municipal Departments and Utility Companies, which resulted in the information found in *attached* hereto as Appendix “C”.

Notice of this application was issued to property owners abutting the alley by regular mail, with no objections being received as of the date of writing this report.

The abutting property owners have all confirmed via email or verbally that they wish to purchase their abutting half of the alley should the recommended closure be approved.

Notice of Development & Heritage Standing Committee meeting and Council meeting are published in the Windsor Star prior to each of the meetings. In addition, notice of each of the public meetings will be mailed to the abutting/affected property owners prior to the meetings.

## **Conclusion:**

The Planning Department recommends closure of the north/south alley shown on attached Appendix “A”, subject to easements in favour of Bell Canada, Enbridge, ENWIN Utilities Ltd. and the owner of 3231 Baby Street (if applicable) as in Recommendation II of this report.

The closed alley is to be conveyed to the abutting property owners as in Recommendation II of this report.

## **Planning Act Matters:**

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

*Justina Nwaesei, MCIP, RPP*  
*Acting Manager of Policy Planning*

*Greg Atkinson, MCIP, RPP*  
*Acting City Planner*

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

*JP*

*JM*



**Approvals:**

<b>Name</b>	<b>Title</b>
Justina Nwaesei	Acting Manager of Planning Policy/Deputy City Planner
Greg Atkinson	Acting City Planner / Executive Director, Planning & Development Services
Stephanie Santos	Coordinator of Real Estate Services
Kate Tracey	Senior Legal Counsel
Jelena Payne	Commissioner, Economic Development & Innovation
Joe Mancina	Chief Administration Officer

**Notifications:**

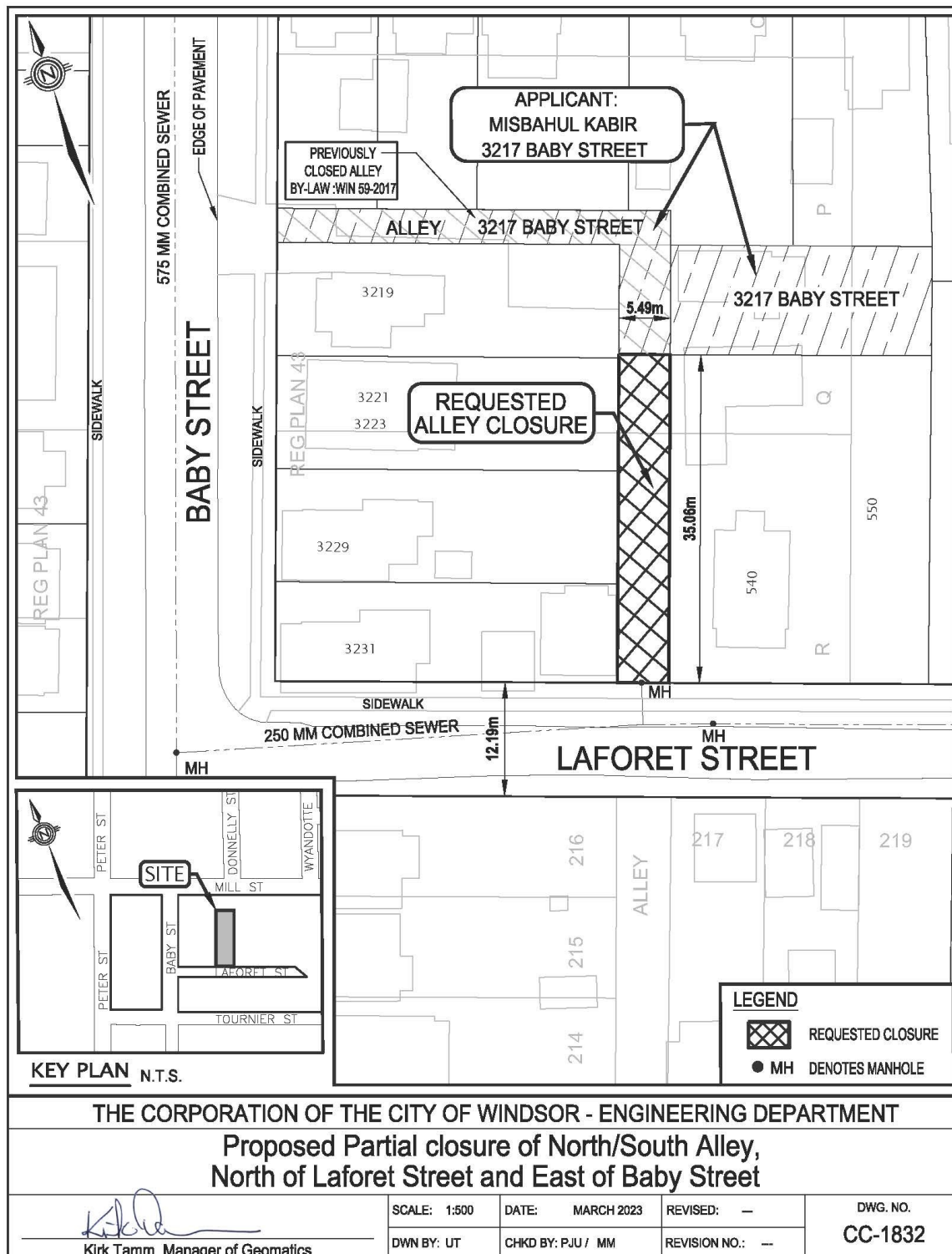
<b>Name</b>	<b>Address</b>	<b>Email</b>
Ward 2 Councillor Fabio Costante	350 City Hall Square West, Suite 220 Windsor, Ontario N9A 6S1	fcostante@citywindsor.ca
List of mailing labels for property owners abutting alley issued to Clerks office		

**Appendices:**

- 1 Appendix A - Drawing No. CC-1832
- 2 Appendix B - EIS Drawing - Aerial Photo
- 3 Appendix C - Consultations with Municipal Departments and Utility Companies
- 4 Appendix D - Site Photos
- 5 Appendix E - Classification of Alleys and Suitability for Closure



# **APPENDIX "A"** **Drawing No. CC-1832**





## APPENDIX "B"

### EIS Drawing - Aerial Photo



### STREET & ALLEY CLOSING (SAA/6994)

1:750

APPLICANT : MISBAHUL KABIR



REQUESTED CLOSURE



PREVIOUS CLOSURE

PLANNING DEPARTMENT - PLANNING POLICY

DATE: MARCH, 2023





## **APPENDIX “C”**

### **Consultations with Municipal Departments and Utility Companies**

#### **BELL CANADA WSP**

Bell Canada requests a 3.0 m wide easement (1.5 m on either side of the aerial facilities as can be reasonably accommodated) for the length of the closure area.

**[Charleyne Hall - Bell Canada External Liaison, Right of Way & Indigenous Relation]**

#### **COGECO CABLE SYSTEMS INC.**

No comments provided

#### **ENBRIDGE GAS**

After reviewing the provided drawing at Laforet St Alley Closure and consulting our mapping system, please note that Enbridge Gas has active infrastructure in the proposed area. A PDF drawing has been attached for reference (Figure 1). An easement would be required.

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 0.6 m horizontal and 0.3 m vertical from all of our plant less than NPS 16 and a minimum separation 1.0 m horizontal and 0.6 m 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 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



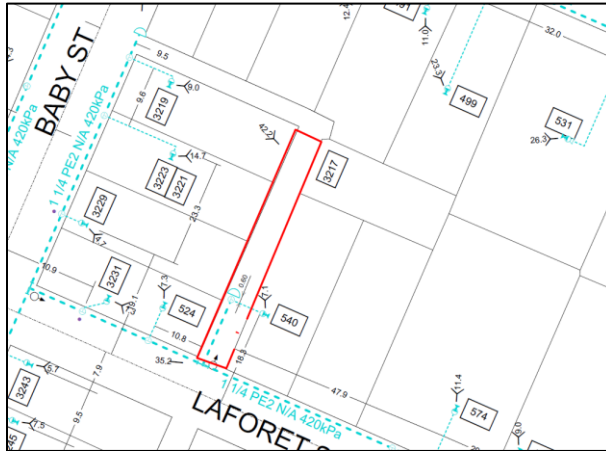


Figure 1 - As-built Drawing

The service to 3217 Baby has been abandoned. See the attached as-built showing the abandonment (Figure 2).

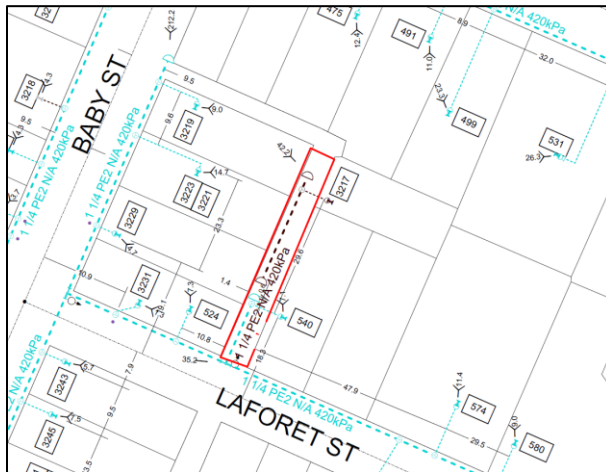


Figure 2 - As-built Drawing

**[Gord Joynson - Drafter / Estimator]**

### **ENVIRONMENTAL SERVICES**

Comments not provided

### **ENWIN UTILITIES - HYDRO**

No objection to alley closing within the requested section shown in red, however, an easement named to ENWIN Utilities Ltd. is required upon closing for the whole width and length of the entire alley to accommodate the existing 120/240v secondary overhead hydro distribution pole line.

We also recommend referring to the Occupational Health and Safety Act for minimum safe limits of approach during construction and also the Ontario Building Code for adequate clearance requirements.

**[Jerry Raniwsky - Senior Hydro Engineering Technologist]**



**ENWIN UTILITIES - WATER**

Water Engineering has no objections.

**[Bruce Ogg - Water Project Review Officer]**

**LEGAL DEPARTMENT**

For land abutting properties zoned RD2.2, \$1.00 plus deed preparation fee and proportionate share of the survey cost as invoiced to the Corporation of the City of Windsor by an Ontario Land Surveyor.

For land abutting property zoned RD3.1, \$193.75 per square metre (\$18.00 per square foot) without easements, or \$96.87 per square metre (\$9.00 per square foot) with easements. Survey cost & deed preparation fee included.

**[Kaine Brouette- Coordinator of Real Estate Services]**

**PARKS & FACILITIES**

No comment from me for this one.

I see no natural heritage feature.

**[Karen Alexander – Naturalist and Outreach Coordinator]**

**PLANNING DEPARTMENT**

No comments provided

**PLANNING DEPARTMENT - LANDSCAPE ARCHITECT**

No objections from a landscape or urban design perspective.

**[Stefan Fediuk - Landscape Architect]**

**PUBLIC WORKS - ENGINEERING**

The subject alley closure going North and South is approximately 5.48 m (18 ft.) wide, and is composed of grass. There are no sewers, manholes, or catch basins located in the alley closure. There are wooden hydro poles, guy-wires, or overhead wires located in the alley. An easement will be required for utilities. A survey would have to determine the precise location of the subject alley, sidewalk and fences. This alley appears to serve no useful purpose by CR146/2005; therefore, we have no objections to the closure of this alley.

**[Thomas Huynh - Technologist I]**



**PUBLIC WORKS - TRAFFIC**

The applicant at 3217 Baby Street currently has access via the east/west alley shown in blue. The north/south alley is required for vehicular access by 3219 Baby St. However, since that property is co-owned by the applicant, there are no objections as the alley is not used by any other properties and not required for pedestrian access. No objection with closing the alley as proposed.

**[Mike Spagnuolo - Signal Systems Analyst]**

**ROGERS COMMUNICATIONS**

No comments provided

**TELUS COMMUNICATIONS**

No comments provided

**TRANSPORTATION PLANNING**

Transportation Planning has no objections to the closure of this alley.

**[Clare Amicarelli - Transportation Planning Coordinator]**

**TRANSIT WINDSOR**

No issues or concerns from Transit Windsor.

**[Jason Scott - Supervisor, Planning]**

**WINDSOR FIRE**

No comments provided

**WINDSOR POLICE**

No comments provided



**APPENDIX “D”**  
**Site Photos (June 30, 2022)**



*Figure 1 - Looking north from mid-point of alley (3217 Baby St at end of alley)*



*Figure 2 - Looking south towards Laforet St from north end of alley*





*Figure 3 - Looking south towards Laforet St from north end of alley (540 Laforet St on left)*



*Figure 4 - Looking north towards alley from Laforet St (3231 Baby St on left)*



## **APPENDIX “E”**

### **Classification of Alleys and Suitability for Closure**

#### **Classification of Public Rights-of-Ways:**

Currently streets and alleys fall into four classifications on the basis of their usefulness:

- 1) Alleys that are **indispensable**. These would be alleys serving commercial properties and properties fronting on heavily traveled streets i.e. major arterial routes and alleys which contain sewers and must remain accessible for servicing; alleys or streets which serve as the only vehicular means of access to rear parking areas and garages where the property has insufficient lot width for a side drive; and, alleys which contain Fire Department connections that are deemed to be necessary for firefighting access.
- 2) Alleys that, **have some usefulness**, are nevertheless dispensable and may or may not be a complete liability.
- 3) Alleys that appear to serve **no useful purpose**, either now, or anticipated. Such alleys are in residential areas and locations where generally the lots are wide enough for side drives, or those alleys abutting parks and other parcels of land that do not require any servicing from the alley. Remnant or stub-end streets which are dead-ended and do not serve as access to other streets.
- 4) Alleys lying in Holding zones and other similar undeveloped areas where the alley system is **clearly obsolete** and has never been developed, but where the City needs to keep its options open until new area plans are prepared and development is imminent.

#### **Suitability for Closing:**

Following are the criteria and suitability for closing alleys in each of the above classifications:

- 1) Indispensable alleys should **not be closed**, conveyed, reduced or otherwise jeopardized through minority interests unless a suitable substitute alley is opened in lieu thereof. They are essential from the viewpoint of fire protection, police protection, emergency services (i.e. ambulance) and loading or unloading of goods, refuse collection, servicing of blocked sewers and utility services. Without such alleys, the above noted services would at least be more costly if not impossible to complete or adequately access; and would noticeably interfere with street traffic, thereby reducing the access capacity of the adjacent arterial, collector, or street for business.
- 2) Alleys having some usefulness should **be considered for closing** only upon request of abutting owners rather than by encouragement of the City.
- 3) Alleys that serve no useful purpose should **be closed** if at all possible, and in fact the owners abutting thereon should be encouraged to accept conveyance.
- 4) Alleys that are clearly obsolete should **not be closed** unless there is a municipal need or specific development proposals acceptable to the City are submitted.





**Committee Matters: SCM 227/2023**

**Subject: Brownfield Redevelopment Community Improvement Plan (CIP)  
application submitted by Habitat for Humanity Windsor-Essex for 1067 Henry  
Ford Centre Drive (Ward 5)**

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Fred Francis

Decision Number: **DHSC 543**

- I. THAT the request made by Habitat for Humanity Windsor-Essex to participate in the Environmental Site Assessment Grant Program **BE APPROVED** for the completion of a proposed Phase II Environmental Site Assessment Study for property located at 1067 Henry Ford Centre Drive pursuant to the City of Windsor Brownfield Redevelopment Community Improvement Plan;
- II. THAT the City Treasurer **BE AUTHORIZED** to issue payment up to a maximum of \$11,350 based upon the completion and submission of a Phase II Environmental Site completed in a form acceptable to the City Planner and City Solicitor;
- III. THAT the grant funds in the amount of \$11,350 under the Environmental Site Assessment Grant Program **BE TRANSFERRED** from the CIP Reserve Fund 226 to Brownfield Strategy Remediation (project 7069003) when the eligible work is completed to the satisfaction of the City Planner;
- IV. THAT should the proposed Phase II Environmental Site Assessment Study not be completed within two (2) years of Council approval, the approval **BE RESCINDED** and the funds be uncommitted and made available for other applications.  
Carried.

Report Number: S 84/2023

Clerk's File: Z2023

**Clerk's Note:**

1. The recommendation of the Development & Heritage Standing Committee and Administration are the same.
2. Please refer to Item 11.4 from the Development & Heritage Standing Committee held on August 1, 2023.
3. To view the stream of this Standing Committee meeting, please refer to:  
<http://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20230801/-1/9422>



**Subject: Brownfield Redevelopment Community Improvement Plan (CIP) application submitted by Habitat for Humanity Windsor-Essex for 1067 Henry Ford Centre Drive (Ward 5)**

**Reference:**

Date to Council: August 1, 2023  
Author: Greg Atkinson, Senior Planner  
gatkenson@citywindsor.ca  
519-255-6543 x 6582

Tracy Tang, MCIP, RPP  
Planner II - Revitalization & Policy Initiatives  
ttang@citywindsor.ca  
519-255-6543 x 6449  
Planning & Building Services  
Report Date: July 7, 2023  
Clerk's File #: Z2023

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

**Recommendation:**

- I. THAT the request made by Habitat for Humanity Windsor-Essex to participate in the Environmental Site Assessment Grant Program **BE APPROVED** for the completion of a proposed Phase II Environmental Site Assessment Study for property located at 1067 Henry Ford Centre Drive pursuant to the City of Windsor Brownfield Redevelopment Community Improvement Plan;
- II. THAT the City Treasurer **BE AUTHORIZED** to issue payment up to a maximum of \$11,350 based upon the completion and submission of a Phase II Environmental Site completed in a form acceptable to the City Planner and City Solicitor;
- III. THAT the grant funds in the amount of \$11,350 under the Environmental Site Assessment Grant Program **BE TRANSFERRED** from the CIP Reserve Fund 226 to Brownfield Strategy Remediation (project 7069003) when the eligible work is completed to the satisfaction of the City Planner;
- IV. THAT should the proposed Phase II Environmental Site Assessment Study not be completed within two (2) years of Council approval, the approval **BE RESCINDED** and the funds be uncommitted and made available for other applications.



## **Executive Summary: N/A**

### **Background:**

#### **Brownfield Redevelopment Community Improvement Plan (CIP)**

Brownfield sites are properties that may be contaminated due to previous industrial or commercial uses such as a manufacturing facility or gas station. City Council approved a Brownfield Redevelopment CIP at its April 19, 2010 meeting for the purpose of encouraging the study, clean-up, and redevelopment of contaminated properties. The approval of the CIP was the result of nearly five years of study and consultation, which began in October 2005.

#### **Importance of Brownfield Redevelopment**

In 2009 the City's Planning Department identified 137 brownfield properties (i.e. 226 hectares or 559 acres) that are candidates for redevelopment. While the inventory is not exhaustive, it illustrates the significance of Windsor's brownfield stock and the need to work with land owners to put these properties back into productive use. Based on approvals to date under the Brownfield CIP a total of 30.4 hectares (75.1 acres) or 13.5% of the inventory has been or is planned to be redeveloped. In total Council has approved over 50 applications under the CIP, which represents the potential addition of 1,225 residential dwelling units.

Historically, there has been little interest in redeveloping brownfield sites due to the uncertainty surrounding the extent of contamination and the potential cost of clean-up. The Brownfield Redevelopment CIP provides financial incentives to undertake the necessary studies and remedial work necessary to redevelop brownfield sites and reduce the potential negative impacts to the City's environment and neighbourhoods.

The benefits associated with brownfield redevelopment go far beyond the boundaries of the property. For example, they are often strategically located within existing built up areas of the City where services and other infrastructure, such as roads, schools, community facilities and public transit are already available, therefore additional infrastructure costs are not incurred to service these areas. The redevelopment of these sites also remove the negative stigma often associated with brownfield properties, which increases the value of the subject property and adjacent properties.

Brownfield sites also represent a significant underutilization of the land base. According to the National Round Table on the Environment and the Economy (2003), every hectare redeveloped through a brownfield project saves up to an estimated 4.5 hectares of greenfield land from being developed (i.e. agricultural land on the edge of the City);



and for every dollar invested in a brownfield redevelopment, it is estimated that \$3.80 is invested in the economy.

## **Site Background**

The subject site is located on the west side of Henry Ford Centre Drive, between Whelpton Street and Richmond Street (see location map). The property is 0.30 hectares (or 0.74 acres) in size. It is currently a vacant lot lined with concrete parking curbs that may have been for a commercial parking area use. The site is designated 'Residential' on Official Plan Schedule D: Land Use, and is zoned Residential District RD2.1 which allows for one duplex dwelling, semi-detached dwelling, or single unit dwelling.

The Phase One ESA states that the subject property appears to have never been developed on, and remained as a vacant property / parking lot over the years. Nevertheless, the report findings indicate Areas of Potential Environmental Concern (APECs) related to fill material and nearby ink manufacturing, processing, and bulk storage, which require further investigation through a Phase Two ESA.

Habitat for Humanity Windsor-Essex intends to redevelop the property for residential use, thus a Record of Site Condition (RSC) is required under Ontario Regulation 153/04. Matthew Antaya of Dillon Consulting Limited has submitted the grant application on behalf of the property owner. Habitat for Humanity Windsor-Essex is incurring the eligible Phase 2 Environmental Site Assessment (ESA) costs, and should the application be approved, would receive the grant payment.

## **Discussion:**

### **Environmental Site Assessment Grant Program**

The ESA Grant Program offers a matching grant to property owners of brownfield sites to conduct environmental studies that provide information on the type and extent of contamination and potential remediation costs. The program offers 50% of the cost of an eligible study up to a maximum of \$15,000. If two studies are required, an additional \$10,000 is available for a maximum total grant value of \$25,000.

The applicant proposes to redevelop the property for residential use, and requires a Phase 2 Environmental Site Assessment (ESA) study as part of their application for a Record of Site Condition. The applicant has completed a Phase I ESA, which identifies areas of potential environmental concern, and recommends that a Phase II ESA study be completed to assess the existing soil and groundwater conditions at the site and delineate the extent of any contamination (if required). Upon completion, the City would retain a copy of the final Phase II ESA study report.



## **CIP Goals**

City staff is supportive of the application as it meets all of the eligibility requirements specified within the Brownfield Redevelopment CIP. The proposed study of the subject site also supports the following CIP goals:

- To promote the remediation, rehabilitation, adaptive re-use and redevelopment of brownfield sites throughout the City of Windsor in a fiscally responsible and sustainable manner over the long term;
- Improve the physical and visual quality of brownfield sites;
- Improve environmental health and public safety;
- Provide opportunities for new housing, employment uses, and commercial uses;
- Increase tax assessment and property tax revenues;
- Promote Smart Growth, including the reduction of urban sprawl and its related costs;
- Increase community awareness of the economic, environmental and social benefits of brownfield redevelopment; and
- Utilize public sector investment to leverage significant private sector investment in brownfield remediation, rehabilitation, adaptive re-use, and redevelopment.

## **Policy Support**

The study of brownfield sites to support clean up and redevelopment is supported by policies within the 2020 Provincial Policy Statement, the City's Official Plan and the City's Environmental Master Plan.

## **Risk Analysis:**

As with all brownfield sites, there is a degree of risk associated with the potential presence of contamination. The proposed Phase II ESA study will assist in mitigating the above noted risk by confirming the presence and extent of any contamination. It may also provide an estimated cost for remediation and establish next steps in the remediation process, if required.

## **Climate Change Risks**

### **Climate Change Mitigation:**

The proposed residential redevelopment is supported by the Environmental Master Plan



action item, which encourages use of the Brownfields Redevelopment Strategy.

### **Climate Change Adaptation:**

The existing vacant commercial property may be affected by climate change, in particular with respect to extreme precipitation and an increase in days above 30 degrees. While not the subject of this report, any new construction would be required to meet the current provisions of the Building Code, which would be implemented through the building permit process.

### **Financial Matters:**

The cost estimate (excluding HST) for completing the proposed Phase II ESA study is \$22,700. If approved, the maximum grant would total \$11,350. Should the actual costs of the study be less than what has been estimated, the grant payments would be based on the lower amount.

If approved, the grant would be paid from the Brownfield Strategy Remediation Fund (Project #7069003). The funds would be transferred from CIP reserve fund 226 for payment when the eligible study is complete. The current uncommitted balance of the CIP reserve fund is \$741,710 however this balance does not account for other CIP grant requests that are currently being considered by the standing committee or have been endorsed by the standing committee and are not yet approved by City Council.

### **Consultations:**

The development and approval of the Brownfield Redevelopment CIP was subject to extensive stakeholder and public consultation, which sought input from a wide range of stakeholders and internal City departments.

Planning staff have consulted with the applicant prior to accepting the application for the Environmental Study Grant program. Staff from the Planning, Finance, and Legal Departments were consulted in the preparation of this report.

### **Conclusion:**

City Staff recommend Council approve the request from Habitat for Humanity Windsor-Essex to participate in the Environmental Site Assessment Grant Program. In the opinion of planning staff, the proposed study conforms to the Brownfield Redevelopment CIP and assists the City in the achievement of a number of the CIP goals.



## Planning Act Matters: N/A

### Approvals:

Name	Title
Josie Gualtieri	Financial Planning Administrator
Neil Robertson	Acting City Planner / Executive Director, Planning & Development Services
Wira Vendrasco	Deputy City Solicitor, Legal Services & Real Estate
Janice Guthrie	Commissioner, Corporate Services Chief Financial Officer / City Treasurer
Jelena Payne	Commissioner, Economic Development & Innovation
Joe Mancina	Chief Administration Officer

### Notifications:

Name	Address	Email
Matthew Antaya		mantaya@dillon.ca
Pamela Breault (Habitat for Humanity Windsor-Essex)		pbreault@habitatwindsor.org

### Appendices:

- 1 Appendix A - Location Map





## LOCATION MAP : 1067 HENRY FORD CENTRE DRIVE



SUBJECT PROPERTY







**Committee Matters: SCM 228/2023**

**Subject: Brownfield Redevelopment Community Improvement Plan (CIP)  
application submitted by Investrade Developments (Ontario) Limited for 240  
Albert Road (Ward 5)**

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

Decision Number: **DHSC 544**

- I. THAT the request made by Investrade Developments (Ontario) Limited to participate in the Environmental Site Assessment Grant Program **BE APPROVED** for the completion of a proposed Phase II Environmental Site Assessment Study for property located at 240 Albert Road pursuant to the City of Windsor Brownfield Redevelopment Community Improvement Plan;
- II. THAT the City Treasurer **BE AUTHORIZED** to issue payment up to a maximum of \$23,450 based upon the completion and submission of a Phase II Environmental Site completed in a form acceptable to the City Planner and City Solicitor;
- III. THAT the grant funds in the amount of \$23,450 under the Environmental Site Assessment Grant Program **BE TRANSFERRED** from the CIP Reserve Fund 226 to Brownfield Strategy Remediation (project 7069003) when the eligible work is completed to the satisfaction of the City Planner;
- IV. THAT should the proposed Phase II Environmental Site Assessment Study not be completed within two (2) years of Council approval, the approval **BE RESCINDED** and the funds be uncommitted and made available for other applications.

Carried.

Report Number: S 85/2023  
Clerk's File: Z2023

**Clerk's Note:**

1. The recommendation of the Development & Heritage Standing Committee and Administration are the same.
2. Please refer to Item 11.5 from the Development & Heritage Standing Committee held on August 1, 2023.
3. To view the stream of this Standing Committee meeting, please refer to:  
<http://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20230801/-1/9422>



**Subject: Brownfield Redevelopment Community Improvement Plan (CIP) application submitted by Investrade Developments (Ontario) Limited for 240 Albert Road (Ward 5)**

**Reference:**

Date to Council: August 1, 2023  
Author: Greg Atkinson, Senior Planner  
gatkenson@citywindsor.ca  
519-255-6543 x 6582

Tracy Tang, MCIP, RPP  
Planner II - Revitalization & Policy Initiatives  
ttang@citywindsor.ca  
519-255-6543 x 6449  
Planning & Building Services  
Report Date: July 7, 2023  
Clerk's File #: Z2023

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

**Recommendation:**

- I. THAT the request made by Investrade Developments (Ontario) Limited to participate in the Environmental Site Assessment Grant Program **BE APPROVED** for the completion of a proposed Phase II Environmental Site Assessment Study for property located at 240 Albert Road pursuant to the City of Windsor Brownfield Redevelopment Community Improvement Plan;
- II. THAT the City Treasurer **BE AUTHORIZED** to issue payment up to a maximum of \$23,450 based upon the completion and submission of a Phase II Environmental Site completed in a form acceptable to the City Planner and City Solicitor;
- III. THAT the grant funds in the amount of \$23,450 under the Environmental Site Assessment Grant Program **BE TRANSFERRED** from the CIP Reserve Fund 226 to Brownfield Strategy Remediation (project 7069003) when the eligible work is completed to the satisfaction of the City Planner;
- IV. THAT should the proposed Phase II Environmental Site Assessment Study not be completed within two (2) years of Council approval, the approval **BE RESCINDED** and the funds be uncommitted and made available for other applications.



## **Executive Summary: N/A**

### **Background:**

#### **Brownfield Redevelopment Community Improvement Plan (CIP)**

Brownfield sites are properties that may be contaminated due to previous industrial or commercial uses such as a manufacturing facility or gas station. City Council approved a Brownfield Redevelopment CIP at its April 19, 2010 meeting for the purpose of encouraging the study, clean-up, and redevelopment of contaminated properties. The approval of the CIP was the result of nearly five years of study and consultation, which began in October 2005.

#### **Importance of Brownfield Redevelopment**

In 2009 the City's Planning Department identified 137 brownfield properties (i.e. 226 hectares or 559 acres) that are candidates for redevelopment. While the inventory is not exhaustive, it illustrates the significance of Windsor's brownfield stock and the need to work with land owners to put these properties back into productive use. Based on approvals to date under the Brownfield CIP a total of 30.4 hectares (75.1 acres) or 13.5% of the inventory has been or is planned to be redeveloped. In total Council has approved over 50 applications under the CIP, which represents the potential addition of 1,225 residential dwelling units.

Historically, there has been little interest in redeveloping brownfield sites due to the uncertainty surrounding the extent of contamination and the potential cost of clean-up. The Brownfield Redevelopment CIP provides financial incentives to undertake the necessary studies and remedial work necessary to redevelop brownfield sites and reduce the potential negative impacts to the City's environment and neighbourhoods.

The benefits associated with brownfield redevelopment go far beyond the boundaries of the property. For example, they are often strategically located within existing built up areas of the City where services and other infrastructure, such as roads, schools, community facilities and public transit are already available, therefore additional infrastructure costs are not incurred to service these areas. The redevelopment of these sites also remove the negative stigma often associated with brownfield properties, which increases the value of the subject property and adjacent properties.

Brownfield sites also represent a significant underutilization of the land base. According to the National Round Table on the Environment and the Economy (2003), every hectare redeveloped through a brownfield project saves up to an estimated 4.5 hectares of greenfield land from being developed (i.e. agricultural land on the edge of the City); and for every dollar invested in a brownfield redevelopment, it is estimated that \$3.80 is invested in the economy.



## **Site Background**

The subject site is located on the south side of Riverside Drive East, between Albert Road to the west, Drouillard Road to the east, and the VIA railroad to the south (see location map). The property is 3.22 hectares (or 7.95 acres) in size and irregularly shaped. It is currently a vacant parking lot with one single-storey brick office building adjacent to Albert Road. The site is designated 'Business Park' on Official Plan Schedule D: Land Use, and is zoned Manufacturing District MD2.1 on the majority of the site and Commercial District CD4.1 on the eastern part of the property fronting Drouillard Road.

In recent years, the property was used as a commercial parking lot, and before then it was the site of a Ford Motor Company of Canada manufacturing facility. The Phase One ESA identifies the first developed use of the property was in 1919 by the Ford Motor Company of Canada Ltd. Some Potentially Contaminating Activities (PCAs) identified on the site included a power plant, metal fabrication building, rail spurs, coal bunkers, and aboveground gasoline storage tanks.

The principal owner of Investrade Developments (Ontario) Limited is Quaiser Ahmed. Investrade Developments (Ontario) Limited intends to redevelop the property to residential / commercial use, thus a Record of Site Condition (RSC) is required under Ontario Regulation 153/04. J.P. Baillargeon, P. Eng., of Dillon Consulting Limited has submitted the grant application on behalf of the currently property owner. Investrade Developments (Ontario) Limited is incurring the eligible Phase 2 Environmental Site Assessment (ESA) costs and, should the application be approved, would receive the grant payment.

## **Discussion:**

### **Environmental Site Assessment Grant Program**

The ESA Grant Program offers a matching grant to property owners of brownfield sites to conduct environmental studies that provide information on the type and extent of contamination and potential remediation costs. The program offers 50% of the cost of an eligible study up to a maximum of \$15,000. If two studies are required, an additional \$10,000 is available for a maximum total grant value of \$25,000.

The applicant proposes to redevelop the property for residential / commercial use, and requires a Phase 2 Environmental Site Assessment (ESA) study as part of their application for a Record of Site Condition. The applicant has completed a Phase I ESA, which identifies areas of potential environmental concern, and recommends that a Phase II ESA study be completed to assess the existing soil and groundwater conditions at the site and delineate the extent of any contamination (if required). The applicant has also noted that an additional review is required to determine the location



of an underground storage tank that is present at the site. Upon completion, the City would retain a copy of the final Phase II ESA study report.

### **CIP Goals**

City staff is supportive of the application as it meets all of the eligibility requirements specified within the Brownfield Redevelopment CIP. The proposed study of the subject site also supports the following CIP goals:

- To promote the remediation, rehabilitation, adaptive re-use and redevelopment of brownfield sites throughout the City of Windsor in a fiscally responsible and sustainable manner over the long term;
- Improve the physical and visual quality of brownfield sites;
- Improve environmental health and public safety;
- Provide opportunities for new housing, employment uses, and commercial uses;
- Increase tax assessment and property tax revenues;
- Promote Smart Growth, including the reduction of urban sprawl and its related costs;
- Increase community awareness of the economic, environmental and social benefits of brownfield redevelopment; and
- Utilize public sector investment to leverage significant private sector investment in brownfield remediation, rehabilitation, adaptive re-use, and redevelopment.

### **Policy Support**

The study of brownfield sites to support clean up and redevelopment is supported by policies within the 2020 Provincial Policy Statement, the City's Official Plan and the City's Environmental Master Plan.

### **Risk Analysis:**

As with all brownfield sites, there is a degree of risk associated with the potential presence of contamination. The proposed Phase II ESA study will assist in mitigating the above noted risk by confirming the presence and extent of any contamination. It may also provide an estimated cost for remediation and establish next steps in the remediation process, if required.



## **Climate Change Risks**

### **Climate Change Mitigation:**

The proposed residential / commercial redevelopment is supported by the Environmental Master Plan action item, which encourages use of the Brownfields Redevelopment Strategy.

### **Climate Change Adaptation:**

The existing industrial / commercial property may be affected by climate change, in particular with respect to extreme precipitation and an increase in days above 30 degrees. While not the subject of this report, any new construction would be required to meet the current provisions of the Building Code, which would be implemented through the building permit process.

### **Financial Matters:**

The cost estimate (excluding HST) for completing the proposed Phase II ESA study and location study for the underground storage tank together is \$46,900. If approved, the maximum grant would total \$23,450. Should the actual costs of the study be less than what has been estimated, the grant payments would be based on the lower amount.

If approved, the grant would be paid from the Brownfield Strategy Remediation Fund (Project #7069003). The funds would be transferred from CIP reserve fund 226 for payment when the eligible study is complete. The current uncommitted balance of the CIP reserve fund is \$741,710 however this balance does not account for other CIP grant requests that are currently being considered by the standing committee or have been endorsed by the standing committee and are not yet approved by City Council.

### **Consultations:**

The development and approval of the Brownfield Redevelopment CIP was subject to extensive stakeholder and public consultation, which sought input from a wide range of stakeholders and internal City departments.

Planning staff have consulted with the applicant prior to accepting the application for the Environmental Study Grant program. Staff from the Planning, Finance, and Legal Departments were consulted in the preparation of this report.

### **Conclusion:**

City Staff recommend Council approve the request from Investrade Developments (Ontario) Limited to participate in the Environmental Site Assessment Grant Program. In the opinion of planning staff, the proposed study conforms to the Brownfield



Redevelopment CIP and assists the City in the achievement of a number of the CIP goals.

**Planning Act Matters: N/A**

**Approvals:**

<b>Name</b>	<b>Title</b>
Josie Gualtieri	Financial Planning Administrator
Neil Robertson	Acting City Planner / Executive Director, Planning & Development Services
Wira Vendrasco	Deputy City Solicitor, Legal Services & Real Estate
Janice Guthrie	Commissioner, Corporate Services Chief Financial Officer / City Treasurer
Jelena Payne	Commissioner, Economic Development & Innovation
Joe Mancina	Chief Administration Officer

**Notifications:**

<b>Name</b>	<b>Address</b>	<b>Email</b>
J. P. Baillargeon, P.Eng		jpbailargeon@dillon.ca
Investrade Developments (Ontario) Limited		qmega3@yahoo.ca

**Appendices:**

- 1 Appendix A - Location Map





## LOCATION MAP : 240 ALBERT ROAD



## SUBJECT PROPERTY

City Council Agenda - Tuesday, September 5, 2023  
Page 622 of 658







**Subject: Brownfield Redevelopment Community Improvement Plan (CIP)  
application submitted by 2821383 Ontario Inc, for 75 Mill Street (Ward 2)**

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

Decision Number: **DHSC 545**

- I. THAT the request made by 2821383 Ontario Inc. to participate in the Brownfield Rehabilitation Grant Program **BE APPROVED** for 70% (or 100% if LEED certified) of the municipal portion of the tax increment resulting from the proposed redevelopment at 75 Mill Street for the earlier of up to 10 years or until 100% of the eligible costs are repaid pursuant to the City of Windsor Brownfield Redevelopment Community Improvement Plan; and,
- II. THAT, Administration **BE DIRECTED** to prepare an agreement between 2821383 Ontario Inc., the City, and any persons legally assigned the right to receive grant payments to implement the Brownfield Rehabilitation Grant Program in accordance with all applicable policies, requirements, and provisions contained within the Brownfield Redevelopment Community Improvement Plan to the satisfaction of the City Planner as to content, the City Solicitor as to legal form, and the CFO/City Treasurer as to financial implications; and,
- III. THAT the CAO and City Clerk **BE AUTHORIZED** to sign the Rehabilitation Grant Agreement; and,
- IV. THAT the approval to participate in the Brownfield Rehabilitation Grant Program **EXPIRE** if the agreement is not signed by applicant within one year following Council approval. The City Planner may extend the deadline for up to one year upon request from the applicant.

Carried.

Report Number: S 80/2023  
Clerk's File:Z2023

**Clerk's Note:**

1. The recommendation of the Development & Heritage Standing Committee and Administration are the same.
2. Please refer to Item 11.6 from the Development & Heritage Standing Committee held on August 1, 2023.
3. To view the stream of this Standing Committee meeting, please refer to:  
<http://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20230801/-1/9422>



**Subject: Brownfield Redevelopment Community Improvement Plan (CIP) application submitted by 2821383 Ontario Inc. for 75 Mill Street (Ward 2)**

**Reference:**

Date to Council: August 1, 2023  
Author: Greg Atkinson, Senior Planner  
519-255-6543 ext. 6582  
gatkenson@citywindsor.ca

Report Date: July 1, 2023  
Clerk's File #: Z2023

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

**Recommendation:**

- I. THAT the request made by 2821383 Ontario Inc. to participate in the Brownfield Rehabilitation Grant Program **BE APPROVED** for 70% (or 100% if LEED certified) of the municipal portion of the tax increment resulting from the proposed redevelopment at 75 Mill Street for the earlier of up to 10 years or until 100% of the eligible costs are repaid pursuant to the City of Windsor Brownfield Redevelopment Community Improvement Plan; and,
- II. THAT, Administration **BE DIRECTED** to prepare an agreement between 2821383 Ontario Inc., the City, and any persons legally assigned the right to receive grant payments to implement the Brownfield Rehabilitation Grant Program in accordance with all applicable policies, requirements, and provisions contained within the Brownfield Redevelopment Community Improvement Plan to the satisfaction of the City Planner as to content, the City Solicitor as to legal form, and the CFO/City Treasurer as to financial implications; and,
- III. THAT the CAO and City Clerk **BE AUTHORIZED** to sign the Rehabilitation Grant Agreement; and,
- IV. THAT the approval to participate in the Brownfield Rehabilitation Grant Program **EXPIRE** if the agreement is not signed by applicant within one year following Council approval. The City Planner may extend the deadline for up to one year upon request from the applicant.



## **Executive Summary:**

N/A

## **Background:**

### **Brownfield Redevelopment Community Improvement Plan (CIP)**

Brownfield sites are properties that may be contaminated due to previous industrial or commercial uses such as a manufacturing facility or gas station. City Council approved a Brownfield Redevelopment CIP at its April 19, 2010 meeting for the purpose of encouraging the study, clean-up, and redevelopment of contaminated properties. The approval of the CIP was the result of nearly five years of study and consultation, which began in October 2005.

### **Importance of Brownfield Redevelopment**

In 2009 the City's Planning Department identified 137 brownfield properties (i.e. 226 hectares or 559 acres) that are candidates for redevelopment. While the inventory is not exhaustive, it illustrates the significance of Windsor's brownfield stock and the need to work with land owners to put these properties back into productive use. Based on approvals to date under the Brownfield CIP approximately 50 hectares (123 acres) or 22% of the inventory has been or is planned to be redeveloped. In total Council has approved over 50 applications under the CIP, which represents the potential addition of 2,104 residential dwelling units.

Historically, there has been little interest in redeveloping brownfield sites due to the uncertainty surrounding the extent of contamination and the potential cost of clean-up. The Brownfield Redevelopment CIP provides financial incentives to undertake the necessary studies and remedial work necessary to redevelop brownfield sites and reduce the potential negative impacts to the City's environment and neighbourhoods.

The benefits associated with brownfield redevelopment go far beyond the boundaries of the property. For example, they are often strategically located within existing built up areas of the City where services and other infrastructure, such as roads, schools, community facilities and public transit are already available, therefore additional infrastructure costs are not incurred to service these areas. The redevelopment of these sites also remove the negative stigma often associated with brownfield properties, which increases the value of the subject property and adjacent properties.

Brownfield sites also represent a significant underutilization of the land base. According to the National Round Table on the Environment and the Economy (2003), every hectare redeveloped through a brownfield project saves up to an estimated 4.5 hectares of greenfield land from being developed (i.e. agricultural land on the edge of the City);



and for every dollar invested in a brownfield redevelopment, it is estimated that \$3.80 is invested in the economy.

## **Site Background**

The subject site is located on the west side of Russell Street between Mill Street and Brock Street (see Appendix 'A': Location Map). The site has frontage on the Detroit River and has an inlet that bisects much of the property. The Site is 3.7 hectares in size (9.1 acres) and is currently vacant. The principal owner of 2821383 Ontario Inc. is Jonathan Seguin.

The subject site is designated 'Waterfront Recreation' on Official Plan Schedule D: Land Use, which permits recreation and leisure activities and facilities and marinas for pleasure craft. The southern three-quarters of the site is zoned Commercial District CD2.4, which permits a marina and accessory uses. Site specific zoning provisions apply this portion of the site, which permit a multiple dwelling up to 15 storeys in height and 250 dwelling units. The northern quarter of the site is zoned Green District GD1.1, which permits a Child Care Centre, Public Park, and accessory uses.

While the subject site is currently vacant, the site has previously been used for industrial purposes (e.g. stone crushing and glass recycling). Much of the site consists of fill material that has been imported to the site

## **Discussion:**

### **Development Proposal**

The applicant proposes to construct a 14 storey multiple dwelling containing 250 dwelling units. Prior to issuance of a building permit a Record of Site Condition (RSC) confirming the soil and groundwater quality meet residential standards must be filed with the Ministry of the Environment, Conservation and Parks (MOECP). The Phase 1 Environmental Site Assessment (ESA) work completed by the applicant identified a number of areas of potential environmental concern and the Phase 2 ESA work confirmed that soil quality does not currently meet the standards for residential use.

The application indicates a risk assessment approach will be used to obtain a RSC, which may consist of hard cap or fill cap across the site as well as measures to prevent vapour intrusion into buildings. The total eligible cost of the work required to file a RSC is estimated to be \$3,001,684. The application also identifies \$138,675 in site servicing costs will need to be incurred to support redevelopment plan, which may also be eligible costs under the Brownfields Rehabilitation Grant Program.



## **Brownfield Rehabilitation Grant Program**

The Brownfield Rehabilitation Grant Program encourages the remediation, rehabilitation and adaptive re-use of brownfield sites by providing grants to help pay for remediation costs as well as non-environmental rehabilitation costs normally associated with brownfield site redevelopment (e.g. development application and building permit fees, and upgrading on-site /off-site infrastructure).

The program offers annual grants funded through the increase in municipal property tax levy created by the investment for up to 10 years to help offset eligible costs. The CIP specifies Brownfield Rehabilitation Grants will equal 70% of the municipal property tax increase for a project that employs standard construction methods and 100% of the municipal property tax increase for projects that achieve any level of Leadership in Energy and Environmental Design (LEED) certification.

Annual grants are paid out following the filing of a RSC, reassessment of the property and the payment of the property taxes for the year in which the grant is to be provided. Issuance of the first grant payment typically occurs at least two years after approval to participate in the program but not before development is complete and has been reassessed by MPAC.

### **CIP Goals**

City staff are supportive of the application as it meets all of the eligibility requirements specified within the Brownfield Redevelopment CIP. The proposed filing of a RSC and redevelopment of the property supports the following CIP goals:

- To promote the remediation, rehabilitation, adaptive re-use and redevelopment of brownfield sites throughout the City of Windsor in a fiscally responsible and sustainable manner over the long term;
- Improve the physical and visual quality of brownfield sites;
- Improve environmental health and public safety;
- Provide opportunities for new housing, employment uses, and commercial uses;
- Increase tax assessment and property tax revenues;
- Improving the land use compatibility of potential brownfield sites with surrounding land uses;
- Increase community awareness of the economic, environmental and social benefits of brownfield redevelopment; and
- Utilize public sector investment to leverage significant private sector investment in brownfield remediation, rehabilitation, adaptive re-use, and redevelopment.



## **Policy Support**

The clean up, redevelopment, and intensification of the site is supported by numerous policies within the 2020 Provincial Policy Statement, the City's Official Plan, Community Energy Plan, and the City's Environmental Master Plan.

## **Risk Analysis:**

As with all brownfield sites, there is a degree of risk associated related to the potential presence of contamination. In this case there is also a risk of the property remaining in a vacant state, which negatively affects the surrounding properties. The proposed clean-up and redevelopment of this site will assist in mitigating these risks.

## **Climate Change Risks**

### **Climate Change Mitigation:**

The proposed redevelopment implements Environmental Master Plan Objective C1: Encourage in-fill and higher density in existing built areas. In particular, the redevelopment would implement the action that supports the existing Brownfields Redevelopment Strategy and achieve its work plan.

### **Climate Change Adaptation:**

The proposed redevelopment may be affected by climate change, in particular with respect to extreme precipitation and an increase in days above 30 degrees. While not the subject of this report, any new construction would be required to meet the current provisions of the Building Code, which would be implemented through the building permit process. The site would also be required to incorporate storm water management best practices.

## **Financial Matters:**

The current property value assessment of the subject site is \$1,118,000. The total current tax levy is \$29,500.41 with the municipal portion being \$20,308.82. The estimated property assessment value and annual grant is shown in the chart below.

<b>Estimate of Brownfield Rehabilitation Grant</b>			
Annual Pre Development Municipal Taxes	Estimate of Annual Post Development Municipal Taxes	Estimate of Annual Rehabilitation Grant (70% of increase)	Total Estimated Grant Value over ten (10) years
\$20,308.82	\$285,864.76	\$179,456	\$1,794,560



Construction to current Building Code standards would yield annual grant payments in the amount of 70% of the post municipal tax increase. The City would retain 30% of the increase, which is estimated to be \$76,909.35 or \$769,093.50 over the 10 year grant period.

If approved the rehabilitation grant program may offset approximately 57% of the estimated eligible rehabilitation and site servicing costs. The Brownfield Redevelopment grants are paid back to the applicant after redevelopment has occurred, property assessment value has been reassessed by MPAC, and total taxes as it relates to the redevelopment have been paid to the City in full. After the grant programs cease the full amount of increased annual municipal taxes would be retained by the City in perpetuity.

The proposed development may also be eligible for incentives under the Sandwich CIP, however no application has been submitted as of the date of this report.

### **Consultations:**

The development and approval of the Brownfield Redevelopment CIP was subject to extensive stakeholder and public consultation, which sought input from a wide range of stakeholders and internal City departments.

Planning staff have consulted with the applicant prior to accepting the application for the Brownfield Rehabilitation Grant Program. Staff from the Planning, Finance, and Legal Departments were consulted in the preparation of this report.

### **Conclusion:**

Administration recommend Council approve the requests from 2821383 Ontario Inc. to participate in the Brownfield Rehabilitation Grant Program. The proposed risk assessment measures and redevelopment of this brownfield site conforms to the Brownfield Redevelopment CIP; assists the City in the achievement of a number of CIP, Official Plan, Community Energy Plan, and Environmental Master Plan goals; and exemplifies the purpose for which the Brownfield Redevelopment Strategy was created.

### **Planning Act Matters:**

N/A

### **Approvals:**



<b>Name</b>	<b>Title</b>
Josie Gualtieri	Financial Planning Administrator
Neil Robertson	City Planner / Executive Director, Planning & Development Services (A)
Wira Vendrasco	Deputy City Solicitor, Legal Services & Real Estate
Janice Guthrie	Deputy Treasurer, Taxation & Financial Projects
Janice Guthrie	Commissioner, Corporate Services Chief Financial Officer / City Treasurer
Jelena Payne	Commissioner, Economic Development & Innovation
Joe Mancina	Chief Administration Officer

### **Notifications:**

<b>Name</b>	<b>Address</b>	<b>Email</b>
J.P. Baillargeon		jpbaillargeon@dillon.ca

### **Appendices:**

- 1 Location Map





## LOCATION MAP : 75 MILL STREET



SUBJECT PROPERTY

0 25 50 100 Meters





**Subject: Declaration of a Vacant Parcel of Land Municipally Known as  
542 Dougall Avenue Surplus and Authority to Offer Same for Sale –  
Ward 3**

**Reference:**

Date to Council: September 5, 2023  
Author: Stephanie Allen Santos  
Coordinator of Real Estate Services  
519-255-6100 ext. 6420  
ssantos@citywindsor.ca  
Legal Services, Real Estate & Risk Management  
Report Date: August 15, 2023  
Clerk's File #: APM2023

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

**Recommendation:**

- I. THAT the following City of Windsor (the “**City**”) vacant parcel of land **BE DECLARED** surplus:
  - Municipal address: **542 Dougall Avenue** – vacant land situate on the east side of Dougall Avenue, north of Wyandotte Street West
  - Legal Description: Lot 5 East Side Windsor Avenue on Registered Plan 82
  - Approximate Lot size: 30 feet (9.14m) x 90 feet (27.4m)
  - Approximate Lot area: 2,700 sq ft (250.8 m<sup>2</sup>)  
(herein the “**Subject Parcel**”); and,
- II. THAT the Manager of Real Estate Services **BE AUTHORIZED** to offer the Subject Parcel identified in Recommendation I for sale on the Multiple Listing Service (“**MLS**”) at a price to be determined by the Manager of Real Estate Services commensurate with an independent appraisal.

**EXECUTIVE SUMMARY:**

N/A

**Background:**

The City owns a vacant parcel of land located on the east side of Dougall Avenue, between 532 and 548 Dougall Avenue, legally described as Lot 5 East Side Windsor Avenue on Registered Plan 82 and as shown on the aerial diagrams attached as Appendix A.



The Subject Parcel was vested for tax arrears in 2007. On September 26, 2022, Council passed By-Law 136-2022, being a site specific zoning amendment (s.20(1)449), which allows for a single unit dwelling on an undersized lot. The Subject Parcel is 9.14m (30 feet) wide with a depth of 27.4m (90 feet). With the foregoing zoning by-law amendment, the Subject Parcel has sufficient width to be developed with a single-unit dwelling.

By-Law 52-2014 establishes a policy for the disposal of Land. Section 5.1.2 of Schedule “A” attached to By-Law 52-2014 requires that City-owned lands be declared surplus and that Administration seek authority to sell the lands:

5.1.2 Notification of the intention to declare Land surplus and the authority to offer the Surplus Land for sale will be printed in the “Civic Corner” of the Windsor Star.

### **Discussion:**

Administration was contacted by the abutting property owner who expressed their interest in acquiring the Subject Parcel. The Subject Parcel was circulated to determine whether there is a municipal use for same. No municipal use was identified. Housing Administration and Development has no objection to the sale of the Subject Parcel.

While the Subject Parcel was originally identified as non-viable land, Administration obtained a zoning by-law amendment for a site-specific zoning which allows the Subject Parcel to be developed with a single-unit dwelling.

Should the Recommendations be approved, Real Estate staff will list the property for sale on MLS at a price determined by the Manager of Real Estate Services, commensurate with an independent appraisal. Should Administration successfully negotiate an acceptable offer, a report will be brought to Council or under Delegation of Authority, as appropriate, seeking authority to sell the Subject Parcel.

### **Risk Analysis:**

There are potential liability issues should someone be injured on the land. Additionally, maintenance of the land drains scarce municipal resources. Selling the Subject Parcel will remove any associated liability issues and maintenance costs for the City.

### **Climate Change Risks**

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

Declaring the Subject Parcel surplus does not pose a climate change risk.

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

Redevelopment of the Subject Parcel should include climate change considerations.

### **Financial Matters:**

N/A



## Consultations:

Fire Department: John Lee, Fire Prevention Officer (now retired)

Windsor Police Services: Barry Horrobin, Director of Planning & Physical Resources

Public Works: responses consolidated by Rania Toufeili

Parks & Facilities: James Chacko, Executive Director Parks & Facilities

Planning Department: Kevin Alexander, Planner III

Housing and Children Services: Tina Moore, Coordinator Housing Admin & Development (no longer in this Department)

## Conclusion:

Declaring the Subject Parcel surplus, and authorizing the Manager of Real Estate Services to offer the property for sale on MLS, will allow for the orderly sale of the land that is not required for any municipal purpose.

## Approvals

Name	Title
Stephanie Allen Santos	Coordinator of Real Estate Services
Denise Wright	Manager of Real Estate Services
Shelby Askin Hager	Commissioner, Legal & Legislative Services
Joe Mancina	Chief Administrative Officer

## Notifications:

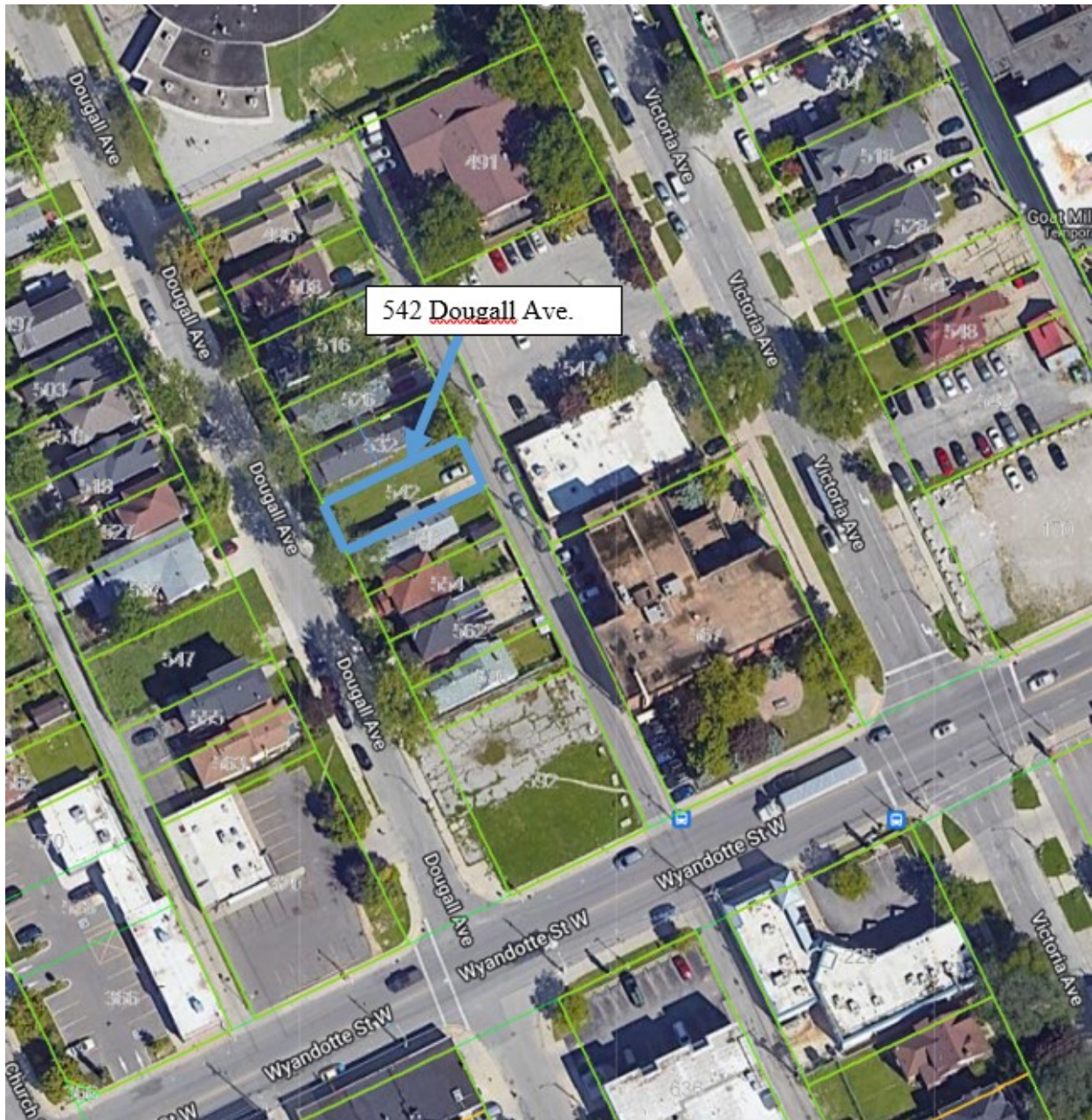
Name	Address	Email

## Appendices:

- 1 Aerial Image of Subject Parcel



## Appendix A





**Subject: Renovation and Addition to the Administration Building of the Little River Pollution Control Plant- CITY WIDE**

**Reference:**

Date to Council: September 5, 2023  
Author: Chandana Walgama  
Pollution Control Project Engineer  
519 253 7111 Ext 3274  
Pollution Control  
Report Date: July 18, 2023  
Clerk's File #: SW/14631

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

**Recommendation:**

**THAT** the following tender be **ACCEPTED**:

<b>TENDERER:</b>	Vince Ferro Construction Ltd. 200-3244 Walker Rd., Windsor, ON. N8W 3R8
<b>TENDER NO:</b>	61-23
<b>TOTAL TENDER PRICE:</b>	\$4,592,783.00, excluding HST
<b>ACCOUNT CHARGED:</b>	007 5410 9998 02942 7151016

and,

**THAT** the Chief Administrative Officer and City Clerk **EXECUTE** an Agreement with the tenderer, satisfactory in form to the Commissioner, Legal & Legislative Services, in technical content to the Commissioner of Infrastructure Services, and financial content to the Commissioner Corporate Services/CFO; and,

**THAT** additional funds totalling \$1,320,000 required for the Renovation and Addition to Administration Building at Little River Pollution Control Plant (LRPCP) **BE TRANSFERRED** to Project ID 7151016 accordingly:

- a. \$270,000 from Project 7211027 Dewatering Odour Control



- b. \$250,000 from Project 7231016 Plant 1 Chemical Pipe Chase
- c. \$800,000 from the Pollution Control Reserve, Fund 208

### **Executive Summary:**

N/A

### **Background:**

The Little River Pollution Control Plant (LRPCP) provides sewage treatment for the east side of the City of Windsor and consists of Primary, Secondary, Tertiary waste water treatments and includes sludge dewatering operations.

The Administration area of the plant, which is part of the Operations Building, consists of offices, main process control room, conference room, staff lunch room, washroom and locker room facilities.

The existing operations building, including the Administration area, was originally constructed in 1962. The North/East portion of the existing Administration area of the building is experiencing excessive settlement causing severe structural damage and the damages are too severe to salvage and repair in place. In order to rectify the structural damages and address the current and future staffing requirements, Pollution Control commissioned Archon Architects Inc. to carry out detailed design, tendering and construction Administration services for the LRPCP Administration building expansion project.

The scope of work related to this project is beyond renovating the lunch room / locker rooms due to the extensive structural damages in the N/E part of the building. Archon Architects provided a few alternative renovation options and with each option, not only the lunch room/locker rooms, but also the offices needed to be relocated during the phased construction. After evaluating available options, the most practical option was to build new washroom/locker room facilities to the West of the existing Administration building and demolish the existing office area to relocate the lunch room. Once the new staff facilities are constructed, the existing lunch room/locker room areas of the building will be renovated to relocate the demolished offices. The construction will be in phases so that the facility operations would not be hampered.

### **Discussion:**

The tender 61-23, "Renovation & Addition to Administration Building- LRPCP" advertised on Friday May 12, 2023, and four addendums were issued during the tender period to clarify items in the tender documents and answer questions by prospective Tenderers.

The Purchasing Department for the City of Windsor oversaw the advertising and distribution of the tenders. Tenders were received until 11:30:59 a.m. (E.D.T.) on Friday June 16, 2023 via electronic bid submission. There are two bids submitted and the following Table summarizes the tender prices. The total tender prices include costs for the contingency allowance but do not include HST:



<b>BIDDER</b>	<b>TOTAL TENDERED PRICE (EXCLUDING HST)</b>
Vince Ferro Construction Ltd.	\$ 4,726,965.00
TCI Titan Contracting Inc.	\$ 4,846,621.54

Archon Architects Inc. reviewed the bids and submitted a Tender review report recommending that the City of Windsor award the Tender No. 61-23 to Vince Ferro Construction Ltd.

**Vince Ferro Construction Ltd.** was selected as the successful bidder for Tender 61-23 with total tender price of \$4,726,965, plus HST.

The tender bid price of \$4,726,965 is significantly higher than the estimated project cost of \$3.7M by the Archon Architects Inc. The rising costs of raw materials, labour, other resources and the workload of the local contractors are the main reasons for the cost difference in the estimated budget and the actual bid.

Pollution Control decided to remove Provisional Item #2 of the bid to reduce the project cost without changing the technical specifications of the project. As a result, Vince Ferro Construction Ltd. agreed to revise the bid price to **\$4,592,783, plus HST**

### **Risk Analysis:**

**Health and Safety:** There is a Significant Risk that part of the building could be “unsafe” during an extreme and adverse weather event.

**Financial Risk:** A delay in awarding the contract would potentially increase the tender price.

Based on the enterprise risk management tool, the risk level for the delay in awarding the contract is Significant.

Risk Description	Impacted Objective(s)	Risk Level	Mitigating Strategy / Status	Responsibility
Delay in signing the	Tender price may significantly increase	Moderate	Communicate with senior	Project Manager, ED-Pollution



contract	if the signing of the contract delays beyond the irrevocability period of the tender.		manager and find the required funds to start the project	Control
Safety risk	The N/E part of the building is structurally weak and posing a significant safety risk for the occupants	Significant	Conduct a structural integrity assessment.	Project Manager, ED-Pollution Control

### **Climate Change Risks**

N/A

### **Climate Change Mitigation:**

N/A

### **Climate Change Adaptation:**

The design included building energy efficiency features such as solar tubes, energy efficient lighting, low flow fixtures, and energy recovery ventilation systems etc.

### **Financial Matters:**

Council previously approved funding:

- \$500,000 : B22/2015 R17504
- \$1,100,000 : B6/2021, C14/2021
- \$200,000 : B28/2021 C176/2021
- \$2,300,000 : B5/2023 C 26/2023
- Total funds available \$4,100,000

Of the \$4,100,000 already approved for this work, \$288,514 is already spent and was used for the consulting fee for the detailed design, tender period services and for the removal of a partly obsolete electrical panel in the Administration area of the building. Based on the tender submission and as illustrated in the table below, Pollution Control requires \$1,320,000 in additional funding and requests that the below transfers be approved.



<b>Description</b>	<b>Amount</b>	<b>Amount, plus non-recoverable HST</b>
Consulting Fees (Archon Architects)	\$218,300	\$222,143
Other Construction Costs (Vollmer Inc, Tender 12-23)	147,860	150,463
Construction Costs (Vince Ferro Construction Ltd.)	4,592,783	4,673,625
Miscellaneous Costs (Contingency, Salary Recoveries, etc)		<u>85,255</u>
Total Project Cost (A)		\$5,131,486
Total Funding Approved		\$4,100,000
Less: Funding already used		<u>(288,514)</u>
Remaining Funds in the project (B)		<u>\$3,811,486</u>
<b>Additional Funds Required (A-B)</b>		<b>\$1,320,000</b>
Transfers of Additional Funding:		
- 7211027 Dewatering Odour Control		<u>(270,000)</u>
- 7231016 Plant 1 Chemical Pipe Chase		<u>(250,000)</u>
Total Additional Funding to be Transferred from Pollution Control Reserve, Fund 208		\$800,000



The project will require transfers totalling \$520,000 from the two projects identified in the table above. These projects will be delayed until funding can be identified in future budgets. Administration has required Preventative Maintenance which identifies projects and risk. Deferring of projects is an inherent risk but the level of risk has been considered for these noted projects. Administration has prioritized and chosen to address the remaining work included in the above-noted projects at a later date.

Administration recommends that the remaining \$800,000 required for this work be transferred from the Pollution Control Reserve, Fund 208. As of June 2023, the Reserve has a balance of approximately \$31.6 million. While the bulk of these funds are currently encumbered for previously identified projects, they have yet to be spent. Administration will maintain the sustainability of the Reserve through continuing to closely monitor the Reserve balance and all encumbrances against the Reserve. In addition, forecasts on the Reserve conducted by Administration will inform development of the 2024 Operating and Capital Budgets. In consideration of future capital needs, a budget issue to increase the transfer from the Sewer Surcharge to the Pollution Control Reserve will be brought forward as part of the 2024 Operating Budget should Reserve forecasts anticipate continued future deficits beyond 2023. In addition, funding requests approved through the 2024 Capital Budget will be adjusted as required to maintain sustainability of the Reserve.

**Consultations:**

Ed Valdez, Manager, Process Engineering & Maintenance

Mark DiPasquale, Financial Planning Administrator

Mike Dennis, Financial Manager, Asset Planning

**Conclusion:**

The acceptance of the bid submitted by Vince Ferro Construction Ltd., and the transfer of the required funds to the project from the other Pollution Control projects and Reserve funds as indicated in the Financial Matters section.

**Approvals:**

Name	Title
Jake Renaud	ED Pollution Control, Deputy City Engineer
Mark DiPasquale	Financial Planning Administrator
Mike Dennis	Manager, Capital Budget & Reserves
Alex Vucinic	Manager of Purchasing
Chris Nepszy	Commissioner, Infrastructure Services
Shelby Askin Hager	City Solicitor, Commissioner, Legal & Legislative



	Services
Tony Ardovini	Acting Commissioner, Corporate Services CFO/City Treasurer
Joe Mancina	Chief Administrative Officer

**Notifications:**

<b>Name</b>	<b>Address</b>	<b>Email</b>
Vince Ferro Construction Ltd. Attn: Rose Ferro		vferro@mnsi.net

**Appendices: N/A**





**Council Report: C 103/2023**

**Subject: A By-law to authorize special charges being imposed on lots abutting the local improvement work completed under By-law 71-2021 on Randolph Avenue from Cleary Street to Northwood Street - Ward 10**

**Reference:**

Date to Council: September 5, 2023  
Author: Sarah Meneses  
Environmental Compliance Coordinator  
(519) 255-6257 Ext. 6336  
[smeneses@citywindsor.ca](mailto:smeneses@citywindsor.ca)  
Design - Engineering  
Report Date: June 21, 2023  
Clerk's File #: SL2023

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

**Recommendation:**

That Council **PASS** a By-law for the imposition of special charges on lots abutting on or immediately benefiting from the local improvement work completed under By-law 71-2021 on Randolph Avenue from Cleary Street to Northwood Street, in accordance with Section 30 of Ontario Regulation 586/06 (O. Reg 586/06), made under *Municipal Act* 2001.

**Executive Summary:**

N/A

**Background:**

Local Improvement Charges By-law 71-2021 authorized the construction of storm sewer, private drain connections, curb and gutter, LED street lighting, and boulevard restoration on Randolph Avenue from Cleary Street to Northwood Street. Construction was completed under Tender 67-21.

A local improvement roll has been prepared in accordance with Section 20 of O. Reg. 586/06, setting out the cost of the work and special charges (either in an equally divided number of annual payments or in a single payment commuted to the present values), to all lots abutting on or immediately benefiting from the said local improvement work.

A notice of the hearing of the Committee of Revision was mailed to residents in January of 2023 for the purpose of hearing complaints against the proposed assessments. One



objection was received within the required notice period. A Committee of Revision hearing was held on February 21, 2023. The Committee denied the objection against the costs associated with the Local Improvement Charges. The City Treasurer has therefore certified the prepared local improvement roll.

### **Discussion:**

The works on Randolph Avenue have been completed under the provisions of O. Reg. 586/06, made under *Municipal Act* 2001.

It is required by Section 30 of O. Reg. 586/06, made under *Municipal Act*, 2001, that a Special Charges By-law be passed by the municipality after the Treasurer of the municipality has certified the local improvement roll under Section 21 or 29 of O. Reg. 586/06, for the imposition of the said special charges on each lot set out in the local improvement roll for the property owners that are benefiting from the work.

### **Risk Analysis:**

N/A

### **Climate Change Risks**

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

This by-law is not anticipated to have a material impact on the mitigation of climate change.

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

This by-law is not anticipated to have a material impact on climate change adaptation within the City.

### **Financial Matters:**

The final costs to the City and the affected property owners totalled \$249,843.49 and are outlined in the attached Appendix 1 - Statement of the Cost of Work. The City's share of the cost is \$121,358.79 and was funded by the Local Improvement – Infrastructure (7171002) Capital Project. The special charges to each of the property owners are listed in the attached Appendix 2 – Schedule A, Local Improvement Roll, certified by the City Treasurer.

### **Consultations:**

Adam Mourad, Engineer II

Kathy Buis, Financial Planning Administrator

Wira Vendrasco, Deputy City Solicitor – Legal Services and Real Estate



**Conclusion:**

Work is now completed and Administration recommends that local improvement special charges by-law be passed.

**Planning Act Matters:**

N/A

**Approvals:**

<b>Name</b>	<b>Title</b>
Fahd Mikhael	Manager of Design
Stacey McGuire	Executive Director, Engineering/ Deputy City Engineer
Chris Nepszy	Commissioner, Infrastructure Services
Shelby Askin Hager	Commissioner, Legal & Legislative Services
Tony Ardovini	On behalf of Commissioner, Corporate Services CFO/City Treasurer
Joe Mancina	Chief Administrative Officer

**Notifications:**

<b>Name</b>	<b>Address</b>	<b>Email</b>

**Appendices:**

- 1 Statement of Cost
- 2 Schedule A



## STATEMENT OF COST OF THE WORK

The following is a construction report for the installation of storm sewer, curb and gutter, LED streetlighting, and boulevard restoration at the following location:

<u>Location</u>	<u>From</u>	<u>To</u>
<b>RANDOLPH AVENUE</b>	<b>CLEARY STREET</b>	<b>NORTHWOOD STREET</b>

The final cost is made up as follows:

Supply and install storm sewer	\$ 139,906.40
Supply and install private drain connections	\$ 2,433.51
Supply and install concrete curb & gutter	\$ 26,874.60
Supply and install LED streetlighting	\$ 41,347.25
Supply and place topsoil	\$ 7,953.40
Supply and place sod	\$ 22,101.60
Engineering, administration, and preparation of assessment	\$ 9,226.72

**TOTAL \$ 249,843.49**

The total abutting frontage is 589.27 metres, from which 40.10 metres are being deducted for public right-of-way frontage, leaving a total abutting frontage of 549.17 metres, which is equal to the assessable frontage.

The rate per metre frontage for storm sewers as per the Local Improvement Policy is:	\$ 110.14
The rate per private drain connection is:	\$ 2,433.51
The rate per metre frontage for curb and gutter was calculated to be:	\$ 52.29
The rate per metre frontage for LED streetlighting was calculated to be:	\$ 39.01
The rate per metre frontage for topsoil was calculated to be:	\$ 7.74
The rate per metre frontage for sod was calculated to be:	\$ 20.36

The owner's share of the cost is:	\$ 128,484.69
The City's share of the cost is \$121,358.79 and is made up of follows:	
Public right-of-way frontage	\$ 121,358.79

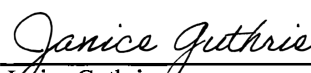
**TOTAL \$ 249,843.49**

Annual charges based on 10-year interest at 6.02% are as follows:

Annual cost per metre frontage for storm sewers as per the Local Improvement Policy is:	\$ 14.98
Annual cost per private drain connection is:	\$ 330.95
Annual cost per metre frontage for curb and gutter was calculated to be:	\$ 7.11
Annual cost per metre frontage for LED streetlighting was calculated to be:	\$ 5.30
Annual cost per metre frontage for topsoil was calculated to be:	\$ 1.05
Annual cost per metre frontage for sod was calculated to be:	\$ 2.77

This is to certify that the lifetime of this work is not less than 10 years.

am   
Fahd Mikhael, P. Eng.  
Manager of Design  
Office of the Commissioner of  
Infrastructure Services

  
Janice Guthrie  
Commissioner, Corporate Services/CFO/City Treasurer  
Office of the Commissioner, Corporate Services



**Local Improvement Special Assessment**  
**Storm Sewer with Private Drain Connections, Concrete Curb and Gutter, LED Street Lighting, and Boulevard Restoration**

**Project:** Randolph Avenue  
**From :** Cleary Street  
**To:** Northwood Street

Item #	Property Address	Mailing Address		Roll Number	Legal Description	Frontage (ft)	Frontage (m)	Adjustments (m)	Assessible Frontage (m)	Total Commuted Charge	Total Annual Charge*
1	2301 RANDOLPH AVE	2301 RANDOLPH AVE	WINDSOR ON N9E 3X3	080-540-09450-0000	PLAN 973 LOT 311 PT LOT 310;RP 12R19128 PTS 1 & 4;PT CLOSED ALLEY; 5373.00SF 50.22FR 107.00D	50.23	15.31	0.00	15.31	\$ 3,514.11	\$ 477.91
2	2302 RANDOLPH AVE	2302 RANDOLPH AVE	WINDSOR ON N9E 3X4	080-540-07500-0000	PLAN 973 LOT 728 PT LOT 729;PT ALLEY RP 12R20906 PARTS;1 AND 4; 5349.50SF 50.00FR 106.99D	50.00	15.24	0.00	15.24	\$ 3,498.04	\$ 475.72
3	2308 RANDOLPH AVE	2308 RANDOLPH AVE	WINDSOR ON N9E 3X4	080-540-07510-0000	PLAN 973 LOT 730 PT LOTS;729 AND 731 PT ALLEY;RP 12R20906 PARTS 2 AND 5; 5349.50SF 50.00FR 106.99D	50.00	15.24	0.00	15.24	\$ 3,498.04	\$ 475.72
4	2309 RANDOLPH AVE	2309 RANDOLPH AVE	WINDSOR ON N9E 3X3	080-540-09400-0000	PLAN 973 LOT 309 PT LOTS 308;& 310 & PT CLOSED ALLEY;RP 12R19128 PARTS 2 & 5; 5373.00SF 50.22FR 107.00D	50.23	15.31	0.00	15.31	\$ 3,514.11	\$ 477.91
5	2315 RANDOLPH AVE	2315 RANDOLPH AVE	WINDSOR ON N9E 3X3	080-540-09350-0000	PLAN 973 LOT 307 PT LOT 308;PT CLOSED ALLEY;RP 12R19128 PARTS 3 & 6; 5373.00SF 50.22FR 107.00D	50.23	15.31	0.00	15.31	\$ 3,514.11	\$ 477.91
6	2318 RANDOLPH AVE	2318 RANDOLPH AVE	WINDSOR ON N9E 3X4	080-540-07520-0000	PLAN 973 LOT 732 PT LOT 731;PT ALLEY RP 12R20906 PARTS 3;AND 6; 5349.50SF 50.00FR 106.99D	50.00	15.24	0.00	15.24	\$ 3,498.04	\$ 475.72
7	2323 RANDOLPH AVE	2323 RANDOLPH AVE	WINDSOR ON N9E 3X3	080-540-09300-0000	PLAN 973 LOTS 305 306 N PT;LOT 304 & PT CLOSE ALLEY; 8550.00SF 75.00FR 114.00D	75.00	22.86	0.00	22.86	\$ 5,247.06	\$ 713.58
8	2324 RANDOLPH AVE	2324 RANDOLPH AVE	WINDSOR ON N9E 3X4	080-540-07600-0000	PLAN 973 LOT 733 PT LOT 734;PT ALLEY RP 12R19299 PART 1;RP 12R20453 PART 29; 5370.33SF 50.20FR 107.00D	50.20	15.30	0.00	15.30	\$ 3,511.81	\$ 477.60
9	2330 RANDOLPH AVE	2330 RANDOLPH AVE	WINDSOR ON N9E 3X4	080-540-07610-0000	PLAN 973 PT LOTS 734 AND 736;LOT 735 PT ALLEY;RP 12R19299 PART 2;RP 12R20453 PART 28; 5019.00SF 50.20FR 100.00D	50.20	15.30	0.00	15.30	\$ 3,511.81	\$ 477.60
10	2333 RANDOLPH AVE	2333 RANDOLPH AVE	WINDSOR ON N9E 3X3	080-540-09200-0000	PLAN 973 LOTS 302 303 S PT;LOT 304 & PT CLOSED ALLEY; 8550.00SF 75.00FR 114.00D	75.00	22.86	0.00	22.86	\$ 5,247.06	\$ 713.58
11	2334 RANDOLPH AVE	2334 RANDOLPH AVE	WINDSOR ON N9E 3X4	080-540-07620-0000	PLAN 973 LOT 737 PT LOT 736;PT ALLEY RP 12R19299 PART 3;RP 12R20453 PART 27; 5370.33SF 50.20FR 107.00D	50.20	15.30	0.00	15.30	\$ 3,511.81	\$ 477.60
12	2339 RANDOLPH AVE	2339 RANDOLPH AVE	WINDSOR ON N9E 3X3	080-540-09100-0000	PLAN 973 LOTS 299 TO 301;& PT CLOSED ALLEY; 9630.00SF 90.00FR 107.00D	89.99	27.43	0.00	27.43	\$ 6,296.02	\$ 856.24
13	2340 RANDOLPH AVE	1659 NORTHWAY AVE	WINDSOR ON N9B 3L8	080-540-07700-0000	PLAN 973 LOT 738 PT LOT 739 PT CLOSED ALLEY & RP12R20453 PART 5 PART 26	60.04	18.30	0.00	18.30	\$ 4,200.41	\$ 571.24
14	2344 RANDOLPH AVE	2344 RANDOLPH AVE	WINDSOR ON N9E 3X4	080-540-07800-0000	PLAN 973 LOTS 740 TO 742;PT LOT 739 PT ALLEY AND;RP 12R20453 PART 25; 9630.00SF 90.09FR 107.00D	90.09	27.46	0.00	27.46	\$ 6,302.90	\$ 857.17
15	2345 RANDOLPH AVE	2345 RANDOLPH AVE	WINDSOR ON N9E 3X3	080-540-09000-0000	PLAN 973 LOTS 297 298;& PT CLOSED ALLEY; 6420.00SF 60.00FR 107.00D	60.01	18.29	0.00	18.29	\$ 4,198.11	\$ 570.93
16	2349 RANDOLPH AVE	2349 RANDOLPH AVE	WINDSOR ON N9E 3X3	080-540-08900-0000	PLAN 973 LT 295 296; 6000.00SF 60.00FR 100.00D	60.01	18.29	0.00	18.29	\$ 4,198.11	\$ 570.93
17	2350 RANDOLPH AVE	2350 RANDOLPH AVE	WINDSOR ON N9E 3X4	080-540-07900-0000	PLAN 973 LOT 743 PT LOT 744;PT ALLEY RP 12R19429 PART 1;RP 12R20453 PARTS 23 AND 24; 4821.42SF 45.06FR 107.00D	45.05	13.73	0.00	13.73	\$ 3,151.45	\$ 428.59
18	2354 RANDOLPH AVE	2354 RANDOLPH AVE	WINDSOR ON N9E 3X4	080-540-07910-0000	PLAN 973 PT LOT 744 LOT 745;PT ALLEY RP 12R19429 PART 2;RP 12R20453 PART 22; 4821.42SF 45.05FR 107.00D	45.05	13.73	0.00	13.73	\$ 3,151.45	\$ 428.59
19	2355 RANDOLPH AVE	2355 RANDOLPH AVE	WINDSOR ON N9E 3X3	080-540-08800-0000	PLAN 973 LOTS 293 & 294; 6000.00SF 60.00FR 100.00D	60.01	18.29	0.00	18.29	\$ 4,198.11	\$ 570.93
20	2360 RANDOLPH AVE	2360 RANDOLPH AVE	WINDSOR ON N9E 3X4	080-540-07950-0000	PLAN 973 LOTS 746 & 747; 6000.00SF 60.00FR 100.00D	60.01	18.29	0.00	18.29	\$ 4,198.11	\$ 570.93
21	2361 RANDOLPH AVE	2361 RANDOLPH AVE	WINDSOR ON N9E 3X3	080-540-08700-0000	PLAN 973 LOTS 291 292;& PT CLOSED ALLEY; 6420.00SF 60.00FR 107.00D	60.01	18.29	0.00	18.29	\$ 4,198.11	\$ 570.93
22	2366 RANDOLPH AVE	2366 RANDOLPH AVE	WINDSOR ON N9E 3X4	080-540-08000-0000	PLAN 973 LOTS 748 AND 749;PT ALLEY AND RP 12R20453;PART 20; 6427.49SF 60.07FR 107.00D	60.07	18.31	0.00	18.31	\$ 4,202.70	\$ 571.55
23	2367 RANDOLPH AVE	2367 RANDOLPH AVE	WINDSOR ON N9E 3X3	080-540-08600-0000	PLAN 973 LOTS 289 290;& PT CLOSED ALLEY; 6420.00SF 60.00FR 107.00D	60.01	18.29	0.00	18.29	\$ 4,198.11	\$ 570.93
24	2374 RANDOLPH AVE	2374 RANDOLPH AVE	WINDSOR ON N9E 3X4	080-540-08100-0000	PLAN 973 LOTS 750 TO 752;PT ALLEY AND RP 12R20453;PARTS 18 AND 19; 9639.63SF 90.09FR 107.00D	90.09	27.46	0.00	27.46	\$ 6,302.90	\$ 857.17
25	2375 RANDOLPH AVE	2375 RANDOLPH AVE	WINDSOR ON N9E 3X3	080-540-08500-0000	PLAN 973 LOTS 287 & 288; 6000.00SF 60.00FR 100.00D	60.01	18.29	0.00	18.29	\$ 4,198.11	\$ 570.93
26	2380 RANDOLPH AVE	2380 RANDOLPH AVE	WINDSOR ON N9E 3X4	080-540-08200-0000	PLAN 973 LOTS 753 AND 754;PT LOT 755 PT ALLEY AND;RP 12R20453 PART 17; 8025.00SF 75.00FR 107.00D	75.00	22.86	0.00	22.86	\$ 5,247.06	\$ 713.58
27	2385 RANDOLPH AVE	2385 RANDOLPH AVE	WINDSOR ON N9E 3X3	080-540-08450-0000	PLAN 973 LOTS 285 & 286; 6000.00SF 60.00FR 100.00D	60.01	18.29	0.00	18.29	\$ 6,631.62	\$ 901.88
28	2389 RANDOLPH AVE	2389 RANDOLPH AVE	WINDSOR ON N9E 3X3	080-540-08401-0000	PLAN 973; LOT 284; PT LOT 283 & PT CLOSED ALLEY; RP 12R24372; PARTS 1 & 4	45.01	13.72	0.00	13.72	\$ 3,149.16	\$ 428.27
29	2390 RANDOLPH AVE	2390 RANDOLPH AVE	WINDSOR ON N9E 3X4	080-540-08300-0000	PLAN 973 LOTS 756 AND 757;PT LOT 755 PT ALLEY AND;RP 12R20453 PART 16; 8025.00SF 75.00FR 107.00D	75.00	22.86	0.00	22.86	\$ 5,247.06	\$ 713.58
30	2393 RANDOLPH AVE	2393 RANDOLPH AVE	WINDSOR ON N9E 3X3	080-540-08402-0000	PLAN 973 LOT 282; PT LOT 283 & PT CLOSED ALLEY; RP 12R24372; PARTS 2 & 3	45.01	13.72	0.00	13.72	\$ 3,149.16	\$ 428.27
<b>TOTAL</b>						<b>1801.74</b>	<b>549.17</b>	<b>0.00</b>	<b>549.17</b>	<b>\$ 128,484.69</b>	<b>\$ 17,473.50</b>

\* Annual charge to be paid in ten (10) annual payments, annual charge includes 6.02% annual interest. The estimated lifetime of this work is not less than ten (10) years.

Certified as sufficient in accordance with O.Reg 586/06, Local Improvement Charges – Priority Lien Status.

  
 Janice Guthrie  
 Commissioner, Corporate Services/CFO/City Treasurer  
 Office of the Commissioner, Corporate Services



**Subject: A By-law to authorize special charges being imposed on lots abutting the local improvement work completed under By-law 68-2021 on Mark Avenue from Campbell Avenue to Algonquin Street - Ward 10**

**Reference:**

Date to Council: September 5, 2023

Author: Joseph Bressan

Engineer I

(519) 255-6100 Ext. 6890

[jbressan@citywindsor.ca](mailto:jbressan@citywindsor.ca)

Engineering

Report Date: 2023-06-22

Clerk's File #: SPL2023

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

**Recommendation:**

That Council **ADOPT** a By-law for the imposition of special charges on lots abutting on or immediately benefiting from the local improvement work completed under By-law 68-2021 on Mark Avenue from Campbell Avenue to Algonquin Street, in accordance with Section 30 of O. Reg. 586/06, made under Municipal Act 2001.

**Executive Summary:**

N/A

**Background:**

Local Improvement Charges By-law 68-2021 authorized the construction of a new sanitary sewer and sanitary private drain connections on Mark Avenue from Campbell Avenue to Algonquin Street. Construction was completed under Tender 80-21.

A local improvement roll has been prepared in accordance with Section 20 of O. Reg. 586/06, setting out the cost of the work and special charges (either in an equally divided number of annual payments or in a single payment commuted to the present values), to all lots abutting on or immediately benefiting from the said local improvement work.

A notice of the hearing of the Committee of Revision was mailed to residents in January of 2023 for the purpose of hearing complaints against the proposed assessments. No objections were received within the required notice period, and the Committee of



Revision hearing was cancelled. The City Treasurer has certified the prepared local improvement roll.

**Discussion:**

The works on Mark Avenue have been completed under the provisions of O. Reg. 586/06, made under Municipal Act 2001.

It is required by Section 30 of O. Reg. 586/06, made under Municipal Act, 2001, that a Special Charges By-law be passed by the municipality after the Treasurer of the municipality has certified the local improvement roll under Section 21 or 29 of the said O. Reg. 586/06, for the imposition of the said special charges on each lot set out in the local improvement roll for the property owners that are benefiting from the work.

**Risk Analysis:**

N/A

**Climate Change Risks**

**Climate Change Mitigation:**

This by-law is not anticipated to have a material impact on the mitigation of climate change.

**Climate Change Adaptation:**

This by-law is not anticipated to have a material impact on climate change adaptation within the City.

**Financial Matters:**

The final costs to the City and the affected property owners totalling \$166,026.67 are outlined in the attached Appendix 1 - Statement of the Cost of Work. The City's share of the cost is \$11,102.96 and was funded by the Local Improvement – Sanitary Sewer Capital Project (7159000). The special charges to each of the property owners are listed in the attached Appendix 2 – Schedule A, Local Improvement Roll certified by the City Treasurer.

**Consultations:**

Kathy Buis - Financial Planning Administrator

Adam Mourad – Engineer II

Wira Vendrasco - Deputy City Solicitor – Legal Services and Real Estate



**Conclusion:**

Work is now completed and Administration recommends that local improvement special charges by-law be passed.

**Planning Act Matters:**

N/A

**Approvals:**

<b>Name</b>	<b>Title</b>
Fahd Mikhael	Manager of Design
Stacey McGuire	Executive Director of Engineering / Deputy City Engineer
Chris Nepszy	Commissioner, Infrastructure Services
Shelby Askin Hager	Commissioner, Legal & Legislative
Tony Ardovini	On behalf of Commissioner, Corporate Services CFO/City Treasurer
Joe Mancina	Chief Administrative Officer

**Notifications:**

<b>Name</b>	<b>Address</b>	<b>Email</b>

**Appendices:**

- 1 Statement of Cost
- 2 Schedule A



## STATEMENT OF COST OF THE WORK

The following is a construction report for the installation of sanitary sewers and private drain connections at the following location:

<u>Location</u>	<u>From</u>	<u>To</u>
MARK AVENUE	CAMPBELL AVENUE	ALGONQUIN STREET

The final cost is made up as follows:

Supply and install sanitary sewer	\$86,228.50
Supply and install sanitary Private Drain Connections	\$66,309.52
Engineering, administration, and preparation of assessment	\$13,488.65

<b>TOTAL</b>	<b><u>\$166,026.67</u></b>
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The total abutting frontage is 561.58 metres, from which 161.79 metres are being deducted for public right-of-way frontage and previously serviced properties, and to which 16.22 metres will be added for the adjustment of irregular lots, leaving a total abutting frontage of 416.01 metres, which is equal to the assessable frontage for residents.


The rate per metre frontage for the sanitary sewers as per the Local Improvement Policy	\$234.40
The rate for each private drain connection is:	\$3,022.00
The owner's share of the cost is	\$154,923.71
The City's share of the cost is \$11,102.96 and is made up of follows:	
Public right-of-way frontage	\$11,102.96

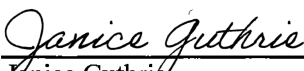
<b>TOTAL</b>	<b><u>\$166,026.67</u></b>
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Annual charges based on 10-year interest rate at 6.02% are as follows:

Annual cost per metre frontage for sanitary sewers as per the Local Improvement Policy	\$31.88
Annual cost per private drain connection is:	\$410.98

This is to certify that the lifetime of this work is not less than 10 years.

am   
Fahd Mikhael, P. Eng.  
Manager of Design  
Office of the Commissioner of  
Infrastructure Services

  
Janice Guthrie  
Commissioner, Corporate Services/CFO/City Treasurer  
Office of the Commissioner, Corporate Services

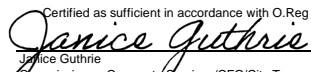


**Local Improvement Special Assessment  
Sanitary Sewer and Private Drain Connections**

**Project:** Mark Avenue  
**From:** Campbell Avenue  
**To:** Algonquin Street

Item #	PROP ADDRESS	MAILING ONE	MAILING TWO	ROLL NUMBER	LEGAL DESCRIPTION	Frontage (ft)	Frontage (m)	Adjustments (m)	Assessable Frontage (m)	Total Commuted Charge	Total Annual Charge*
1	1595 MARK AVE	1595 MARK AVE	WINDSOR ON N9B 3G3	080-600-01100-0000	PLAN 1342 LOTS 24 & 25; PT CLOSED ALLEY; IRREG; 80.00FR	80	24.38	0.00	24.38	\$ 8,736.69	\$ 1,188.16
2	1585 MARK AVE	1585 MARK AVE	WINDSOR ON N9B 3G3	080-600-01200-0000	PLAN 1342 LOTS 22 & 23; PT CLOSED ALLEY; 8880.00SF 80.00FR 111.00D	80	24.38	0.00	24.38	\$ 8,736.69	\$ 1,188.16
3	1565 MARK AVE	1565 MARK AVE	WINDSOR ON N9B 3G3	080-600-01300-0000	PLAN 1342 LOTS 20 21; & PT CLOSED ALLEY; 8880.00SF 80.00FR 111.00D	80	24.38	0.00	24.38	\$ 8,736.69	\$ 1,188.16
4	1543 MARK AVE	1023 CHELSEA PARK WAY	BELLE RIVER ON N9R 1A0	080-600-01400-0000	PLAN 1342 LOTS 18 & 19; PT CLOSED ALLEY; 8880.00SF 80.00FR 111.00D	80	24.38	0.00	24.38	\$ 8,736.69	\$ 1,188.16
5	1533 MARK AVE	1533 MARK AVE	WINDSOR ON N9B 3G3	080-600-01500-0000	PLAN 1342 LOTS 16 & 17; PT CLOSED ALLEY; 8880.00SF 80.00FR 111.00D	80	24.38	0.00	24.38	\$ 11,758.69	\$ 1,599.14
6	1519 MARK AVE	1519 MARK AVE	WINDSOR ON N9B 3G3	080-600-01600-0000	PLAN 1342 LOTS 13 TO 15; & PT CLOSED ALLEY; 13320.00SF 120.00FR 111.00D	120	36.58	0.00	36.58	\$ 14,618.38	\$ 1,988.05
7	1505 MARK AVE	1505 MARK AVE	WINDSOR ON N9B 3G3	080-600-01700-0000	PLAN 1342 LOT 12; PT CLOSED ALLEY; 4480.00SF 40.00FR 111.00D	40	12.19	0.00	12.19	\$ 5,879.35	\$ 799.57
8	1487 MARK AVE	1487 MARK AVE	WINDSOR ON N9B 3G3	080-600-01800-0000	PLAN 1342 LOTS 10 & 11; PT CLOSED ALLEY; 8880.00SF 80.00FR 111.00D	80	24.38	0.00	24.38	\$ 8,736.69	\$ 1,188.16
9	1485 MARK AVE	1485 MARK AVE	WINDSOR ON N9B 3G3	080-600-01900-0000	PLAN 1342 LOT 9 & PT BLK B; & PT OF ALLEY; 63.58FR	63.58	19.38	37.35	56.73	\$ 16,318.56	\$ 2,219.27
10	1500 MARK AVE	1759 LONGFELLOW AVE	WINDSOR ON N9B 3I3	080-600-02800-0000	PLAN 1342 PT LOTS 162 TO 164; PT BLK R RP 12R15919 PARTS; 2 & 3; 7012.89SF 67.00FR 104.67D	67	20.42	0.00	20.42	\$ 7,808.46	\$ 1,061.93
11	1504 MARK AVE	1504 MARK AVE	WINDSOR ON N9B 3G4	080-600-02900-0000	PLAN 1342 LOT 125; & PT BLK R; IRREG; 181.08FR	181.08	55.19	-21.13	34.06	\$ 11,006.35	\$ 1,496.83
12	1524 MARK AVE	1534 MARK AVE	WINDSOR ON N9B 3G4	080-600-03001-0000	PLAN 1342; LOT 124	40	12.19	0.00	12.19	\$ 5,879.35	\$ 799.57
13	1528 MARK AVE	9045 BRODERICK RD	LASALLE ON N9H 0H1	080-600-03002-0000	PLAN 1342; LOT 123	40	12.19	0.00	12.19	\$ 5,879.35	\$ 799.57
14	1534 MARK AVE	1534 MARK AVE	WINDSOR ON N9B 3G4	080-600-03100-0000	PLAN 1342 LOT 122 N PT LOT 121; 6480.00SF 60.00FR 108.00D	60	18.29	0.00	18.29	\$ 7,309.19	\$ 994.03
15	1544 MARK AVE	1544 MARK AVE	WINDSOR ON N9B 3G4	080-600-03200-0000	PLAN 1342 LOT 120.5 PT LOT 121; 6480.00SF 60.00FR 108.00D	60	18.29	0.00	18.29	\$ 7,309.19	\$ 994.03
16	1560 MARK AVE	C/O CARNEVALE LAW OFFICE 2488 MCDUGALL ST SUITE 2	WINDSOR ON N9X 3N7	080-600-03300-0000	PLAN 1342 L 118,119; 8640.00SF 80.00FR 108.00D	80	24.38	0.00	24.38	\$ 8,736.69	\$ 1,188.16
17	1574 MARK AVE	1574 MARK AVE	WINDSOR ON N9B 3G4	080-600-03400-0000	PLAN 1342 LOTS 116 & 117; 8640.00SF 80.00FR 108.00D	80	24.38	0.00	24.38	\$ 8,736.69	\$ 1,188.16
SUM						1311.66	399.76	16.22	416.01	\$ 154,923.71	\$ 21,069.12

\* Annual charge to be paid in ten (10) annual payments, annual charge includes 6.02% annual interest. The estimated lifetime of this work is not less than ten (10) years.

Certified as sufficient in accordance with O.Reg 586/06, Local Improvement Charges - Priority Lien Status  
  
Janice Guthrie  
Commissioner, Corporate Services/CFO/City Treasurer  
Office of the Commissioner, Corporate Services



**Subject: A By-law to authorize special charges being imposed on lots abutting the local improvement work completed under By-law 44-2023 on Curry Avenue from Norfolk Street to Richardie Boulevard - Ward 1**

**Reference:**

Date to Council: September 5, 2023  
Author: Pierfrancesco Ruggeri  
Technologist III  
(519) 255-6257 Ext. 6506  
[pruggeri@citywindsor.ca](mailto:pruggeri@citywindsor.ca)  
Design - Engineering  
Report Date: 2023-06-22  
Clerk's File #: SPL2023

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

**Recommendation:**

That Council **PASS** a By-law for the imposition of special charges on lots abutting on or immediately benefiting from the local improvement work completed under By-law 44-2023 on Curry Avenue from Norfolk Street to Richardie Boulevard, in accordance with Section 30 of O. Reg. 586/06, made under *Municipal Act* 2001.

**Executive Summary:**

N/A

**Background:**

Local Improvement Charges By-law 44-2023 authorized the construction of curb & gutter, and boulevard restoration on Curry Avenue from Norfolk Street to Richardie Boulevard. Construction was completed under Tender 11-21.

A local improvement roll has been prepared in accordance with Section 20 of O. Reg. 586/06, setting out the cost of the work and special charges (either in an equally divided number of annual payments or in a single payment commuted to the present values), to all lots abutting on or immediately benefiting from the said local improvement work.

A notice of the hearing of the Committee of Revision was mailed to residents in January of 2023 for the purpose of hearing complaints against the proposed assessments. One objection was received within the required notice period. A Committee of Revision hearing was held on February 21, 2023. The Committee denied the objection against



the costs associated with the Local Improvement Charges. The City Treasurer has therefore certified the prepared local improvement roll.

**Discussion:**

The works on Curry Avenue have been completed under the provisions of O. Reg. 586/06, made under *Municipal Act* 2001.

It is required by Section 30 of O. Reg. 586/06, made under *Municipal Act*, 2001, that a Special Charges By-law be passed by the municipality after the Treasurer of the municipality has certified the local improvement roll under Section 21 or 29 of O. Reg. 586/06, for the imposition of the said special charges on each lot set out in the local improvement roll for the property owners that are benefiting from the work.

**Risk Analysis:**

N/A

**Climate Change Risks**

**Climate Change Mitigation:**

This by-law is not anticipated to have a material impact on the mitigation of climate change.

**Climate Change Adaptation:**

This by-law is not anticipated to have a material impact on climate change adaptation within the City.

**Financial Matters:**

The final costs to the City and the affected property owners are outlined in the attached Appendix 1 - Statement of the Cost of Work. The City's share of the cost was funded by the Local Improvement – Infrastructure (7171002) Capital Project. The special charges to each of the property owners are listed in the attached Appendix 2, Schedule A, Local Improvement Roll, certified by the City Treasurer.

**Consultations:**

Adam Mourad, Engineer II

Kathy Buis, Financial Planning Administrator

Wira Vendrasco, Deputy City Solicitor – Legal Services and Real Estate



**Conclusion:**

Work is now completed and Administration recommends that local improvement special charges by-law be passed.

**Planning Act Matters:**

N/A

**Approvals:**

<b>Name</b>	<b>Title</b>
Fahd Mikhael	Manager of Design
Stacey McGuire	Executive Director, Engineering/ Deputy City Engineer
Chris Nepszy	Commissioner, Infrastructure Services
Shelby Askin Hager	Commissioner, Legal & Legislative Services
Tony Ardovini	On behalf of Commissioner, Corporate Services CFO/City Treasurer
Joe Mancina	Chief Administrative Officer

**Notifications:**

<b>Name</b>	<b>Address</b>	<b>Email</b>

**Appendices:**

- 1 Statement of Cost
- 2 Schedule A



## STATEMENT OF COST OF THE WORK

The following is a construction report for the installation of curb and gutter and boulevard restoration at the following location:

<u>Location</u>	<u>From</u>	<u>To</u>
<b>CURRY AVENUE</b>	<b>NORFOLK STREET</b>	<b>RICHARDIE BOULEVARD</b>

The final cost is made up as follows:

Supply and install concrete curb & gutter	\$	34,789.17
Supply and place topsoil	\$	20,219.00
Supply and place sod	\$	44,481.47
Engineering, administration, and preparation of assessment	\$	28,782.82

**TOTAL \$ 128,272.46**

The total abutting frontage is 910.73 metres, from which 40.20 metres are being deducted for public right-of-way frontage, leaving a total abutting frontage of 870.53 metres, which is equal to the assessable frontage.

The rate per metre frontage for curb and gutter was calculated to be:	\$	45.68
The rate per metre frontage for topsoil was calculated to be:	\$	10.72
The rate per metre frontage for sod was calculated to be:	\$	23.58

The owner's share of the cost is:	\$	69,619.36
The City's share of the cost is \$58,653.10 and is made up of follows:		
Public right-of-way frontage	\$	58,653.10

**TOTAL \$ 128,272.46**

Annual charges based on 10-year interest at 6.02% are as follows:

Annual cost per metre frontage for curb and gutter was calculated to be:	\$	6.21
Annual cost per metre frontage for topsoil was calculated to be:	\$	1.46
Annual cost per metre frontage for sod was calculated to be:	\$	3.21

This is to certify that the lifetime of this work is not less than 10 years.

am   
Fahd Mikhael, P. Eng.  
Manager of Design  
Office of the Commissioner of  
Infrastructure Services

  
Janice Guthrie  
Commissioner, Corporate Services/CFO/City Treasurer  
Office of the Commissioner, Corporate Services




Local Improvement Special Assessment Curb and Gutter and Boulevard Restoration											
Project: From: To:		Curry Avenue Norfolk Street Richardie Boulevard									
ITEM #	PROPERTY ADDRESS	MAILING ADDRESS		ROLL NUMBER	LEGAL DESCRIPTION	Frontage (ft)	Frontage (m)	Adjustments (m)	Assessible Frontage for Residents (m)	Total Commuted Charged	Total Annual Charge*
1	3209 CURRY AVE	3209 CURRY AVE	WINDSOR ON N9E 2T4	080-330-17700-0000	PLAN 1343 LOT 761 N PT LOT;762;60X60R X118.58FL X118.5; CORNER; 60.00FR	60.00	18.29	0.00	18.29	\$ 1,462.72	\$ 198.92
2	3210 CURRY AVE	3210 CURRY AVE	WINDSOR ON N9E 2T5	080-330-13000-0000	PLAN 1343 LOT 811 PT LOT 810; CORNER; 60.00FR 130.00D	60.00	18.29	0.00	18.29	\$ 1,462.72	\$ 198.92
3	3215 CURRY AVE	3215 CURRY AVE	WINDSOR ON N9E 2T4	080-330-17600-0000	PLAN 1343 PT LOT 762 & 763; 60.00FR	60.00	18.29	0.00	18.29	\$ 1,462.72	\$ 198.92
4	3216 CURRY AVE	3216 CURRY AVE	WINDSOR ON N9E 2T5	080-330-13100-0000	PLAN 1343 N PT LOT 809;S PT LOT 810; 7800.00SF 60.00FR 130.00D	60.00	18.29	0.00	18.29	\$ 1,462.72	\$ 198.92
5	3221 CURRY AVE	3221 CURRY AVE	WINDSOR ON N9E 2T4	080-330-17500-0000	PLAN 1343 S PT LOT 763;N PT LOT 764; IRREG; 7102.00SF 60.00FR 118.36D	60.00	18.29	0.00	18.29	\$ 1,462.72	\$ 198.92
6	3222 CURRY AVE	3222 CURRY AVE	WINDSOR ON N9E 2T5	080-330-13200-0000	PLAN 1343 N PT LOT 808;S PT LOT 809; 7800.00SF 60.00FR 130.00D	60.00	18.29	0.00	18.29	\$ 1,462.72	\$ 198.92
7	3229 CURRY AVE	3229 CURRY AVE	WINDSOR ON N9E 2T4	080-330-17400-0000	PLAN 1343 S PT LOT 764;N PT LOT 765; IRREG; 60.00FR	60.00	18.29	0.00	18.29	\$ 1,462.72	\$ 198.92
8	3230 CURRY AVE	3230 CURRY AVE	WINDSOR ON N9E 2T5	080-330-13300-0000	PLAN 1343 N PT LOT 807;S PT LOT 808; 7800.00SF 60.00FR 130.00D	60.00	18.29	0.00	18.29	\$ 1,462.72	\$ 198.92
9	3237 CURRY AVE	3237 CURRY AVE	WINDSOR ON N9E 2T4	080-330-17300-0000	PLAN 1343 LOT 766 S PT LOT;765;60X60R X118.16X118.25; 60.00FR	60.00	18.29	0.00	18.29	\$ 1,462.72	\$ 198.92
10	3238 CURRY AVE	3238 CURRY AVE	WINDSOR ON N9E 2T5	080-330-13400-0000	PLAN 1343 LOT 806 PT LOT 807; 7800.00SF 60.00FR 130.00D	60.00	18.29	0.00	18.29	\$ 1,462.72	\$ 198.92
11	3243 CURRY AVE	3243 CURRY AVE	WINDSOR ON N9E 2T4	080-330-17200-0000	PLAN 1343 LOT 767 LOT 768;60X60R X118.08X118.16; 60.00FR	60.00	18.29	0.00	18.29	\$ 1,462.72	\$ 198.92
12	3244 CURRY AVE	3244 CURRY AVE	WINDSOR ON N9E 2T5	080-330-13500-0000	PLAN 1343 LOT 805 PT LOT 804; 7800.00SF 60.00FR 130.00D	60.00	18.29	0.00	18.29	\$ 1,462.72	\$ 198.92
13	3251 CURRY AVE	2267 MARIO RD	WINDSOR ON N9E 4N2	080-330-17100-0000	PLAN 1343 S PT LOT 768;N PT LOT 769;60X60R X118X118.08; 60.00FR	60.00	18.29	0.00	18.29	\$ 1,462.72	\$ 198.92
14	3252 CURRY AVE	3252 CURRY AVE	WINDSOR ON N9E 2T5	080-330-13600-0000	PLAN 1343 N PT LOT 803;S PT LOT 804; 7800.00SF 60.00FR 130.00D	60.00	18.29	0.00	18.29	\$ 1,462.72	\$ 198.92
15	3259 CURRY AVE	3259 CURRY AVE	WINDSOR ON N9E 2T4	080-330-17000-0000	PLAN 1343 S PT LOT 769;N PT LOT 770; IRREG; 60.00FR	60.00	18.29	0.00	18.29	\$ 1,462.72	\$ 198.92
16	3260 CURRY AVE	3260 CURRY AVE	WINDSOR ON N9E 2T5	080-330-13700-0000	PLAN 1343 N PT LOT 802;S PT LOT 803; 7800.00SF 60.00FR 130.00D	60.00	18.29	0.00	18.29	\$ 1,462.72	\$ 198.92
17	3265 CURRY AVE	3265 CURRY AVE	WINDSOR ON N9E 2T4	080-330-16900-0000	PLAN 1343 PT LOTS 770 & 771; 7080.00SF 60.00FR 118.00D	60.00	18.29	0.00	18.29	\$ 1,462.72	\$ 198.92
18	3266 CURRY AVE	3266 CURRY AVE	WINDSOR ON N9E 2T5	080-330-13800-0000	PLAN 1343 N PT LOT 801;S PT LOT 802; 7800.00SF 60.00FR 130.00D	60.00	18.29	0.00	18.29	\$ 1,462.72	\$ 198.92
19	3273 CURRY AVE	2805 CALIFORNIA AVE	WINDSOR ON N9E 3K3	080-330-16800-0000	PLAN 1343 LOT 772 S PT LOT;771;60X60R X117.75X118; 60.00FR	60.00	18.29	0.00	18.29	\$ 1,462.72	\$ 198.92
20	3274 CURRY AVE	3274 CURRY AVE	WINDSOR ON N9E 2T5	080-330-13900-0000	PLAN 1343 LOT 800 PT LOT 801; 7800.00SF 60.00FR 130.00D	60.00	18.29	0.00	18.29	\$ 1,462.72	\$ 198.92
21	3279 CURRY AVE	3279 CURRY AVE	WINDSOR ON N9E 2T4	080-330-16700-0000	PLAN 1343 LOT 773;N PT LOT 774; IRREG; 60.00FR	60.00	18.29	0.00	18.29	\$ 1,462.72	\$ 198.92
22	3280 CURRY AVE	3280 CURRY AVE	WINDSOR ON N9E 2T5	080-330-14000-0000	PLAN 1343 LOT 799 PT LOT 798; 7800.00SF 60.00FR 130.00D	60.00	18.29	0.00	18.29	\$ 1,462.72	\$ 198.92
23	3287 CURRY AVE	3287 CURRY AVE	WINDSOR ON N9E 2T4	080-330-16600-0000	PLAN 1343 S PT LOT 774;N PT LOT 775;60X60R X117.58X117.66; 60.00FR	60.00	18.29	0.00	18.29	\$ 1,462.72	\$ 198.92
24	3288 CURRY AVE	3288 CURRY AVE	WINDSOR ON N9E 2T5	080-330-14100-0000	PLAN 1343 N PT LOT 797;S PT LOT 798; 7800.00SF 60.00FR 130.00D	60.00	18.29	0.00	18.29	\$ 1,462.72	\$ 198.92
25	3295 CURRY AVE	3295 CURRY AVE	WINDSOR ON N9E 2T4	080-330-16500-0000	PLAN 1343 S PT LOT 775;N PT LOT 776;60X60R X117.5X117.58; 60.00FR	60.00	18.29	0.00	18.29	\$ 1,462.72	\$ 198.92
26	3296 CURRY AVE	3296 CURRY AVE	WINDSOR ON N9E 2T5	080-330-14200-0000	PLAN 1343 N PT LOT 796;S PT LOT 797; 7800.00SF 60.00FR 130.00D	60.00	18.29	0.00	18.29	\$ 1,462.72	\$ 198.92
27	3301 CURRY AVE	3301 CURRY AVE	WINDSOR ON N9E 2T4	080-330-16400-0000	PLAN 1343 S PT LOT 776;N PT LOT 777; IRREG; 7045.00SF 60.00FR	60.00	18.29	0.00	18.29	\$ 1,462.72	\$ 198.92
28	3302 CURRY AVE	3302 CURRY AVE	WINDSOR ON N9E 2T5	080-330-14300-0000	PLAN 1343 N PT LOT 795;S PT LOT 796; 7800.00SF 60.00FR 130.00D	60.00	18.29	0.00	18.29	\$ 1,462.72	\$ 198.92
29	3311 CURRY AVE	3311 CURRY AVE	WINDSOR ON N9E 2T4	080-330-16300-0000	PLAN 1343 LOT 778;S PT LOT 777; IRREG; 60.00FR	60.00	18.29	0.00	18.29	\$ 1,462.72	\$ 198.92
30	3312 CURRY AVE	2915 CALIFORNIA AVE	WINDSOR ON N9E 4E6	080-330-14400-0000	PLAN 1343 LOT 794 PT LOT 795; 7800.00SF 60.00FR 130.00D	60.00	18.29	0.00	18.29	\$ 1,462.72	\$ 198.92
31	3319 CURRY AVE	3319 CURRY AVE	WINDSOR ON N9E 2T4	080-330-16200-0000	PLAN 1343 LOT 779 N PT LOT;780;60.000X117.250X117.333; IR; 60.00FR	60.00	18.29	0.00	18.29	\$ 1,462.72	\$ 198.92
32	3320 CURRY AVE	3320 CURRY AVE	WINDSOR ON N9E 2T5	080-330-14500-0000	PLAN 1343 LOT 793 PT LOT 792; 7800.00SF 60.00FR 130.00D	60.00	18.29	0.00	18.29	\$ 1,462.72	\$ 198.92



Local Improvement Special Assessment Curb and Gutter and Boulevard Restoration											
Project: Curry Avenue From: Norfolk Street To: Richardie Boulevard											
ITEM #	PROPERTY ADDRESS	MAILING ADDRESS		ROLL NUMBER	LEGAL DESCRIPTION	Frontage (ft)	Frontage (m)	Adjustments (m)	Assessible Frontage for Residents (m)	Total Commuted Charged	Total Annual Charge*
33	3327 CURRY AVE	3327 CURRY AVE	WINDSOR ON N9E 2T4	080-330-16100-0000	PLAN 1343 S PT LOT 780;N PT LOT 781;60X60R X117.16X117.25; 60.00FR	60.00	18.29	0.00	18.29	\$ 1,462.72	\$ 198.92
34	3328 CURRY AVE	3328 CURRY	WINDSOR ON N9E 2T5	080-330-14600-0000	PLAN 1343 N PT LOT 791;S PT LOT 792; 7800.00SF 60.00FR 130.00D	60.00	18.29	0.00	18.29	\$ 1,462.72	\$ 198.92
35	3335 CURRY AVE	3335 CURRY AVE	WINDSOR ON N9E 2T4	080-330-16000-0000	PLAN 1343 N PT LOT 781;N PT LOT 782; 7024.00SF 60.00FR 117.16D	60.00	18.29	0.00	18.29	\$ 1,462.72	\$ 198.92
36	3336 CURRY AVE	3336 CURRY AVE	WINDSOR ON N9E 2T5	080-330-14700-0000	PLAN 1343 N PT LOT 790;S PT LOT 791; 7800.00SF 60.00FR 130.00D	60.00	18.29	0.00	18.29	\$ 1,462.72	\$ 198.92
37	3345 CURRY AVE	3345 CURRY AVE	WINDSOR ON N9E 2T4	080-330-15900-0000	PLAN 1343 S PT LOT 782;N PT LOT 783; 6964.80SF 60.00FR 116.08D	60.00	18.29	0.00	18.29	\$ 1,462.72	\$ 198.92
38	3346 CURRY AVE	3346 CURRY AVE	WINDSOR ON N9E 2T5	080-330-14800-0000	PLAN 1343 N PT LOT 789;S PT LOT 790; 7800.00SF 60.00FR 130.00D	60.00	18.29	0.00	18.29	\$ 1,462.72	\$ 198.92
39	3353 CURRY AVE	3353 CURRY AVE	WINDSOR ON N9E 2T4	080-330-15800-0000	PLAN 1343 S PT LOT 783;N PT LOT 784; 7057.00SF 60.00FR	60.00	18.29	0.00	18.29	\$ 1,462.72	\$ 198.92
40	3354 CURRY AVE	3354 CURRY AVE	WINDSOR ON N9E 2T5	080-330-14900-0000	PLAN 1343 N PT LOT 788;S PT LOT 789; 7800.00SF 60.00FR 130.00D	60.00	18.29	0.00	18.29	\$ 1,462.72	\$ 198.92
41	3365 CURRY AVE	510 CONWAY CRES	BELLE RIVER ON N0R 1A0	080-330-15700-0000	PLAN 1343 PT LOTS 784 & 785; 6964.80SF 60.00FR 116.08D	60.00	18.29	0.00	18.29	\$ 1,462.72	\$ 198.92
42	3366 CURRY AVE	3366 CURRY AVE	WINDSOR ON N9E 2T5	080-330-15000-0000	PLAN 1343 LOT 787;S PT LOT 788; 94.00FR	94.00	28.65	0.00	28.65	\$ 2,291.24	\$ 311.60
43	3375 CURRY AVE	3613 MAISONNEUVE AVE	WINDSOR ON N9E 1Z1	080-330-15600-0000	PLAN 1343 LOT 786 S PT LOT;785; 52.79FR	52.79	16.09	0.00	16.09	\$ 1,286.77	\$ 175.00
44	3380 CURRY AVE	3380 CURRY AVE	WINDSOR ON N9E 2T5	080-330-15100-0000	PLAN 1343 PT LOTS 990 TO 992;PT CLOSED ALLEY; 7656.00SF 58.00FR 132.00D	58.00	17.68	0.00	17.68	\$ 1,413.93	\$ 192.29
45	3385 CURRY AVE	3385 CURRY AVE	WINDSOR ON N9E 2T4	080-330-15500-0000	PLAN 1343 N PT LOTS 993 TO;995 BLK K PT BLKS A & R; 58.00FR	58.00	17.68	0.00	17.68	\$ 1,413.93	\$ 192.29
46	3390 CURRY AVE	3390 CURRY AVE	WINDSOR ON N9E 2T5	080-330-15200-0000	PLAN 1343 S PT LOT 990 TO;LOT 992 BLKS A G PT BLK J; CORNER; 75.00FR 132.00D	75.00	22.86	0.00	22.86	\$ 1,828.20	\$ 248.63
47	3395 CURRY AVE	3395 CURRY AVE	WINDSOR ON N9E 2T4	080-330-15400-0000	PLAN 1343 PT LOTS 993 TO 995;PT BLKS A & J;58X60.54R X144.87FL X161.83; CORNER; 58.00FR	58.00	17.68	0.00	17.68	\$ 1,413.93	\$ 192.29
Total						2855.79	870.53	0.00	870.53	\$ 69,619.36	\$ 9,468.01
* Annual charge to be paid in ten (10) annual payments, annual charge includes 6.02% annual interest. The estimated lifetime of this work is not less than ten (10) years.											

Certified as sufficient in accordance with O.Reg 586/06, Local Improvement Charges - Priority Lien Status



Janice Guthrie  
Commissioner, Corporate Services/CFO/City Treasurer  
Office of the Commissioner, Corporate Services