

City Council Meeting Agenda

**Date:** Monday, March 18, 2024

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

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

All members will have the option of participating in person in Council Chambers or electronically and will be counted towards quorum in accordance with Procedure 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

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

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

**READING OF LAND ACKNOWLEDGEMENT**

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

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

**4.            ADOPTION OF THE MINUTES**

**4.1.        Adoption of the Windsor City Council minutes of its meeting held February 26, 2024 (SCM 58/2024)**

**5.            NOTICE OF PROCLAMATIONS**

**Proclamations**

“Transit Operator and Worker Appreciation Day” – March 18, 2024

“World Tuberculosis (TB) Day” – March 24, 2024

“Happy Akitu Chaldean Babylonian 7324 New Year” – April 1, 2024

“Royal Canadian Air Force Centennial Week” – April 1 - 5, 2024

“Sikh Heritage Month” – April 2024

“Be a Donor Month” – April 2024

**Flag Raising Ceremony**

“Commonwealth Day” – March 11, 2024

“Happy Akitu Chaldean Babylonian 7324 New Year” – April 1, 2024

“Royal Canadian Air Force 2024 Centennial” – April 2–3, 2024

“Sikh Heritage Month” – April 3–5, 2024

## **Illumination**

“World Down Syndrome Day” – March 21, 2024

“Epilepsy Awareness Month – International Purple Day” – March 26 – 31, 2024

“Happy Akitu Chaldean Babylonian 7324 New Year” – April 1, 2024

“Royal Canadian Air Force 2024 Centennial” – April 2 – 7, 2024

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

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

7.1. Correspondence 7.1.1 through 7.1.8 **(CMC 5/2024)**

7.2. Your Quick Gateway (Windsor) Inc. (YQG) - 2023 Financial Statements (Q3) - City Wide **(C 24/2024)**

7.3. Mayor, Councillors and Appointees Statement of Remuneration and Expenses for 2023 **(C 23/2024)**

7.4. 2023 Status Report regarding City’s response to Cannabis Retail Store Applications provided to AGCO – City Wide **(C 13/2024)**

7.5. Sewer Master Plan Implementation Update - City Wide **(C 17/2024)**

### **8. CONSENT AGENDA**

8.1. Energy Service Agreement at the Windsor Justice Facility with ENWAVE Windsor Holdings LP - City Wide **(C 25/2024)**

8.2. Working at Heights Training Program Agreements – City Wide **(C 26/2024)**

8.3. Update of Round 1 of the Arts, Culture and Heritage Fund 2024 – City Wide **(C 27/2024)**

8.4. Exemption to Noise By-law 6716 for Nighttime Construction Work – EC Row Expressway from Banwell Road to Lauzon Parkway – Wards: 7, 8 and 9 **(C 22/2024)**

8.5. Downtown CIP Grant Application - Property Address, Roll Number, and Legal Description Update - 570 Church Street and 576 Church Street **(C 30/2024)**

8.6. Global Policy Update - City Wide (**C 15/2024**)

#### CONSENT COMMITTEE REPORTS

8.7. Temporary Exhibition Look Again! Outside! Extension and Expansion - City Wide (**SCM 59/2024**) & (**S 27/2024**)

8.8. Pathway to Potential: Windsor-Essex County Poverty Reduction Strategy 2024 – 2028 – City Wide (**SCM 62/2024**) & (**S 29/2024**)

8.9. Zoning By-law Amendment Application for 3445 Church Street, Z-002/24 [ZNG-7165], Ward 1 (**SCM 60/2024**) & (**S 17/2024**)

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

#### 10. PRESENTATIONS AND DELEGATIONS

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

11.1. Stormwater Financing Project Update - City Wide (**C 29/2024**)

11.2. Capital Variance Report - September 30, 2023 - City Wide (**C 167/2023**)

11.3. Disaster Mitigation & Adaptation Fund Program - City Wide (**C 28/2024**)

#### 12. CONSIDERATION OF COMMITTEE REPORTS

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

12.2. Report of the Special meeting of Council – In-camera of its meeting held Monday, February 26, 2024 (**SCM 65/2024**)

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

13.1 **By-law 45-2024** A BY-LAW TO ASSUME FOR SUBSEQUENT CLOSURE THE 4.57 METRE NORTH/SOUTH ALLEY AND THE 6.10 METRE EAST/WEST ALLEY LOCATED NORTH OF UNIVERSITY STREET EAST, WEST OF PARENT AVENUE AND SOUTH OF CHATHAM STREET EAST, CITY OF WINDSOR. Authorized by CR225/2023 dated May 29, 2023.

- 13.2 **By-law 46-2024** A BY-LAW TO CLOSE, STOP UP AND CONVEY THE 4.57 METRE NORTH/SOUTH ALLEY AND THE 6.10 METRE EAST/WEST ALLEY LOCATED NORTH OF UNIVERSITY STREET EAST, WEST OF PARENT AVENUE AND SOUTH OF CHATHAM STREET EAST, CITY OF WINDSOR. Authorized by CR225/2023 dated May 29, 2023.
- 13.3 **By-law 47-2024** A BY-LAW TO PROVIDE FOR THE ABANDONMENT OF THE ENTIRE GRAVEL ROAD DRAIN. Authorized by CR19/2024 dated January 15, 2024.
- 13.4 **By-law 48-2024** A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW". Authorized by Section 5.4 in Zoning By-law 8600.
- 13.5 **By-law 49-2024** A BY-LAW TO ADOPT AMENDMENT NO. 169 TO THE OFFICIAL PLAN OF THE CITY OF WINDSOR. Authorized by CR88/2024 dated February 26, 2024.
- 13.6 **By-law 50-2024** A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW". Authorized by CR88/2024 dated February 26, 2024.
- 13.7 **By-law 51-2024** A BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE 18<sup>TH</sup> DAY OF MARCH, 2024.
14. **MOVE BACK INTO FORMAL SESSION**
15. **NOTICES OF MOTION**
16. **THIRD AND FINAL READING OF THE BY-LAWS**  
By-law 45-2024 and 51-2024 inclusive
17. **PETITIONS**
18. **QUESTION PERIOD**
- 18.1. Summary of Outstanding Council Questions as of March 6, 2024 (**SCM 63/2024**)
- 18.2. Outstanding Council Directives List as of March 6, 2024 (**SCM 64/2024**)

**19. STATEMENTS BY MEMBERS**

**20. UPCOMING MEETINGS**

Active Transportation Expert Panel  
Thursday, March 14, 2024  
10:00 a.m., Room 140, 350 City Hall Square West

Orientation Session and first meeting of the  
Environment & Climate Change Advisory Committee  
Tuesday, March 19, 2024  
5:00 p.m., Room 140, 350 City Hall Square West

Orientation Session and first meeting of the  
Transit Windsor Working Group  
Wednesday, March 20, 2024  
2:30 p.m., Room 140, 350 City Hall Square West

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

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

Community Services Standing Committee  
Wednesday, April 3, 2024  
9:00 a.m., Council Chambers

Orientation Session and first meeting of the  
Community Public Art Working Group  
Wednesday, April 3, 2024  
5:00 p.m., Room 140, 350 City Hall Square West

City Council Meeting  
Monday, April 8, 2024  
10:00 a.m., Council Chambers

Orientation Session and first meeting of the  
Age Friendly Windsor Working Group  
Thursday, April 11, 2024  
9:30 a.m., Room 140, 350 City Hall Square West

**21. ADJOURNMENT**



**Committee Matters: SCM 58/2024**

**Subject: Adoption of the Windsor City Council minutes of its meeting held February 26, 2024.**



**City Council Meeting**

**Date: Monday, February 26, 2024**

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

**Members Present:**

**Mayor**

Mayor Drew Dilkens

**Councillors**

Ward 2 – Councillor Fabio Costante

Ward 3 – Councillor Renaldo Agostino

Ward 4 – Councillor Mark McKenzie

Ward 5 – Councillor Ed Sleiman

Ward 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

**Councillor Regrets**

Ward 1 – Councillor Fred Francis

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### 1. ORDER OF BUSINESS

### 2. CALL TO ORDER

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

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

None disclosed.

### 4. ADOPTION OF THE MINUTES

#### 4.1. Adoption of the Windsor City Council minutes of its meeting held February 12, 2024.

Moved by: Councillor Fabio Costante

Seconded by: Councillor Gary Kaschak

That the minutes of the Meeting of Council held February 12, 2024 **BE ADOPTED** as presented.  
Carried.

Report Number: SCM 52/2024

### 5. NOTICE OF PROCLAMATIONS

#### Proclamations

“Nutrition Month” – March 2024

“Easter Seals Month” – March 2024

“International Women’s Day” – March 8, 2024

#### Flag Raising Ceremony

“Pakistan Day” – March 8 – 12, 2024

### 6. COMMITTEE OF THE WHOLE

Moved by: Councillor Angelo Marignani

Seconded by: Councillor Kieran McKenzie

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

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- (a) communication items;
  - (b) consent agenda;
  - (c) hearing requests for deferrals, referrals and/or withdrawals of any items of business;
  - (d) hearing presentations and delegations;
  - (e) consideration of business items;
  - (f) consideration of Committee reports;
  - (g) Report of Special In-Camera Meeting or other Committee as may be held immediately following Council (if scheduled); and
  - (h) consideration of by-law 35-2024 and by-laws 37-2024 through 44-2024 (inclusive)
- Carried.

## 7. COMMUNICATIONS INFORMATION PACKAGE

### 7.1. Correspondence for Monday, February 26, 2024

Moved by: Councillor Mark McKenzie

Seconded by: Councillor Jim Morrison

Decision Number: CR75/2024

That the following Communication Items 7.1.1 through 7.1.4 as set forth in the Council Agenda **BE REFERRED** as noted:

No.	Sender	Subject
7.1.1	City Planner / Executive Director	Application for Zoning Amendment, Supreme Homes Group, 3445 Church Street, to permit 2 single detached dwellings.  Z/14730 Note & File
7.1.2	City Planner / Executive Director	Application for Zoning Amendment & Official Plan Amendment, 1027458 Ontario Inc., 0 Wyandotte Street, to permit three (3) 6-storey, medium profile and two (2) 12-storey, high profile multiple dwelling residential buildings.  Z/14731 & Z/14732 Note & File
7.1.3	City Planner / Executive Director	Application for Zoning Amendment & Official Plan Amendment, 1027458 Ontario Inc., 0 Clairview Avenue, to permit two 11-storey high profile multiple dwelling residential buildings.  Z/14734 & Z/14735 Note & File

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No.	Sender	Subject
7.1.4	Committee of Adjustment	Applications to be heard by the Committee of Adjustment/Consent Authority, Thursday, February 29, 2024  Z2024 Note & File

Carried.

Report Number: CMC 4/2024

## 8. CONSENT AGENDA

### 8.2. Abandonment of the Pillette No. 1 Drain - Ward 5

Moved by: Councillor Ed Sleiman

Seconded by: Councillor Renaldo Agostino

Decision Number: CR77/2024

- I. That Council **ACCEPT** the recommendation of the City Engineer to abandon the Pillette No. 1 Drain in its entirety in accordance with Section 84 of the *Drainage Act*; and further,
- II. That Council **DIRECT** Administration to send a notice to all owners of land assessed for the drainage works stating the intention to abandon the Pillette No. 1 Drain; and further,
- III. That Council **DIRECT** the City Solicitor to prepare a By-law to abandon the Pillette No. 1 Drain under Section 84 of The *Drainage Act*, provided that no owner of land assessed for drainage works submits a notice requesting that the report of an engineer be made on the proposed abandonment.

Carried.

Report Number: C 20/2024

Clerk's File: SW2024

### 8.3. Development Charges Background Study and DC Bylaw Update - City Wide

Moved by: Councillor Ed Sleiman

Seconded by: Councillor Renaldo Agostino

Decision Number: CR78/2024

- A. That City Council **APPROVE** the timelines for the 2024 Development Charge (DC) Background Study and DC Bylaw Update, including the development of a Community

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Benefits Charge (CBC) Bylaw, and the review of the Parkland Dedication Fee Structure; and,

- B. That City Council **APPROVE** the hiring of Hemson Consulting Ltd. through procurement consistent with the City's Purchasing Bylaw at a cost of \$100,335 plus HST, with funding available in the Capital Budget; and,
- C. That City Council **APPROVE** the Chief Administrative Officer and City Clerk to sign an agreement with Hemson Consulting Ltd. subject to approval as to legal form by the City Solicitor, and to technical and financial content by the City Treasurer; and,
- D. That City Council **ESTABLISH** a DC Task Force Committee composed of five members of City Council (voting members) as appointed by the Striking Committee of Council; and that key stakeholders from the development community and other interested parties **BE INVITED** to submit their applications to the Striking Committee for appointment to the DC Task Force (5 non-voting members) to participate in a consultative role on the committee.

Carried.

Report Number: C 18/2024  
Clerk's File: GPL/3905

### 8.4. Minutes of the Windsor Licensing Commission of its meeting held December 7, 2023

Moved by: Councillor Ed Sleiman

Seconded by: Councillor Renaldo Agostino

Decision Number: CR79/2024 CR19/2024 ETPS 981

That the minutes of the Windsor Licensing Commission meeting held December 7, 2023 **BE RECEIVED** as presented.

Carried.

Report Number: SCM 27/2024 & SCM 340/2023

### 8.5. Essex Windsor Solid Waste Authority (EWSWA) Board Meeting Minutes from November 7, 2023

Moved by: Councillor Ed Sleiman

Seconded by: Councillor Renaldo Agostino

Decision Number: CR80/2024 ETPS 982

That the minutes of the Essex Windsor Solid Waste Authority (EWSA) board meeting held November 7, 2023 **BE RECEIVED** as presented.

Carried.

Report Number: SCM 28/2024 & SCM 322/2023

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### 8.6. Energy Access and Poverty Pillar (EAPP) Report Requirement - Global Covenant of Mayors for Climate and Energy - City Wide

Moved by: Councillor Ed Sleiman

Seconded by: Councillor Renaldo Agostino

Decision Number: CR81/2024 ETPS 983

That the report of the Community Energy Plan Administrator dated December 19, 2023 regarding the Energy and Poverty Pillar (EAPP) Report Requirement from the Global Covenant of Mayors for Climate and Energy **BE RECEIVED** for information; and,

That Council **RECEIVE** Windsor's Carbon Disclosure Project (CDP) 2023 Report Card as included in Appendix A for information; and,

That Council **ENDORSE** the development of the Energy Access and Poverty Badge requirements; and,

That Administration **BE DIRECTED** to report back to Council with the finalized Energy Access and Poverty Assessment, Targets, and Plan.

Carried.

Report Number: SCM 29/2024 & S 168/2023

Clerk's File: EI/14519

### 8.8. Relocation of Garbage Collection in the Alleys Bounded by Hall/Moy/Riverside Dr E/Assumption – City Wide

Moved by: Councillor Ed Sleiman

Seconded by: Councillor Renaldo Agostino

Decision Number: CR83/2024 ETPS 985

That Council **APPROVE** the permanent relocation of garbage collection from the alley to curbside in the area bounded by Hall, Moy, Riverside Dr E and Assumption, effective immediately.

Carried.

Report Number: SCM 31/2024 & S 3/2024

Clerk's File: SW2024

### 8.9. Response to CQ 32-2023 – Oversight and Authority to Limit Freight Train Traffic Impediments – City Wide

Moved by: Councillor Ed Sleiman

Seconded by: Councillor Renaldo Agostino

Decision Number: CR84/2024 ETPS 986

That the report of the Policy Analyst dated January 10, 2024 entitled "Response to CQ 32-2023 – Oversight and Authority to Limit Freight Train Traffic Impediments – City Wide" **BE RECEIVED** for information.

Carried.

Report Number: SCM 32/2024 & S 2/2024  
Clerk's File: MTR2024

### **8.11. Windsor's Sustainable Procurement Guide - City Wide**

Moved by: Councillor Ed Sleiman

Seconded by: Councillor Renaldo Agostino

Decision Number: CR86/2024 ETPS 988

1. That the report from the Environmental Sustainability Coordinator dated December 5, 2023 regarding Windsor's Sustainable Procurement Guide **BE RECEIVED** for information; and,
2. That City Council **SUPPORT** efforts to encourage purchasing decisions to consider environmental criteria and sustainability; and,
3. That City Council **APPROVE** the updated version of the City of Windsor's Sustainable Procurement Guide; and,
4. That City Council **APPROVE** the updated version of the City of Windsor's Sustainable Procurement Policy.

Carried.

Report Number: SCM 34/2024 & S 163/2023  
Clerk's File: SW/8523

### **8.12. Rezoning - City of Windsor - Housekeeping Amendment 2024-1 - Z-002/21 ZNG/6277 - City Wide**

Moved by: Councillor Ed Sleiman

Seconded by: Councillor Renaldo Agostino

Decision Number: CR87/2024 DHSC 586

That Zoning By-law 8600 **BE AMENDED** as follows:

**1A.** Deleting and substituting Section 1.7 with the following:

#### **1.7 INTERPRETATION AND ENFORCEMENT**

1.7.1 The City Planner shall administer and interpret this by-law. Any reference to the City

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Planner in this by-law shall include the Deputy City Planner or their designate.

- 1.7.3 The Chief Building Official shall enforce this by-law. Any reference to the Chief Building Official in this by-law shall include the Deputy Chief Building Official or their designate including an officer who has the responsibility of enforcing a zoning by-law.

**1B.** Deleting and substituting Section 1.10.50.1 with the following:

- .1 Addition, correction, or revision of abbreviation, cross-referencing, grammar, numbering, punctuation, or typographical error, revision of the format in a manner that does not change the intent of a provision, or revision to a provision that has a general reference to the effective date of the provision coming into force or similar phrasing by adding the actual date the provision came into force.

Example: A provision contains the phrase “as they exist on the effective date of this clause” with the provision coming into force on January 1, 2022. The phrase “as they exist on the effective date of this clause” may be replaced with “as they exist on January 1, 2022” without an amending by-law.

[ZNG/6277]

**1C.** Deleting and substituting Section 1.20.9 with the following:

1.20.9 **DEFINED TERM** [ZNG/6277]

A term that is italicized in this by-law indicates that the term is defined in this by-law. The case, capitalization, or emphasis of a defined term is done so for the ease of reading and does not affect the meaning of the defined term.

Example: *DWELLING*, *Dwelling*, and *dwelling* have the same meaning.

Where the term “existing” is not italicized, “existing” shall mean “lawfully existing”.

A term used in the singular may also mean the plural and vice versa, except “one” or “1” shall always mean the singular.

**1D.** Adding the following clauses to Section 1.20:

1.20.10 **WHOLE OR PART** [ZNG/6277]

Unless otherwise stated, a reference to a *building*, *lot*, *premises*, or *structure* includes the whole, or part of the, *building*, *lot*, *premises*, or *structure*.

1.20.11 **USE** [ZNG/6277]

- .1 A use not listed as a permitted use is prohibited.



- .5 Unless otherwise stated, a permitted *use* is a *main use*. A permitted *use* identified as a “*use accessory to a permitted use*” or similar is an *accessory use*.

1.20.12 **LEGAL NON-CONFORMING USE** [ZNG/6277]

No by-law passed under Section 34 of the *Planning Act* applies:

- .1 to prevent the *use* of any *lot, building, or structure* for any purpose prohibited by the by-law if such *lot, building, or structure* was lawfully used for such purpose on the day of the passing of the by-law, so long as it continues to be used for that purpose; or
- .5 to prevent the erection or *use* for a purpose prohibited by the by-law of any *building or structure* for which a permit has been issued under subsection 8 (1) of the *Building Code Act, 1992*, prior to the day of the passing of the by-law, so long as the *building or structure* when erected is used and continues to be used for the purpose for which it was erected and provided the permit has not been revoked under subsection 8 (10) of that Act.

1E. Deleting Sections 3.1.10 and 3.1.20.

2A. Adding to Section 3.10, after “MOTOR VEHICLE SALVAGE OPERATION”, the following new defined term:

**MUNICIPAL INFRASTRUCTURE** means a *building or structure* used for any of the following municipal systems: district heating or cooling, emergency power generator, heating, ventilation, or air conditioning (HVAC), electrical service, pumping station, sanitary sewer, site servicing facility, storm sewer, *storm water management facility*, storm water outlet, traffic equipment, or water service; where the *building or structure* is identified, generally or specifically, in any of the following documents approved, adopted, or moved by Council: Agency Budget, Capital Budget, Council Resolution, Environmental Assessment, Master Plan, Municipal By-law, Official Plan, or Operating Budget.  
[ZNG/6277]

2B. Deleting and substituting Subsection 9.1 as follows:

9.1 **GREEN DISTRICT 1.1 (GD1.1)**  
[ZNG/6277]

9.1.1 **PERMITTED MAIN USES**  
*Child Care Centre*  
*Public Park*

9.1.2 **PERMITTED ACCESSORY USES**  
*Any use accessory to a permitted main use*

**9.1.5 PROVISIONS**

- |     |   |        |
|-----|---|--------|
| .3  | <i>Lot Coverage</i> – maximum   | 25.0%  |
| .4  | <i>Building Height</i> – maximum  |        |
|     | <i>Lot having a lot area of less than 0.50 ha</i>   | 9.0 m  |
|     | <i>Lot having a lot area of 0.50 ha or more</i>   | 14.0 m |
| .90 | For any <i>lot</i> situated on the north side of Riverside Drive East and West between Rosedale Avenue and Lauzon Road, the extension of a <i>building</i> above the crown of the pavement within Riverside Drive is prohibited. This provision shall not apply to the following: fountain, <i>municipal infrastructure</i> , observation deck, playground equipment, sculpture and any other work of art, or washroom. |        |

**2C.** Deleting Section 20(1)3 from Section 20 and from all Zoning District Maps.

**3.** Deleting and substituting Section 5.23.5 with the following:

5.23.5 When a *lot* on which a *semi-detached dwelling* or *townhome dwelling* has been erected and is subsequently divided in compliance with Part VI of the *Planning Act* by a common *interior lot line* that separates the *dwelling units*, for each *dwelling unit* the following additional provisions shall apply:

- .1 *Lot Width – minimum* – equal to the width of the *dwelling unit* plus any *exterior side yard* as existing at the time of the lot division
- .2 *Lot Area – minimum* – as existing at the time of the lot division
- .3 *Lot Coverage – Total – maximum* – 50% of *lot area*
- .7 An *interior side yard* shall not be required along the common *interior lot line* for that part of the *dwelling unit* lawfully *existing* at the time of the lot division.

[ZNG/6277]

**4.** Deleting and substituting Section 5.99.7 with the following:

**5.99.7 AUTOMOBILE SALES, LEASE OR RENTAL – ACCESSORY USE**

- .1 The sale, lease or rental of an *automobile* as an *accessory use* is prohibited, save and except the sale, lease or rental of an *automobile* as an *accessory use* to an *Automobile Repair Garage*, *Automobile Collision Shop*, or *Service Station* or the lease or rental of an *automobile* as an *accessory use* to any *Retail Store* is permitted subject to the following additional provisions:

- .1 The storage or display of five or more *automobiles* for sale, lease or rental purposes on a *lot* is prohibited.
- .2 The storage or display of an *automobile* for sale, lease or rental purposes having a width of greater than 2.50 m or a length greater than 6.10 m is prohibited.
- .3 The storage or display of an *automobile* for sale, lease or rental purposes in a *required parking space*, required accessible parking space or *landscaped open space yard* is prohibited.
- .4 The area where an *automobile* for sale, lease or rental purposes is stored or displayed shall be subject to the provisions in Section 5.99.60.6.1.1 to 5.99.60.6.1.3.

[ZNG/5271; ZNG/6277]

**(AMENDED B/L 7-2018 Feb 23/2018)**

- 5A.** Amending and substituting the defined term “HOME OCCUPATION” in Section 3.10 with the following:

**HOME OCCUPATION** means an occupation for profit or gain conducted entirely within an *accessory building, dwelling unit, or garage* which occupation is incidental and secondary to the *use* of the *dwelling unit* for residential purposes and does not change the character thereof. It includes any employment identified or classified as “Work at Home”, “Work from Home”, “Remote Work”, or similar.

[ZNG/6276; ZNG/6277]

**(AMENDED B/L 145-2021 Oct 26/2021)**

- 5B.** Deleting and substituting Section 5.99.40 with the following:

**5.99.40 HOME OCCUPATION**

- .1 A *home occupation* within an *accessory building, dwelling unit, or garage* located on the same *lot* as the *dwelling unit* is an additional permitted *accessory use*.
- .3 The *home occupation* shall be carried out by a resident of the *dwelling unit* located on the same *lot* as the *home occupation*.
- .5 The total *gross floor area* of all *home occupations* shall not exceed 25% of the *gross floor area* of the *dwelling unit*.
- .90 A *home occupation* within a *carport*, or a *home occupation* that generates dust, fumes, noise, odour, or vibration that is evident outside the *accessory building, dwelling unit, or garage* is prohibited.
- .92 Except for those goods produced by, or accessory or related to, the *home occupation*, the direct sale of goods is prohibited.

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.93 Except for a sign permitted by The Windsor Sign By-law, any visible indication from the exterior of the *accessory building, dwelling, dwelling unit, or garage* that a *home occupation* is being carried on is prohibited.

.95 Except those items customarily used for housekeeping or personal recreational purposes, the external or outdoor storage of materials, goods, or equipment related to, or used by, the *home occupation* is prohibited.

[ZNG/6276; ZNG/6277]

**(AMENDED B/L 145-2021 Oct 26/2021)**

### 6A. Amending the Side Yard Width values as follows:

Section 10.1.5.7 for a Single Unit Dwelling from 1.50 m to 1.20 m

Section 10.4.5.7 for a Single Unit Dwelling from 1.80 m to 1.20 m

Section 10.6.5.7 from 1.50 m to 1.20 m

Section 11.2.5.4.7 from 1.80 m to 1.20 m

Section 11.2.5.5.7 from 1.50 m to 1.20 m

Section 11.3.5.7 for a Townhome Dwelling from 1.50 m to 1.20 m

Section 11.5.5.6.7 for a Multiple Dwelling with 5 or more dwelling units from 2.50 m to 1.20 m

Section 11.5.5.7.7 for a Townhome Dwelling from 2.50 m to 1.20 m

### 6B. Deleting and replacing Section 10.7.5.7 with the following new Section 10.7.5.7:

“.7 Side Yard Width – minimum 1.20 m 1.20 m”

### 6C. Changing the clause number of “Gross Floor Area – Main Building – maximum” from “.8” to “.10” in Sections 10.1.5, 10.2.5, 10.3.5, 10.4.5, 10.5.5, 11.1.5, 11.3.5, and 11.4.5.

### 7A. Adding new Section 95 as follows:

## SECTION 95 - HOLDING ZONE PROVISIONS

[ZNG/6277]

### 95.1 APPLICATION

Section 95 applies to any *lot* where the H symbol precedes a *zoning district* symbol or is contained within a specific zoning exception on any Schedule listed in Section 1.20.3. “Holding zone”, “Holding symbol”, “H symbol”, “H”, or “h” mean the same thing.

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In this by-law or in an amending by-law, any reference to Section 5.4 shall mean Section 95 and any reference to Section 5.4.20 shall mean Section 95.10.

### 95.2 PURPOSE

The purpose of the holding zone is to defer development or redevelopment until all holding conditions have been satisfied. A holding zone may supplement, alter, add, or remove any by-law provision affecting the *use* of the *lot*, *building*, or *structure*.

### 95.3 PROHIBITION AND EXCEPTION

A *use*, *building* or *structure* is prohibited except:

- .1 For any *use*, *building*, or *structure* erected, operated, or maintained by the *City of Windsor*, a *Public Authority*, or a *Public Utility*;
- .3 For an *existing use*, *building*, or *structure* that is permitted by the applicable *zoning district* or a specific zoning exception, additions or alterations to *existing buildings* are permitted, and *structures* and *accessory buildings* may be erected, provided such additions, alterations, *structures*, or *accessory buildings* are in accordance with the provisions of the *zoning district*, specific zoning exception, and all other provisions of this by-law.

### 95.5 REMOVAL OF H SYMBOL

The H symbol may be removed when the applicable holding conditions in Sections 95.10 and 95.20 have been satisfied. It is the responsibility of the property owner or an authorized agent to satisfy the applicable holding conditions, to submit proof to that effect, and to submit an application, including the fee, to remove the H symbol.

### 95.10 HOLDING CONDITIONS – GENERAL

The following holding conditions apply to any holding zone:

- .1 The land is on a registered plan of subdivision or condominium, subject to a part lot control exemption by-law, or subject to an approved consent to sever by the Committee of Adjustment; and
- .2 A *street* paved to the satisfaction of the City Engineer, municipal storm water outlet, municipal sanitary sewer, municipal electrical service, and municipal water service are available or an agreement to provide the aforementioned items is registered on title to the property; and
- .3 Where required by legislation, full compliance with remediation/mitigation recommendations in a required study, report, or plan to the satisfaction of the

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appropriate approval authority, or an agreement registered on title to the property to comply with the remediation/mitigation recommendations in the required study, report, or plan; and

- .4 Where required, a site plan control agreement is registered on title for the *lot*; and
- .5 Any other holding condition contained within any approved amending by-law for the subject land.

### 95.20 HOLDING CONDITIONS – SITE SPECIFIC

An H symbol may be followed by one or more numbers in brackets.

Example: H(1)RD1.3, H(1,4)MD1.4, or S.20(1)H(10)384

The number refers to a specific clause in Section 95.20. Unless otherwise stated, the applicable holding conditions in Section 95.10 shall also apply, and the greater clause number shall take precedence.

The format of the clause shall be the clause number in brackets with each condition listed separately and, if applicable, who is the approval authority that determines that the condition has been satisfied.

Example:

- (99) a) Submission of a Noise Study to the satisfaction of the City Planner;
- b) Submission of a Sanitary Sewer Study to the satisfaction of the City Engineer;  
and
- c) Conveyance of a 6 m by 6 m corner cut-off at the intersection of Adstoll Avenue and Rivard Avenue to the satisfaction of the City Engineer.  
[ZNG/9999]

**7B.** Deleting Section 5.4.

**7C.** Deleting and replacing Section 1.20.90 with the following:

### 1.20.90 PRECEDENCE

[ZNG/6277]

- .1 Unless otherwise stated, the precedence of provisions, from lowest to highest, is as follows:
  - a) Section 3 – Definitions
  - b) Section 5 – General Provisions
  - c) Section 24 – Parking, Loading and Stacking Provisions
  - d) Section 25 – Parking Area Provisions
  - e) Sections 8 to 19 – Zoning Districts

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- f) Section 20(1) – Site Specific Provisions
- g) Section 20(3) – Heritage Conservation Districts
- h) Section 20(4) – Traditional Commercial Street – Off-Street Parking Provisions
- j) Section 95 – Holding Zone Provisions
- k) Section 20(2) – Temporary Use Provisions
- m) Within Section 20(1), Section 20(2), or Section 95, the greater clause number shall take precedence

.5 Where a provision in this by-law is less than the minimum required by, is more than the maximum required by, or conflicts with an exception in, a provincial or federal act, regulation, or statute, the provincial or federal act, regulation, or statute shall take precedence.

.10 Where a conflict between provisions cannot be resolved using the precedence of provisions, the City Planner shall determine the precedence.

**8A.** Amending zoning of Lots 122 & 123, Part Water Lot, Concession 1; Part 4, Plan 12R6456; Part 1, Plan 12R13549 (known municipally as 0 Riverside Drive East; Roll No. 060-170-01500), situated on the north side of Riverside Drive East at St. Rose Avenue, from GD1.1 and RD1.6 to GD1.1.

**8B.** Amending the zoning of Lots 274 to 281, Part of Lot 282, and Part of Closed Alley, Registered Plan 1247, (known municipally as 955, 961, 965, 971, 975, 981, 985, and 991 Parkview Avenue; Roll No. 060-180-11000, 060-180-10900, 060-180-10800, 060-180-10700, 060-180-10600, 060-180-10500, 060-180-10400, 060-180-10300), situated on the west side of Parkview Avenue between Ontario Street and Raymond Avenue, from RD3.2 to RD1.2.

Carried.

Report Number: SCM 35/2024 & S 8/2024  
Clerk's File: ZB/12452

### **8.13. Official Plan & Zoning Bylaw Amendments Z 008-23 [ZNG-6976] & OPA 169 [OPA-6977] 2830065 Ontario Ltd. (Alta Nota-Mariusz Buchcic) 1460 Lauzon Rd Multiple Dwelling Development – Ward 6**

Moved by: Councillor Ed Sleiman

Seconded by: Councillor Renaldo Agostino

Decision Number: CR88/2024 DHSC 587

That an amendment to Schedule 'D'- Land Use of Volume I the City of Windsor Official Plan, **BE APPROVED**, by changing the land designation of Part of Lot 128, Concession 1, Sandwich East; Part of Lot 129, Concession 1 Sandwich East, Part 1, 12R-16993; T/W R1464779, in the City of Windsor, known municipally as 1460 Lauzon Road from "Industrial" to "Residential"; and,

That an amendment to City of Windsor Zoning By-law 8600 **BE APPROVED** changing the zoning of Part of Lot 128, Concession 1, Sandwich East; Part of Lot 129, Concession 1 Sandwich East, Part 1, 12R-16993; T/W R1464779, in the City of Windsor, known municipally as 1460 Lauzon Road from Manufacturing District MD1.2 and Holding Manufacturing District HMD1.2 to Residential District (RD) 3.2.; and,

That subsection 1 of Section 20 of the City of Windsor Zoning By-law 8600 **BE AMENDED** for Part of Lot 128, Concession 1, Sandwich East; Part of Lot 129, Concession 1 Sandwich East, Part 1, 12R-16993; T/W R1464779, in the City of Windsor, known municipally as 1460 Lauzon Road by adding site specific regulations as follow:

**###. Southeast corner Lauzon Road and McHugh Street**

For the lands described as for Part of Lot 128, Concession 1, Sandwich East; Part of Lot 129, Concession 1 Sandwich East, Part 1, 12R-16993; T/W R1464779, in the City of Windsor, known municipally as 1460 Lauzon Road, the following regulations shall apply:

Building setback from an interior lot line abutting a Residential District (RD) 1.1 zone - 24m

Carried.

Report Number: SCM 36/2024 & S 9/2024  
Clerk's File: Z/14589 & Z/14588

**8.14. Closure of Third Street R.O.W. between Continental Avenue and E. C. Row Expressway, Ward 2, SAS-6924**

Moved by: Councillor Ed Sleiman  
Seconded by: Councillor Renaldo Agostino

Decision Number: CR89/2024 DHSC 588

- I. That the 20.12-metre-wide Third Street right-of-way located between Continental Avenue and E. C. Row Expressway, and shown on Drawing No. CC-1828 (*attached* hereto as Appendix "A"), and hereinafter referred to as the "subject right-of-way", **BE ASSUMED** for subsequent closure;
- II. That the subject right-of-way **BE CLOSED AND CONVEYED** to the abutting property owners, in a manner deemed appropriate by the City Planner, subject to the following:
  - a. 6.0-metre-wide easement, subject to there being accepted in the City's standard form and in accordance with the City's standard practice, be granted to:



- 
- i. The Corporation of the City of Windsor to enter, construct, maintain, inspect, alter, repair, remove, replace, reconstruct and enlarge the existing 1,500.0 millimetre reinforced concrete storm sewer pipe.
  - b. 6.0-metre-wide easement, subject to there being accepted in the City's standard form and in accordance with the City's standard practice, be granted to:
    - i. The owner of the property known municipally as 4575 Fourth Street (legally described as Lots 225, 226 & 303 to 305, Plan 972; Lots 53 to 65 & 112 to 130, Part of Alley & Hudson, Plan 1154; Parts 1 to 6, Reference Plan 12R-10200) for vehicular and pedestrian access to Continental Avenue.
  - c. Easement over that portion of the subject right-of-way abutting the property known municipally as 0 Continental Avenue (legally described as Lots 38 to 40 & Part of Closed Alley, Plan 1209), 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 the property known municipally as 0 Continental Avenue for access to maintain their property to City of Windsor standards, **IF** they choose not to purchase their half of the subject right-of-way.
- III. That Conveyance Cost **BE SET** as follows:
- a. For alley conveyed to abutting lands zoned MD2.1, \$10.00 per square foot plus HST (if applicable) and proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor without easements, and \$5.00 per square foot plus HST (if applicable) and proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor with easements.
- IV. That The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1828, *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.
- VII. That the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003.  
Carried.

Report Number: SCM 38/2024 & S 97/2023  
Clerk's File: SAA2023

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### 8.15. Economic Revitalization Community Improvement Plan (CIP) application submitted by Bobaek America Inc. for a Manufacturing Facility located at 3490 Wheelton Drive (Ward 9)

Moved by: Councillor Ed Sleiman

Seconded by: Councillor Renaldo Agostino

Decision Number: CR90/2024 DHSC 589

- I. That the request made by Bobaek America Inc. to participate in the Business Development Grant Program **BE APPROVED** for the property located at 3490 Wheelton Drive (shown in Appendix 'A') for a period that ends the earlier of 10 years or when 100% of the eligible costs are repaid pursuant to the City of Windsor Economic Revitalization Community Improvement Plan; and,
- II. That Administration **BE DIRECTED** to prepare an agreement between the City and Bobaek America Inc. to implement the Business Development Grant Program in accordance with applicable policies, requirements, and provisions contained within the Economic Revitalization Community Improvement Plan, and applicable lease terms, for the subject property to the satisfaction of the City Planner as to technical content, the City Solicitor as to form, and the City Treasurer as to financial content; and,
- III. That the CAO and City Clerk **BE AUTHORIZED** to sign the Business Development Grant Agreement.

Carried.

Report Number: SCM 39/2024 & S 1/2024

Clerk's File: SPL/10759

### 8.16. Main Street CIP Application for 1695 Ottawa Street, Owner: Dr. Eric Bellis Dentistry Professional Corporation, Ward 4

Moved by: Councillor Ed Sleiman

Seconded by: Councillor Renaldo Agostino

Decision Number: CR91/2024 DHSC 590

- I. That the request for incentives under the *Main Streets Community Improvement Plan* made by Dr. Eric Bellis Dentistry Professional Corporation (C/O: Dr. Eric Bellis), the owner of the property located at 1695 Ottawa Street **BE APPROVED IN PRINCIPLE** for the following programs:
  - i. *Building Facade Improvement Program* totaling a maximum of \$6,213.87
  - ii. *Building/Property Improvement Tax Increment Grant Program* for 100% of the municipal portion of the tax increment for up to ten (10) years totaling a maximum of \$32,560 (\$3,256 per year); and,

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- II. That the CAO and City Clerk **BE AUTHORIZED** to sign the Main Street CIP for the *Building/Property Improvement Tax Increment Grant Program* agreement in accordance with all applicable policies, requirements, and provisions contained within the *Main Streets Community Improvement Plan* to the satisfaction of the City Planner as to content, the City Solicitor as to legal form, and the City Treasurer as to financial implication; and,
  - III. That the CAO and City Clerk **BE AUTHORIZED** to sign the Grant Agreement(s) in content satisfactory to the City Planner, in financial content to the satisfaction of the City Treasurer and in form satisfactory to the City Solicitor; and,
  - IV. That funds in the maximum amount of \$6,213.87 (*Building Facade Improvement grants*) under the *Main Streets CIP* **BE TRANSFERRED** from the CIP Reserve Fund 226 to the *Main Streets CIP* Project Fund (Project #7219018) when the grant funds are ready to be paid out; and,
  - V. That grants **BE PAID** to Dr. Eric Bellis Dentistry Professional Corporation (Eric Bellis), upon completion of improvements to the exterior of the property located at 1695 Ottawa Street from the *Building Facade Improvement Program – Main Streets CIP* Project Fund (Project #7219018) to the satisfaction of the City Planner and Chief Building Official; and,
  - VI. That grants approved **SHALL LAPSE** if the applicant has not completed the work and fulfilled the conditions within 2 years of the approval date. Extensions will be considered at the discretion of the City Planner.

Carried.

Report Number: SCM 40/2024 & S 170/2023  
Clerk's File: SPL/14200

### 8.17. Minutes of the Windsor Accessibility Advisory Committee of its meeting held December 5, 2023

Moved by: Councillor Ed Sleiman

Seconded by: Councillor Renaldo Agostino

Decision Number: CR92/2024 CSSC 225

That the minutes of the Windsor Accessibility Advisory Committee (WAAC) of its meeting held December 5, 2023 **BE RECEIVED**.

Carried.

Report Number: SCM 41/2024 & SCM 15/2024

### 8.18. Minutes of the Meetings of the Executive Committee and Board of Directors, Willistead Manor Inc., held November 9, 2023

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Moved by: Councillor Ed Sleiman

Seconded by: Councillor Renaldo Agostino

Decision Number: CR93/2024 CSSC 227

That the minutes of the Executive Committee and Board Directors, Willistead Manor Inc. of its meeting held November 9, 2023 **BE RECEIVED.**

Carried.

Report Number: SCM 43/2024 & SCM 320/2023

### **8.19. Report No. 132 of the Windsor Accessibility Advisory Committee - Accessible purchases from the Capital Fund for Huron Lodge**

Moved by: Councillor Ed Sleiman

Seconded by: Councillor Renaldo Agostino

Decision Number: CR94/2024 CSSC 228

That Report No. 132 of the Windsor Accessibility Advisory Committee indicating:

That APPROVAL BE GIVEN to an expenditure in the upset amount of \$25,000 of invoiced costs from the Capital Fund 7086008 tied to the purchase of a Wheelchair Accessible Bike, Height adjustable tab, Accessible Picnic Tab, Genie Messaging Platform and Abby Engagement model for Huron Lodge.

**BE APPROVED.**

Carried.

Report Number: SCM 44/2024 & SCM 12/2024

### **8.20. Report No. 133 of the Windsor Accessibility Advisory Committee - Accessible purchases from the Capital Fund for the Windsor Public Library**

Moved by: Councillor Ed Sleiman

Seconded by: Councillor Renaldo Agostino

Decision Number: CR95/2024 CSSC 228

That Report 133 of the Windsor Accessibility Advisory Committee indicating:

That APPROVAL BE GIVEN to an expenditure in the upset amount of \$15,000 of invoiced costs from the Capital Fund 7086008 for the Riverside Library Branch tied to the purchase of a LyriQ reader, Desktop Magnifier, two (2) Large print keyboards, Audio books, and accessibility software and programming for persons with disabilities.

**BE APPROVED.**

Carried.

Report Number: SCM 45/2024 & SCM 13/2024

### **8.21. Response to CQ 12-2022 & CQ 22-2022 - Solar Lights on City Trails – City Wide**

Moved by: Councillor Ed Sleiman  
Seconded by: Councillor Renaldo Agostino

Decision Number: CR96/2024 CSSC 230

That the report of the Executive Initiatives Coordinator, Community Services dated January 21, 2024 entitled "Response to CQ 12-2022 & 22-2022 – Solar Lights on City Trails – City Wide" **BE RECEIVED** for information; and,

That Council **APPROVE** option #2 being that City Council could direct Administration to accelerate the timeline and install lighting on 10 kms of trail per year so that all trails are fully lit by 2035 at an annual capital cost of \$420,000 (plus applicable HST) plus maintenance operating budget. Any new trails that are created would need to have adequate solar lighting worked into the proposed capital and operating budgets; and,

That Administration **BE DIRECTED** to forward this to the 2025 Budget to determine a funding source; and,

That Administration **BE DIRECTED** to investigate more cost effective solar lighting options.  
Carried.

Report Number: SCM 46/2024 & S 11/2024  
Clerk's File: SR2024

## **8.22. Response to CR 655/2020 – Invasive Plant Management Strategy - City Wide**

Moved by: Councillor Ed Sleiman  
Seconded by: Councillor Renaldo Agostino

Decision Number: CR97/2024 CSSC 231

That the report of the City Natural and Outreach Coordinator dated January 21, 2024 entitled "Response to CR 655/2020 – Invasive Plant Management Strategy – City Wide" **BE RECEIVED** for information.

Carried.

Report Number: SCM 47/2024 & S 10/2024  
Clerk's File: SR2024

## **8.23. Update on Reaching Home: Canada's Homelessness Strategy (2019 - 2028)**

Moved by: Councillor Ed Sleiman  
Seconded by: Councillor Renaldo Agostino

Decision Number: CR98/2024 CSSC 232

That the report from the Acting Manager, Homelessness & Housing Support dated January 22, 2024 entitled “Update on Reaching Home: Canada’s Homelessness Strategy (2019 - 2028)” **BE RECEIVED**; and,

That the Chief Administrative Officer (CAO) and City Clerk or their designates **BE AUTHORIZED** to:

- i. Execute and submit applications and related submissions and amendments to secure funding related to Reaching Home: Canada’s Homelessness Strategy and any subsequent programs or program extensions, provided they are in a form satisfactory to the City Solicitor, satisfactory in financial content to the City Treasurer, and technical content to the Commissioner, Human and Health Services and Executive Director of Housing and Children’s Services; and,
- ii. Execute the Funding Agreements and any related amendments and extensions between the City of Windsor as the Community Entity for Reaching Home: Canada’s Homelessness Strategy including any current or subsequent programs and program extensions, and Infrastructure Canada or successor ministries, provided that the Funding Agreements and any related amendments and extensions are in a form satisfactory to the City Solicitor, satisfactory in financial content to the City Treasurer, and technical content to the Commissioner, Human and Health Services and Executive Director of Housing and Children’s Services; and,
- iii. Execute the Mid-Year dialogue, annual work plan, signing officers form and any other documents where required by Infrastructure Canada or successor ministries, to remain in compliance with mandatory reporting requirements under Reaching Home: Canada’s Homelessness Strategy provided they are in a form satisfactory to the City Solicitor, satisfactory in financial content to the City Treasurer, and in technical content to the Commissioner, Human and Health Services and Executive Director of Housing and Children’s Services; and,

That the Commissioner, Human and Health Services or their designate **BE AUTHORIZED** to enter into agreements to participate in initiatives related to the Canadian Alliance to End Homelessness Built for Zero – Canada Campaign; and,

That the Executive Director of Housing and Children’s Services or their designate **BE AUTHORIZED** to issue a Request for Proposal, as required, consistent with the municipal purchasing by-law and requirements established by Infrastructure Canada or successor ministries, under Reaching Home: Canada’s Homelessness Strategy to identify and select sub-projects to deliver program components to address local community needs at a cost not to exceed the funding allocation provided by the Federal government or as allocated in the approved City budget in each respective year; and,

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That the Executive Director of Housing and Children's Services or their designate **BE AUTHORIZED**, throughout the duration of Reaching Home: Canada's Homelessness Strategy, to approve projects, allocate funds, withdraw, negotiate and re-allocate program funds, including re-allocation between the different program components and program recipients, agencies and organizations to maintain and ensure compliance with program rules and criteria, and/or to enable full take-up of program funds, and/or to address local community housing needs; and,

That as the Community Entity for Reaching Home: Canada's Homelessness Strategy, the Commissioner, Human and Health Services or their designate **BE AUTHORIZED** to execute, sign, amend, and terminate agreements with Purchase of Service agencies on behalf of the City, provided such agreements and documents comply with the governing program requirements and are in a form satisfactory to the City Solicitor; satisfactory in financial content to the City Treasurer and satisfactory in technical content to the Executive Director of Housing and Children's Services; and,

That for any agreements above \$1 million dollars, that in addition to the Commissioner, Human and Health Services or their designate, the Chief Administrative Officer or their designate **BE REQUIRED** to sign as a secondary authority; and,

That the Executive Director of Housing & Children's Services and City Treasurer or their designates **BE AUTHORIZED** to sign and submit financial claims and any amendments as required by Infrastructure Canada; and,

That the Executive Director of Housing and Children's Services or their designate **BE AUTHORIZED** to execute and submit to Infrastructure Canada any required Forecast of Project Expenditure (FPE), Activity Reports and any other such forms or reports as required by Infrastructure Canada; and further,

That the Executive Director of Housing and Children's Services or designate **BE AUTHORIZED** to acquire resources and partner to deliver Reaching Home: Canada's Homelessness Strategy and any affiliated programs, at a cost not to exceed the federal funds provided by Infrastructure Canada or successor ministry under Reaching Home: Canada's Homelessness Strategy, or any amounts allocated to the programs in the approved City budget in each respective year.  
Carried.

Report Number: SCM 48/2024 & S 13/2024  
Clerk's File: SS/4274

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

None requested.

## 10. PRESENTATIONS AND DELEGATIONS

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None presented.

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

#### 8.1. Red Light Camera Update – City Wide

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Angelo Marignani

Decision Number: CR76/2024

That the report of the Senior Manager Traffic and Parking dated February 9, 2024 entitled “Red Light Camera Update – City Wide” **BE REFERRED** to a future Environment, Transportation and Public Safety Standing Committee Meeting for further review and consideration.

Carried.

Report Number: C 19/2024

Clerk’s File: ST/13765

#### 8.7. Results of Test Pilot of Garbage Relocation in Ward 3 – City Wide

Moved by: Councillor Renaldo Agostino

Seconded by: Councillor Jo-Anne Gignac

Decision Number: CR82/2024 ETPS 984

That the report from the City Engineer dated January 4, 2024 entitled “Results of Test Pilot of Garbage Relocation in Ward 3 – City Wide” **BE RECEIVED** for information; and,

That administration **BE DIRECTED** to move residential garbage and yard waste collection from alley to curbside, wherever possible, effective April 1, 2025.

Carried.

Councillors Mark McKenzie and Fabio Costante voting nay.

Report Number: SCM 30/2024 & S 6/2024

Clerk’s File: SW2024

#### 8.10. Traffic Signal at Tecumseh Road E and Robinet Road – Ward 7

Moved by: Councillor Angelo Marignani

Seconded by: Councillor Gary Kashack

Decision Number: CR85/2024 ETPS 987

That the report of the Senior Manager, Traffic Operations & Parking dated January 12, 2024 entitled “Traffic Signal at Tecumseh Road E and Robinet Road – Ward 7” **BE REFERRED** to a future Council meeting; and,



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That administration **BE REQUESTED** to provide information regarding adding signage related to no left turn onto Tecumseh Road from Robinet Road.

Carried.

Report Number: SCM 33/2024 & S 7/2024 & AI 3/2024

Clerk's File: ST2024

## 12. CONSIDERATION OF COMMITTEE REPORTS

### 12.2. Report of the Special meeting of Council – In-camera of its meeting held Monday, February 12, 2024

Moved by: Councillor Gary Kaschak

Seconded by: Councillor Angelo Marignani

Decision Number: CR74/2024

That the report of the Special In-Camera meeting held February 12, 2024 **BE ADOPTED** as presented.

Carried.

Report Number: SCM 54/2024

Clerk's File: ACO2024

### 12.3. Report of the Striking Committee – In-camera of its meeting held Monday, February 12, 2024

Moved by: Councillor Gary Kaschak

Seconded by: Councillor Angelo Marignani

Decision Number: CR99/2024

That the report of the Striking Committee – In-Camera of its meeting held February 12, 2024 **BE ADOPTED** as presented.

Carried.

Report Number: SCM 55/2024

Clerk's File: ACO2024

### 12.4. Report of the Striking Committee of its meeting held Monday, February 12, 2024

Moved by: Councillor Gary Kaschak

Seconded by: Councillor Angelo Marignani

Decision Number: CR100/2024

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That the report of the Striking Committee of its meeting held February 12, 2024 **BE ADOPTED** as presented.

Carried.

Report Number: SCM 56/2024

Clerk's File: ACO2024

### **12.5. Report of the Environment, Transportation & Public Safety Standing Committee, meeting as the Transit Windsor Board of Directors – In-camera of its meeting held February 12, 2024**

Moved by: Councillor Gary Kaschak

Seconded by: Councillor Angelo Marignani

Decision Number: CR101/2024

That the report of the Environment, Transportation & Public Safety Standing Committee – In-camera of its meeting held February 12, 2024 **BE ADOPTED** as presented.

Carried.

Report Number: SCM 53/2024

Clerk's File: ACO2024

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

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Mark McKenzie

That the following By-laws No. 37-2024 through 44-2024 (inclusive) be introduced and read a first and second time:

**37-2024** A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW". Authorized by CR20/2024 dated January 15, 2024.

**38-2024** A BY-LAW TO ESTABLISH LANDS AS A PUBLIC HIGHWAY KNOWN AS MALDEN ROAD IN THE CITY OF WINDSOR. Authorized by CR76/2011 dated February 28, 2011.

**39-2024** A BY-LAW TO APPOINT DEPUTY TREASURERS FOR THE CORPORATION OF THE CITY OF WINDSOR. Authorized by Item No. 1 on February 12, 2024 In-Camera Agenda.

**40-2024** A BY-LAW TO AMEND BY-LAW 13-2014, BEING A BY-LAW TO PROVIDE FOR THE IMPOSITION AND COLLECTION OF SEWAGE SYSTEM CHARGES. Authorized by By-law 35-2024 dated February 12, 2024.

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**41-2024** A BY-LAW TO AMEND BY-LAW 49-2018, BEING A BY-LAW RESPECTING THE ISSUANCE OF VARIOUS PERMITS AND THE SCHEDULING OF INSPECTIONS. Authorized by By-law 35-2024 dated February 12, 2024.

**42-2024** A BY-LAW TO AMEND BY-LAW NUMBER 392-2002, BEING A BY-LAW TO ESTABLISH AND REQUIRE PAYMENT OF FEES AND CHARGES. Authorized by By-law 35-2024 dated February 12, 2024.

**43-2024** A BY-LAW TO PRESCRIBE A TARIFF OF FEES FOR THE PROCESSING OF PLANNING APPLICATIONS. Authorized by By-law 35-2024 dated February 12, 2024.

**44-2024** A BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE 26th day of February, 2024.  
Carried.

### 14. MOVE BACK INTO FORMAL SESSION

Moved by: Councillor Jim Morrison

Seconded by: Councillor Ed Sleiman

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

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

Carried.

### 15. NOTICES OF MOTION

Moved by: Councillor Jim Morrison

Seconded by: Councillor Kieran McKenzie

Decision Number: CR102/2024

That Rule 13.9 of the Procedure By-law **BE WAIVED** to introduce a motion for consideration without prior notice regarding a waiver for the noise by-law #6716 by the Windsor Islamic Association (WIA) community located at 1320 Northwood Street.

Carried.

Moved by: Councillor Jim Morrison

Seconded by: Councillor Angelo Marignani

Decision Number: CR106/2024

That Administration **BE DELEGATED** authority to consider a noise by-law waiver for 2 - 4 minutes daily, beginning at sunset (approximately 7:30 pm), gradually getting later, for the WIA community located at 1320 Northwood Street for the lunar calendar month of Ramadan, anticipated to be approximately March 9, 2024 through April 10, 2024.

Carried.

Clerk's File: ACO2024

**Clerk's Note:** Councillor Kieran McKenzie's Notice of Motion regarding rescinding decision number B25/2024 has been withdrawn by the Councillor.

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

Moved by: Councillor Renaldo Agostino

Seconded by: Councillor Mark McKenzie

That the By-laws No. 35-2024 and 37-2024 through 44-2024 having been read a first and second time be now read a third time and finally passed and that the Mayor and Clerk **BE AUTHORIZED** to sign and seal the same notwithstanding any contrary provision of the Council.

Carried.

## **17. PETITIONS**

None presented.

## **18. QUESTION PERIOD**

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Fabio Costante

That given Council's decision to cancel the Wyandotte St. E road diet project with no report, analysis or community consultation that Administration **BE DIRECTED** to report back to Council the full analysis on the potential of the impact of a road diet through the corridor in question including but not limited to impacts related to Vision 0 and the City's Active Transportation Network; and further, that Administration include an analysis of the proposed traffic calming measures in the report and that this analysis come forward expeditiously and in a single comprehensive report.

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

Aye votes: Councillors Kieran McKenzie, Angelo Marignani, Fabio Costante, Jim Morrison, and Gary Kashack.

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

Absent: Councillor Fred Francis.  
Abstain: None.

Clerk's File: ACO2024

## **18.1 CQ11-2024**

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

Decision Number: CR103/2024

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

CQ 11-2024:

Assigned to: Chief of Police & Commissioner, Infrastructure Services & City Engineer

Asks for a strategic partnership between city Administration and Windsor Police to work closely with school administrators to address specific challenges and tailor solutions to the unique needs of each school in relation to the Kiss and Ride program. The purpose of this question is to ensure safety on our streets for our students and drivers alike.

Carried.

Clerk's File: ACO2024 & ST2024

## **18.2 CQ12-2024**

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

Decision Number: CR104/2024

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

CQ 12-2024:

Assigned to: Commissioner, Community Services

Asks that Administration consider instituting an annual citizen recognition award in Windsor to honour hard-working individuals who contribute to our community's well-being. This award would celebrate their effort, inspiring others and reinforce our city's values of compassion and dedication.

Carried.

**18.3 CQ13-2024**

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

Decision Number: CR105/2024

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

CQ 13-2024:

Assigned to: Commissioner, Community Services

Asks that Administration prepare a report in regards to the potential of City installing a couple squash courts at a City owned facility for residents to rent & use moving forward. I understand there are no squash courts or facilities any longer in the City.

Carried.

Clerk's File: ACO2024 & SR2024

**21. ADJOURNMENT**

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

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

Carried.

Accordingly, the meeting is adjourned at 11:34 o'clock p.m.

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Mayor

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City Clerk

**SPECIAL MEETING OF COUNCIL – IN CAMERA**  
**February 12, 2024**

**Meeting called to order at: 11:00 a.m.**

**Members in Attendance:**

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

**Also in attendance:**

Joe Mancina, Chief Administrative Officer  
Andrew Daher, Commissioner, Human and Health Services  
Mark Winterton, Acting Commissioner of Infrastructure Services/City Engineer  
Janice Guthrie, Commissioner of Finance/City Treasurer  
Dana Paladino, Acting Commissioner of Corporate Services  
Ray Mensour, Commissioner of Community Services  
Jelena Payne, Commissioner Economic Development  
Steve Vlachodimos, City Clerk  
Wira Vendrasco, Acting City Solicitor  
Abe Taqtaq, Mayor's Chief of Staff  
Thom Hunt, City Planner (Item 3)  
James Chacko, Executive Director Parks and Facilities (Item 3)  
Joe Baker, Senior Economic Development Officer (Item 3)  
Rania Toufeili, Executive Initiatives Coordinator (Item 3)  
Stacey McGuire, Executive Director Engineering (Item 3)  
Colleen Middaugh, Manager of Corporate Projects (Item 3)  
Tyson Cragg, Executive Director Transit Windsor (Item 4)  
Vincenza Mihalo, Executive Director of Human Resources (Item 4)  
Norbert Wolf, Manager of Employee Relations (Item 4)

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Tony Ardovini, Deputy Treasurer Financial Planning (Item 4)

**Moved by Councillor Fred Francis, seconded by Councillor Angelo Marignani,**

**That Council NOT move in camera for discussion of the following item, and that it be moved to a public meeting of Council and in the form of a public report:**

**3. Property matter – lease, Section 239(2)(c)(k)**

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

**Aye votes: Councillors Fred Francis and Angelo Marignani.**

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

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

<b>Item No.</b>	<b>Subject &amp; Section - Pursuant to <i>Municipal Act</i>, 2001, as amended</b>
<b>1.</b>	<b>Personal matter – appointment – about identifiable individuals, Section 239(2)(b)</b>
<b>2.</b>	<b>Property matter – lease, Section 239(2)(c)(k)</b>
<b>3.</b>	<b>Property matter – disposition of land, Section 239(2)(c)(k)</b>
<b>4.</b>	<b>Personal matter – labour negotiations, Section 239(2)(d) – Recommendation from Environment, Transportation &amp; Public Safety Standing Committee, meeting as Transit Windsor Board of Directors</b>



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### **Motion Carried.**

**Councillor Francis voting nay on including Item 3 on the in-camera agenda.**

### **Declarations of Pecuniary Interest:**

None declared.

### **Discussion on the items of business.**

**Verbal Motion is presented by Councillor Angelo Marignani, seconded by Councillor Fabio Costante to move back into public session.**

**Motion Carried.**

**Moved by Councillor Ed Sleiman, seconded by Councillor Mark McKenzie,**

**THAT the Clerk BE DIRECTED to transmit the recommendation(s) contained in the report(s) discussed at the In-Camera Council Meeting held February 12, 2024 directly to Council for consideration at the next Regular Meeting.**

1. That the recommendation contained in the in-camera report from the Manager of Administration – Finance, Acting City Solicitor, Executive Director of Human Resources, Deputy Treasurer Financial Planning, Deputy Treasurer Financial Accounting and Corporate Controls, Acting Commissioner of Corporate Services and Commissioner of Finance and City Treasurer respecting a personal matter – appointment **BE APPROVED.**

2. That the recommendation contained in the in-camera report from the Senior Economic Development Officer, Executive Director of Economic Development, Commissioner of Economic Development, Acting City Solicitor, Commissioner of Infrastructure Services and Commissioner of Finance and City Treasurer respecting a property matter - lease **BE APPROVED AS AMENDED.**

3. That the recommendation contained in the in-camera report from the Manager of Real Estate Services, Acting City Solicitor, City Planner, Commissioner of Human and Health Services, Acting Commissioner of Community Services, Acting Commissioner of Corporate Services, Acting Commissioner of Infrastructure Services, Commissioner of Finance and City Treasurer and Commissioner of Economic Development respecting a property matter – disposition of land **BE APPROVED.**

**Councillor Francis voting nay.**

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4. That the confidential report from the Executive Director of Transit Windsor, Executive Director of Human Resources, Deputy Treasurer Financial Planning, Acting Commissioner of Infrastructure Services and Commissioner of Finance and City Treasurer respecting a personal matter – labour negotiations **BE RECEIVED** and that the in-camera recommendation of the Environment, Transportation and Public Safety Committee, sitting as the Transit Windsor Board of Directors, of its meeting held February 12, 2024 **BE APPROVED**.

**Motion Carried.**

**Moved by Councillor Jim Morrison, seconded by Councillor**

**Gary Kaschak,**

**That the special meeting of council held February 12, 2024 BE ADJOURNED.**

**(Time: 12:59 p.m.)**

**Motion Carried.**

Adopted by Council at its meeting held February 26, 2024 (CR99/2024)  
SV/bm

**STRIKING COMMITTEE – IN CAMERA**  
**February 12, 2024**

**Meeting called to order at: 1:00 p.m.**

**Members in Attendance:**

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

**Also in attendance:**

Joe Mancina, Chief Administrative Officer  
Andrew Daher, Commissioner, Human and Health Services  
Mark Winterton, Acting Commissioner, Infrastructure Services/City  
Engineer  
Janice Guthrie, Commissioner of Finance/City Treasurer  
Dana Paladino, Acting Commissioner, Corporate Services  
Ray Mensour, Commissioner, Community Services  
Jelena Payne, Commissioner Economic Development  
Steve Vlachodimos, City Clerk  
Wira Vendrasco, Acting City Solicitor  
Abe Taqtaq, Mayor's Chief of Staff  
Sandra Gebauer, Council Assistant

**Verbal Motion is presented by Councillor Renaldo Agostino, seconded by Councillor Gary Kaschak,**

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to move in Camera for discussion of the following item(s):

Item No.	Subject & Section - Pursuant to <i>Municipal Act</i> , 2001, as amended
1	Personal matter – about identifiable individual(s) – appointment of Jurors for the Arts, Culture & Heritage Fund for 2024, Section 239(2)(b)

**Motion Carried.**

### Declarations of Pecuniary Interest:

None declared.

### Discussion on the items of business. (Item 1)

Moved by Councillor Jo-Anne Gignac, seconded by Councillor Fred Francis,

**THAT the Clerk BE DIRECTED to transmit the recommendation(s) contained in the report(s) discussed at the In-Camera Striking Committee Meeting held February 12, 2024 directly to Council for consideration at the next Regular Public Meeting or Special meeting of Council.**

1. That the confidential discussions regarding the appointment of Jurors for the 2024 Arts, Culture and Heritage Fund **BE RECEIVED**, and further that appointments to the Jury **BE APPROVED** (see open report of the Striking Committee).

**Motion Carried.**

Moved by Councillor Ed Sleiman, seconded by Councillor Mark McKenzie.

**That the special Striking Committee meeting held February 12, 2024 BE ADJOURNED. (Time: 1:01 p.m.)**

**Motion Carried.**

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Adopted by Council at its meeting held February 26, 2024 (CR100/2024)  
SV/bm  
Windsor, Ontario, February 26, 2024

**REPORT OF THE STRIKING COMMITTEE**  
**of its meeting held**  
**February 12, 2024**

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**Members in Attendance:**

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

**Also in attendance:**

Joe Mancina, Chief Administrative Officer  
Andrew Daher, Commissioner, Human and Health Services  
Mark Winterton, Acting Commissioner, Infrastructure Services/City  
Engineer  
Janice Guthrie, Commissioner of Finance/City Treasurer  
Dana Paladino, Acting Commissioner, Corporate Services  
Ray Mensour, Commissioner, Community Services  
Jelena Payne, Commissioner Economic Development  
Steve Vlachodimos, City Clerk  
Wira Vendrasco, Acting City Solicitor  
Abe Taq Taq, Mayor's Chief of Staff  
Sandra Gebauer, Council Assistant

**Declarations of Pecuniary Interest:**

None declared.

Your Committee submits the following recommendations:

2. That the following persons **BE APPOINTED** as ***Jurors for the 2024 Arts, Culture and Heritage Fund***:

- Vincent Georgie
- Dan Macdonald

Returning Jurors per approved Terms of Reference

- Madelyn Della Valle
- Spencer Montcalm
- Trevor Pittman

3. That the resignation of Shelly Lucier, citizen appointee on the ***Windsor Essex Community Housing Corporation Board*** **BE ACCEPTED** and further, that the City Clerk **BE AUTHORIZED** to advertise the vacancy in accordance with the Striking Committee policy for filling vacancies.

MAYOR

CITY CLERK

Adopted by Council at its meeting held February 26, 2024 (CR101/2024)  
SV/bm

**SPECIAL MEETING OF ENVIRONMENT, TRANSPORTATION  
AND PUBLIC SAFETY STANDING COMMITTEE  
MEETING AS TRANSIT WINDSOR BOARD OF DIRECTORS – IN CAMERA  
February 12, 2024**

**Meeting called to order at: 11:00 a.m.**

**Members in Attendance:**

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

**Also in attendance:**

Joe Mancina, Chief Administrative Officer  
Mark Winterton, Acting Commissioner of Infrastructure Services/City Engineer  
Janice Guthrie, Commissioner of Finance/City Treasurer  
Steve Vlachodimos, City Clerk  
Wira Vendrasco, Acting City Solicitor  
Abe Taqtaq, Mayor's Chief of Staff  
Sandra Gebauer, Council Assistant  
Tyson Cragg, Executive Director of Transit Windsor (Item 1)  
Vincenza Mihalo, Executive Director of Human Resources  
Norbert Wolf, Manager of Employee Relations (Item 1)  
Tony Ardovini, Deputy Treasurer Financial Planning (Item 1)  
Mayor Drew Dilkens and all members of Council

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

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

**Motion Carried.**

**Declarations of Pecuniary Interest:**

None declared.

**Discussion on the items of business.**

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

**Moved by Councillor Kieran McKenzie, seconded by Councillor Gary Kaschak, THAT the Clerk BE DIRECTED to transmit the recommendation(s) contained in the report(s) discussed at the In-Camera Environment, Transportation and Public Safety Standing Committee – meeting as Transit Windsor Board of Directors Meeting held February 12, 2024 directly to Council for consideration at the next Regular Meeting.**

1. That the recommendation contained in the in-camera report from the Executive Director of Transit Windsor, Executive Director of Human Resources, Deputy Treasurer Financial Planning, Acting Commissioner of Infrastructure Services and Commissioner of Finance and Treasurer respecting a personal matter – labour negotiations **BE APPROVED.**

**Motion Carried.**



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**Moved by Councillor Mark McKenzie, seconded by Councillor Gary Kaschak,  
That the special meeting of the Environment, Transportation and Public Safety Standing Committee – meeting as the Transit Windsor Board of Directors – in-camera held February 12, 2024 BE ADJOURNED.**

**(Time: 11:25 a.m.)**

**Motion Carried.**



**Correspondence Report: CMC 5/2024**

**ATTACHMENTS**

**Subject: Correspondence for Monday, March 18, 2024**

No.	Sender	Subject
7.1.1	Ontario Land Tribunal	<p>Notice of Hearing by video conference on March 20, 2024 at 10:00 a.m. regarding OLT-23-001105; Olivia Construction Homes Inc. v. Windsor (City); 1982 Norman Road.</p> <p style="text-align: right;">Senior Legal Counsel Commissioner, Corporate Services City Planner City Solicitor Heritage Planner Commissioner, Economic Development MBA/14604 Note &amp; File</p>
7.1.2	Ontario Land Tribunal	<p>Notice of Hearing by video conference on April 5, 2024 at 10:00 a.m. regarding OLT-24-000133; 2349136 Ontario Limited v. Windsor (City); 0 St. Etienne.</p> <p style="text-align: right;">Senior Legal Counsel Commissioner, Corporate Services City Planner City Solicitor Commissioner, Economic Development Z2024 Note &amp; File</p>

No.	Sender	Subject
7.1.3	Ontario Land Tribunal	<p data-bbox="695 247 1421 489">Notice of Case Management Conference (CMC) by video conference on March 22, 2024 at 10:00 a.m. regarding OLT Case No. OLT-23-000967 and OLT Lead Case No. OLT-23-000965; Badour v. Windsor (City); 991 Morand Street (Lots 31 and 32, RP 1579).</p> <p data-bbox="878 625 1437 909" style="text-align: right;">           Senior Legal Counsel            Commissioner, Corporate Services            City Planner            City Solicitor            Commissioner, Economic Development            Z2024            Note &amp; File         </p>
7.1.4	Town of LaSalle	<p data-bbox="695 919 1421 1035">Notice of Public Planning Meeting - Comprehensive Zoning By-law Housekeeping Amendment File Z-01-2024</p> <p data-bbox="878 1171 1437 1413" style="text-align: right;">           City Solicitor            City Planner            Commissioner, Corporate Services            Commissioner, Economic Development            Z2024            Note &amp; File         </p>
7.1.5	ENWIN Utilities Ltd	<p data-bbox="695 1423 1421 1497">Annual Drinking Water Systems Regulation O. Reg. 170/03 Report – Calendar Year 2023</p> <p data-bbox="768 1633 1437 1869" style="text-align: right;">           Executive Director, Public Works Operations            Commissioner, Infrastructure Services and City Engineer (Interim)            Manager, Environmental Quality            EI/10108            Note &amp; File         </p>

No.	Sender	Subject
7.1.6	Essex Region Conservation Authority (ERCA)	<p>BD03/24 Biological Success of the Peche Island Erosion Mitigation and Habitat Restoration Project. Resolution No. 23/24</p> <p style="text-align: right;">Commissioner, Community Services Commissioner, Economic Development Commissioner, Infrastructure Services and City Engineer (Interim) Manager, Environmental Quality EI2024 Note &amp; File</p>
7.1.7	<p>Commissioner, Economic Development</p> <p>and</p> <p>Ontario Home Builders Association</p> <p>and</p> <p>Enbridge</p> <p>and</p> <p>Environmental Defence</p>	<p>Administrative memo regarding the Ontario Energy Board (OEB) &amp; Keeping Ontario Energy Costs Down Act</p> <p>and</p> <p>Letter regarding concerns with the Ontario Energy Board's (OEB) decision on Phase 1 of the Enbridge Gas 2024 rebasing application (the "Decision"), issued on December 21, 2023.</p> <p>and</p> <p>Letter regarding opposition of Ontario Energy Board's decision.</p> <p>and</p> <p>Letter in response to Enbridge Gas regarding support of Ontario Energy Board's decision.</p> <p style="text-align: right;">Commissioner, Economic Development Commissioner, Infrastructure Services and City Engineer (Interim) Commissioner, Finance and City Treasurer Supervisor, Environmental Sustainability &amp; Climate Change MU2024 Council Direction Requested, otherwise Note &amp; File</p>

No.	Sender	Subject
7.1.8	City Planner / Executive Director	Application for Zoning Amendment & Official Plan Amendment, Bouzide Enterprises Ltd., 2144 Huron Church Road, to construct a combined use building.  <div style="text-align: right;">             ZS/10848 &amp; ZO/10790              Note &amp; File           </div>

**Ontario Land Tribunal**

655 Bay Street, Suite 1500  
Toronto ON M5G 1E5  
Telephone: (416) 212-6349  
Toll Free: 1-866-448-2248  
Website: olt.gov.on.ca

**Tribunal ontarien de  
l'aménagement du territoire**

655 rue Bay, suite 1500  
Toronto ON M5G 1E5  
Téléphone: (416) 212-6349  
Sans Frais: 1-866-448-2248  
Site Web: olt.gov.on.ca



**PROCEEDING COMMENCED UNDER** subsection 29(11) of the *Ontario Heritage Act*, R.S.O. 1990, c.O.18, as amended

Appellant:	Olivia Construction Homes Inc
Subject:	Heritage BL 135-2023
Description:	to remove heritage designation from subject lands
Property Address:	1982 Norman Road
Municipality/UT:	City of Windsor
Reference Number:	BL 135-2023
OLT Case No.:	OLT-23-001105
OLT Lead Case No.:	OLT-23-001105
OLT Case Name:	Olivia Construction Homes Inc v. Windsor (City)

The Ontario Land Tribunal (“Tribunal”) will conduct a **Hearing by Video Conference** for this matter.

The event will be held:

**AT: 10:00AM**

**ON: March 20, 2024**

**AT: <https://global.gotomeeting.com/join/909787981>  
Access code: 909-787-981**

The Tribunal has set aside **1 (one) day** for this matter.

The event will be held using GoTo Meetings. The appellant(s), applicant, municipality or approval authority, and those persons who intend to request party or participant status, are asked to log into the video hearing through the link provided above at least **15 minutes** before the start of the event to test their video and audio connections. All persons are expected to access and set-up the application well in advance of the event to avoid unnecessary delay. The desktop application can be downloaded at [GoToMeeting](https://gotomeeting.com). A web application is also available: <https://app.gotomeeting.com/home.html>. A compatible web browser for this service is Chrome.

Persons who experience technical difficulties accessing the GoToMeeting application or who only wish to listen to the event can connect to the event by calling into an audio-

only telephone line: **1-888-455-1389 (Toll Free)** or **+1 (647) 497-9391**. The access code is **909-787-981**.

Event dates are firm – adjournments will not be granted except in the most serious circumstances, and only in accordance with the Tribunal’s Rules of Practice and Procedure [Rule 17](#) on adjournments.

This event is conducted under [Rule 20](#) of the Tribunal’s Rules. [Rule 20.2](#) sets out how a party may object to the Tribunal conducting this event electronically. Any party, or any person who intends to seek party status, may object to the Tribunal holding this event by video by filing an objection with the Tribunal’s Case Coordinator. The objection must be received by the Tribunal **at least 20 days** before the date of the Hearing and must be copied to the other parties. All contact information is included in Schedule A.

If you do not attend the event, the Tribunal may proceed in your absence and you will not be entitled to any further notice of these proceedings.

### **SUBMISSION REQUIREMENTS**

If a person intends to refer to a document at the Hearing that is not in the Tribunal’s case file, the document is expected to be pre-filed electronically with the Tribunal **at least 10 days** before the date of the Hearing, unless another filing date is specified in the Tribunal’s Rules. All pre-filed documents shall be served on the other parties electronically. All contact information is included in Schedule A.

Submissions larger than **10MB** must be transferred to the Tribunal’s Case Coordinator using an electronic file sharing link/service. Please see Schedule B for further submission requirements.

### **FURTHER DIRECTIONS**

Tribunal proceedings are open to the public and all documents filed in a proceeding will be included in the Tribunal’s public file (except those documents that may be deemed confidential in accordance with the Ontario Land Tribunal’s [Rule 22.1](#)).

The Tribunal shall issue a disposition following the Hearing that will set out the directions of the Tribunal. A copy of this decision may be obtained from the Tribunal’s website (<https://olt.gov.on.ca/decisions/>) by referencing the above case number.

Please review the Tribunal’s [Rules](#) for relevant information.

We are committed to providing accessible services as set out in the *Accessibility for Ontarians with Disabilities Act, 2005*. If you have any accessibility needs, please contact our Accessibility Coordinator as soon as possible by emailing [OLT.COORDINATOR@ontario.ca](mailto:OLT.COORDINATOR@ontario.ca). If you require documents in formats other than conventional print, or if you have specific accommodation needs, please let us know so we can make arrangements in advance.

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For general information concerning the Tribunal, visit our website at <https://olt.gov.on.ca> or you may contact the Tribunal's offices at 1-866-448-2248 or local (416) 212-6349.

DATED at Toronto, this 14<sup>th</sup> day of February, 2024.

Euken Lui  
Acting Registrar



## SCHEDULE A

Please provide materials electronically to the assigned Tribunal Case Coordinator **Hannah Nastic** at **[Hannah.Nastic@ontario.ca](mailto:Hannah.Nastic@ontario.ca)**

On the same day that documents are submitted to the Tribunal, electronic copies are to be submitted to:

Appellant [Representative]:

Olivia Construction Homes Inc  
c/o Raymond Colautti  
[ray@clplaw.net](mailto:ray@clplaw.net)

Approval Authority [Representative]:

City of Windsor  
c/o Aaron Farough  
[afarough@citywindsor.ca](mailto:afarough@citywindsor.ca)

## SCHEDULE B

### INSTRUCTIONS FOR ELECTRONIC PRE-FILING SUBMISSIONS

#### Submission requirements to organize the video hearing

If a person intends to refer to a document at the video hearing (for clarity, any document that is not in the Tribunal's case file), it is expected to be pre-filed electronically with the Tribunal at **least 10 days** before the date of the video hearing and provided to all parties. The deadline applies unless otherwise specified in the Rules.

Submission emails **under 10MB** in size may be emailed directly to the assigned Tribunal Case Coordinator. Emails **larger than 10MB** must be transferred to the Tribunal's Case Coordinator using an electronic file sharing link/service to avoid sending documents across multiple email parts. Where appropriate, documents are to be submitted in .pdf format.

#### Naming convention

To assist the Tribunal and the adjudicator during the event, it is important that all submissions are **paginated and labelled appropriately** to clearly identify the content of each document. Where a document contains numerous sections, each section is to be indexed to a table of contents.

Additionally, clearly identify and separately tab the relevant sections that will be relied upon for quicker reference. The entirety of the policy documents (e.g. the PPS, Planning Act, Official Plans, Zoning By-laws, etc.) are not required unless deemed necessary to be presented by the parties or as otherwise directed by the Tribunal.

Parties are asked to adhere to the following naming convention: **case number\_party role\_ document type\_date of hearing event**.

For example: PL123456\_Applicant\_Notice of Motion\_Jan 1, 2020

Please see [Rules 7.1 and 7.2](#) for the standard document submission requirements.

## SCHEDULE C

**EXCERPT FROM ONTARIO LAND TRIBUNAL'S RULES OF PRACTICE AND PROCEDURE, ON DOCUMENTS, EXHIBITS, FILING, SERVICE, ROLES OF PARTIES, ADJOURNMENTS, CASE MANAGEMENT CONFERENCES AND ELECTRONIC HEARINGS. THE FULL DOCUMENT IS AVAILABLE ON THE TRIBUNAL'S WEBSITE.**

### RULE 7

#### DOCUMENTS, EXHIBITS, FILING, SERVICE

**7.1 Form of Documents** Unless otherwise directed by the Tribunal, every document filed or introduced by a party or participant in a proceeding before the Tribunal shall be legible and prepared on letter size paper (8 ½" x 11"), except for large documents such as plans, surveys or maps, and, where bound together with other documents, shall have each page numbered consecutively, throughout the entire text or within tabs, including any graphic content. Wherever possible, an electronic copy of the document must also be filed with the Tribunal, identically numbered as the paper document.

**7.2 Other Exhibits** Large graphic or other such types of visual evidence should not be glued to foam or other boards. They shall be on paper and be removed from the boards following the hearing event, and folded to 8 ½" x 11". Three-dimensional models must be photographed and the photographs must be introduced with the model. Visual evidence must be reviewed by the other parties before the hearing event or by an earlier date if set out in a procedural order.

**7.3 Copies of Documents for Parties and the Municipal Clerk** A party who intends to introduce a document as evidence at a hearing event shall provide a copy of the document to all the parties at the beginning of the proceeding or by an earlier date if that is required by the terms of a procedural order or otherwise directed by the Tribunal. If the document is an official plan, those parts of the plan to be referred to at the hearing event should be distributed to the parties, and a copy of the entire plan must be made available to the Tribunal Member(s). If the Tribunal orders that the Municipal Clerk keep copies of documents for public inspection, they do not need to be certified copies, unless a party objects that they are not authentic copies.

**7.4 Prefiling of Witness Statements and Reports** If the hearing is expected to last more than 5 days, the Tribunal may require that parties calling expert or professional witnesses serve on the other parties any expert witness statements and reports prepared for the hearing, at least 30 days in advance of the commencement of the hearing, unless otherwise directed by the Tribunal. The Tribunal may in its discretion, or at the request of a party, also make this prefiling order for hearings expected to last fewer than 5 days. The expert witness statement must contain:

- a. an executed acknowledgment of expert's duty form (attached to these Rules) and the expert's qualifications;

- b. the issues the expert will address, their opinions on these issues, the reasons that support their opinions and their conclusions; and
- c. a list of the reports or documents, whether prepared by the expert or by someone else, that the expert will refer to at the hearing.

The expert's complete report may be filed instead of this statement if it contains the required information.

An expert may not be permitted to testify if this statement or report is not served on all parties when so directed by the Tribunal.

**7.5 Duty of the Expert Witness** It is the duty of every expert engaged by or on behalf of a party who is to provide opinion evidence at a proceeding under these Rules to acknowledge, either prior to (by signing the acknowledgment form attached to the Rules) or at the proceeding, that they are to:

- a. provide opinion evidence that is fair, objective and non-partisan;
- b. provide opinion evidence that is related only to the matters that are within the expert's area of expertise;
- c. provide such additional assistance as the Tribunal may reasonably require to determine a matter in issue;
- d. not to seek or receive assistance or communication from any third party, except technical support, while giving oral evidence in examination in chief, while under cross-examination, or while in reply; and
- e. acknowledge that these duties prevail over any obligation owed by the expert to the party by whom or on whose behalf he or she is engaged.

**7.6 Other Witnesses** The Tribunal may also require that a witness who is not presenting expert evidence provide a witness statement. A witness statement should contain:

- a. a short written outline of the person's background experience and interest in the matter;
- b. a list of the issues that they will discuss; and
- c. a list of reports or materials that they will rely on at the hearing.

The Tribunal may decline to allow the witness to testify if this statement is required by the Tribunal and has not been provided to the other parties.

**7.7 Participant Statements** A person who wishes to participate in a proceeding as a participant, shall file a written participant statement that sets out their position on the appeal and issues of the proceeding, together with an explanation of their reasons in support of their position. A participant may only make submissions to the Tribunal in writing unless otherwise provided for by an Act or regulation.

**7.8 Amendment of Documents** Documents filed with the Tribunal can only be amended with the consent of the parties or by order of the Tribunal. The Tribunal may

require that the person requesting an amendment do so by way of a motion under Rule 10.

**7.9 Copies of Tribunal Documents** A person may examine any document, including electronic documents, filed with the Tribunal and copy it after paying the Tribunal's fee, unless a statute, a Court Order, an order of the Tribunal or these Rules provide otherwise.

**7.10 Return of Exhibits** Exhibits of all types introduced at a hearing will be kept for 180 days after the Tribunal decision issues. The person introducing an exhibit may ask for its return after this time, and it may be given back if the Tribunal agrees. If no such request is made, the exhibit becomes the property of the Tribunal and may be archived.

**7.11 Service by Personal Service or Electronic Service** Where any document is required to be served or filed, including the one commencing a proceeding or a motion or providing notice, it shall be served by personal service, registered mail or electronically (unless a statute or the Tribunal requires another method of service) and shall be sent to:

- a. the party's representative, if any;
- b. where the party is an individual and is not represented, to that party directly, where that party has provided an address for service and/or an e-mail address;
- c. where that party is a corporation and is not represented, to the corporation directly, to the attention of an individual with apparent authority to receive the document;
- d. where served on or filed with a local board or commission, or any department, ministry or agency of the federal, provincial or municipal government, to an individual with apparent authority to receive the document; or
- e. where served on or filed with the Tribunal, to the Registrar, or the assigned administrative staff.

Subject to Rule 7.12, if a document is served by e-mail, then service is effective on the date of service.

**7.12 If Served Electronically After 4:30 p.m.** Any document served electronically after 4:30 p.m. is deemed to have been served on the next business day.

**7.13 Proof of Electronic Service** A confirmation printout received by the sender is proof of the full transmission and receipt of the electronic service.

## **RULE 8**

### **ROLE AND OBLIGATIONS OF A PARTY**

**8.1 Role and Obligations of a Party** Subject to Rule 8.2 below, a person conferred party status to a proceeding before the Tribunal may participate fully in the proceeding, and by way of example may:

- a. Identify issues raised in a notice of appeal for the approval of the Tribunal;
- b. Bring or respond to any motion in the proceeding;
- c. Receive copies of all documents and supporting information exchanged, relied upon or filed in connection with any hearing event conducted in the proceeding;
- d. Present opening and closing submissions at the hearing;
- e. Present and examine witnesses and cross-examine witnesses not of like interest;
- f. Claim costs or be subject to a costs award when ordered by the Tribunal; and
- g. Request a review of the Tribunal's decision or order as set out in Rule 25.

**8.2 Power of Tribunal to Add or Substitute Parties** The Tribunal may add or substitute a party to a proceeding when that person satisfies any applicable legislative tests necessary to be a party and their interest may be transferred or transmitted to another party to be added or substituted provided their presence is necessary to enable the Tribunal to adjudicate effectively and completely on the issues in the proceeding.

**8.3 Non-Appellant Party** A party to a proceeding before the Tribunal which arises under any of subsections 17(24) or (36), 34(19) or 51(39) of the Planning Act who is not an appellant of the municipal decision or enactment may not raise or introduce a new issue in the proceeding. The non-appellant party may only participate in these appeals of municipal decisions by sheltering under an issue raised in an appeal by an appellant party and may participate fully in the proceeding to the extent that the issue remains in dispute. A non-appellant party has no independent status to continue an appeal should that appeal be withdrawn by an appellant party.

**8.4 Common Interest Class** Where the Tribunal is of the opinion that more than one party is of common interest with another party or other parties, the Tribunal may, on its own initiative or on the request of any party, appoint a person of that class of parties to represent the class in the proceeding.

## RULE 17

### ADJOURNMENTS

**17.1 Hearing Dates Fixed** Hearing events will take place on the date set unless the Tribunal agrees to an adjournment. Adjournments will not be allowed that may prevent the Tribunal from completing and disposing of its proceedings within any applicable prescribed time period.

**17.2 Requests for Adjournment if All Parties Consent** If all of the parties agree, they may make a written request to adjourn a hearing event. The request must include the reasons, a suggested new date, and the written consents of all parties. However, the Tribunal may require that the parties attend in person or convene an electronic hearing to request an adjournment, even if all of the parties consent. The consenting parties are expected to present submissions to the Tribunal on the application of any prescribed time period to dispose of the proceeding.

**17.3 Requests for Adjournment without Consent** If a party objects to an adjournment request, the party requesting the adjournment must bring a motion at least 15 days before the date set for the hearing event. If the reason for an adjournment arises less than 15 days before the date set for the hearing event, the party must give notice of the request to the Tribunal and to the other parties and serve their motion materials as soon as possible. If the Tribunal refuses to consider a late request, any motion for adjournment must be made in person, at the beginning of the hearing event.

**17.4 Emergencies Only** The Tribunal will grant last minute adjournments only for unavoidable emergencies, such as illnesses so close to the hearing date that another representative or witness cannot be obtained. The Tribunal must be informed of these emergencies as soon as possible.

**17.5 Powers of Tribunal upon Adjournment Request** The Tribunal may,

- a. grant the request.
- b. grant the request and fix a new date or, where appropriate, the Tribunal will schedule a case management conference on the status of the matter;
- c. grant a shorter adjournment than requested;
- d. deny the request, even if all parties have consented;
- e. direct that the hearing proceed as scheduled but with a different witness, or evidence on another issue;
- f. grant an indefinite adjournment, if the Tribunal finds no substantial prejudice to the other parties or to the Tribunal's schedule and the Tribunal concludes the request is reasonable for the determination of the issues in dispute. In this case, a party must make a request, or the Tribunal on its own initiative may direct, that the hearing be rescheduled or resumed as the case may be;
- g. convert the scheduled date to a mediation or case management conference; and
- h. make any other appropriate order.

## RULE 20

### ELECTRONIC HEARINGS

**20.1 Hearing Events by Teleconference or Videoconference** The Tribunal may hold a hearing event by electronic hearing, such as by teleconference or videoconference, for the determination of any issue in the proceeding. Where the Tribunal directs that a hearing event be held by electronic hearing, the Tribunal may direct a party to make the necessary arrangements and to give notice of those arrangements to the Tribunal and other parties.

**20.2 Objection to the Electronic Format** A party who objects to a hearing event being held as an electronic hearing shall notify the Tribunal and all other parties of its objection within the time period specified in the notice of the electronic hearing. The objecting party shall set out the reasons why the electronic hearing is likely to cause the objecting party significant prejudice.

**20.3 Response to Notice of Objection** The Tribunal may request a written response from other parties to the objection of an electronic hearing within a time period set out by the Tribunal.

**20.4 Procedure When Objection is Received** If the Tribunal receives an objection to hold a hearing event by electronic hearing, it may:

- a. accept the objection, cancel the electronic hearing, and schedule an in person or written hearing; or
- b. if the Tribunal is satisfied, after considering any responding submissions that no significant prejudice will result to a party, then the Tribunal will reject the objection and proceed with the electronic hearing.

**20.5 Directions for the Electronic Hearing** The Tribunal may direct the arrangements for the electronic hearing or designate an approved location for videoconference to protect the integrity of the hearing process, including the security and confidentiality of evidence as necessary.

**20.6 Videoconferences** The Tribunal shall pre-approve all arrangements for conducting a hearing event by videoconference, including the pre-filing and exchange of motion materials, documents, written submissions or any visual and written evidence, and the locations for the conference. Any information, statement or material intended to be filed as an exhibit at a videoconference shall be pre-filed with the Tribunal and provided to all parties in accordance with the Tribunal's directions or procedural order for conducting a hearing event by videoconference.

**20.7 The View of the Camera** A party's representative or a witness in a videoconference shall be in view of the camera, with minimal visual obstructions, in the course of their presentations or submissions to the Tribunal. Where a witness is being examined or cross-examined, there shall be a view of the witness, counsel protecting



the witness, and the person conducting the examination or cross-examination. Any document that may be referred to by parties or their witnesses shall be visible and legible to the Tribunal and all other parties to the conference, either by the camera or by referring to a copy of the document exchanged in accordance with the Tribunal's directions.

June 1, 2021

**Ontario Land Tribunal**

655 Bay Street, Suite 1500  
Toronto ON M5G 1E5  
Telephone: (416) 212-6349  
Toll Free: 1-866-448-2248  
Website: olt.gov.on.ca

**Tribunal ontarien de  
l'aménagement du territoire**

655 rue Bay, suite 1500  
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Sans Frais: 1-866-448-2248  
Site Web: olt.gov.on.ca



**PROCEEDING COMMENCED UNDER** subsection 7 of the *Expropriations Act, R.S.O. 1990, c. E.26.*

Expropriating Authority	City of Windsor
Property Owner	Nicas Investments Ltd. and 2349136 Ontario Limited
Description:	Expropriations Act – Request for Hearing of Necessity
Property Address:	0 St. Etienne
Municipality/UT:	Windsor/ Essex
OLT Case No:	OLT-24-000133
OLT Lead Case No:	OLT-24-000133
OLT Case Name:	2349136 Ontario Limited v. Windsor (City)

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The Ontario Land Tribunal (“Tribunal”) will conduct a **Hearing** by **Video Conference** for this matter.

The event will be held:

**AT: 10:00 AM**

**ON: Friday, April 5, 2024**

**AT: <https://global.gotomeeting.com/join/442599157>  
Access Code: 442-599-157**

The Tribunal has set aside **1 day** for this matter.

The event will be held using **GoTo Meetings**. The owner, the authority, and those persons who intend to request party status, are asked to log into the video hearing through the link provided above at least **15 minutes** before the start of the event to test their video and audio connections. All persons are expected to access and set-up the application well in advance of the event to avoid unnecessary delay. The desktop application can be downloaded at [GoToMeeting](https://gotomeeting.com). A web application is also available: <https://app.gotomeeting.com/home.html>. A compatible web browser for this service is Chrome.

Persons who experience technical difficulties accessing the GoToMeeting application or who only wish to listen to the event can connect to the event by calling into an audio-only telephone line: **1-888-455-1389 (Toll Free) or +1 (647) 497-9391**. The access code is **442-599-157**.

Event dates are firm – adjournments will not be granted except in the most serious circumstances, and only in accordance with the Tribunal’s Rules of Practice and Procedure [Rule 17](#) on adjournments.

This event is conducted under [Rule 20](#) of the Tribunal’s Rules. [Rule 20.2](#) sets out how a party may object to the Tribunal conducting this event electronically. Any party, or any person who intends to seek party status, may object to the Tribunal holding this event by video by filing an objection with the Tribunal’s Case Coordinator. The objection must be received by the Tribunal **at least 20 days** before the date of the hearing event and must be copied to the other parties. All contact information is included in Schedule A.

If you do not attend the event, the Tribunal may proceed in your absence and you will not be entitled to any further notice of these proceedings.

### **SUBMISSION REQUIREMENTS**

In accordance with section 7(4) of the *Expropriations Act*, the City of Windsor must serve on each of the other parties:

- A notice of grounds on which it intends to rely on at the hearing; and
- Any documents, including maps and plans, that the City of Windsor intends to use at the hearing

These materials should be served on the other parties and filed with the Tribunal electronically **no later than 15 days before** the date of the hearing. All contact information is included in Schedule A.

Submissions larger than **10MB** must be transferred to the Tribunal’s Case Coordinator using an electronic file sharing link/service. Please see Schedule B for further submission requirements.

### **PARTY STATUS REQUEST:**

Persons other than the owner or the authority who wish to participate in the proceeding as a party, are expected to file a written status request with the Tribunal to outline their interest in the proceeding.

The [Party Status Request Form](#) is available on the Tribunal’s website (<https://olt.gov.on.ca/forms-submissions/>) and is to be used to assist with the preparation of the request. If you are requesting status, this form must be provided at least 10 days in advance of the hearing to:

- The assigned Tribunal Case Coordinator **Azeem Patel** at [azeem.patel3@ontario.ca](mailto:azeem.patel3@ontario.ca)
- The municipality and the approval authority on the same day as it is emailed to the Tribunal Case Coordinator.
- The Owner/Requestor on the same day as it is emailed to the Tribunal Case Coordinator.

The contact information for the parties is included in Schedule A.

The status request will be reviewed and considered by the presiding Member at the hearing. It will also assist the Tribunal in organizing the hearing event. **Attendance by the requestor, or their representative, at the hearing is required for all status requests.**

Persons who are granted **party status** may participate fully in the proceeding (see [Rule 8](#)).

Only persons who are **granted party or participant status** by the Tribunal at the hearing are permitted to participate in any further hearing event that is convened by the Tribunal for this appeal.

Please note that this matter is a hearing and the presentation of evidence will be required.

### **FURTHER DIRECTIONS**

Tribunal proceedings are open to the public and all documents filed in a proceeding will be included in the Tribunal's public file (except those documents that may be deemed confidential in accordance with the Ontario Land Tribunal's [Rule 22](#)).

The Tribunal shall issue a report following the event that will set out the information as required under section 7(6) of the *Expropriations Act*. A copy of the report may also be obtained from the Tribunal's website (<https://olt.gov.on.ca/decisions/>) by referencing the above case number.

Please review the Tribunal's [Rules](#) for relevant information.

We are committed to providing accessible services as set out in the *Accessibility for Ontarians with Disabilities Act, 2005*. If you have any accessibility needs, please contact our Accessibility Coordinator as soon as possible by emailing [OLT.COORDINATOR@ontario.ca](mailto:OLT.COORDINATOR@ontario.ca). If you require documents in formats other than conventional print, or if you have specific accommodation needs, please let us know so we can make arrangements in advance

Pour recevoir des services en français, veuillez communiquer avec la Tribunal au 1-866-448-2248/(416) 212-6349 ou [OLT.COORDINATOR@ontario.ca](mailto:OLT.COORDINATOR@ontario.ca).

For general information concerning the Tribunal, visit our website at <https://olt.gov.on.ca> or you may contact the Tribunal's offices at 1-866-448-2248 or local (416) 212-6349.

DATED at Toronto, this 4th day of March, 2024.

## **SCHEDULE A**

Please provide materials electronically to the assigned Tribunal Case Coordinator  
**Azeem Patel** at [azeem.patel3@ontario.ca](mailto:azeem.patel3@ontario.ca)

On the same day that documents are submitted to the Tribunal, electronic copies are to be submitted to:

### **REPRESENTATIVE FOR THE EXPROPRIATING AUTHORITY**

Aaron Farough

[afarough@citywindsor.ca](mailto:afarough@citywindsor.ca)

### **REPRESENTATIVE(S) FOR THE CLAIMANT**

Dante Gatti

[Gatti@millercanfield.com](mailto:Gatti@millercanfield.com)

## **SCHEDULE B**

Submission emails **under 10MB** in size may be emailed directly to the assigned Tribunal Case Coordinator. Emails **larger than 10MB** must be transferred to the Tribunal's Case Coordinator using an electronic file sharing link/service to avoid sending documents across multiple email parts. Where appropriate, documents are to be submitted in .pdf format.

### **Naming convention**

To assist the Tribunal and the adjudicator during the event, it is important that all submissions are **paginated and labelled appropriately** to clearly identify the content of each document. Where a document contains numerous sections, each section is to be indexed to a table of contents.

Additionally, clearly identify and separately tab the relevant sections that will be relied upon for quicker reference. The entirety of the policy documents (e.g. the PPS, Planning Act, Official Plans, Zoning By-laws, etc.) are not required unless deemed necessary to be presented by the parties or as otherwise directed by the Tribunal.

Parties are asked to adhere to the following naming convention: **case number\_party role\_ document type\_date of hearing event**.

For example: PL123456\_Applicant\_Notice of Motion\_Jan 1, 2020

Please see [Rules 7.1 and 7.2](#) for the standard document submission requirements.

**Ontario Land Tribunal**

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Site Web: olt.gov.on.ca



**PROCEEDING COMMENCED UNDER** subsection 53(19) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant / Appellant: Fouad Badour  
Subject: Consent  
Description: To facilitate construction of two single unit dwellings on the proposed conveyances  
Reference Number: B-033/23  
Property Address: 991 Morand Street (Lots 31 and 32, RP 1579)  
Municipality/UT: City of Windsor  
OLT Case No.: OLT-23-000965  
OLT Lead Case No.: OLT-23-000965  
OLT Case Name: Badour v. Windsor (City)

**PROCEEDING COMMENCED UNDER** subsection 53(19) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant / Appellant: Fouad Badour  
Subject: Consent  
Description: To facilitate construction of two single unit dwellings on the proposed conveyances  
Reference Number: B-034/23  
Property Address: 991 Morand Street (Lots 31 and 32, RP 1579)  
Municipality/UT: City of Windsor  
OLT Case No.: OLT-23-000966  
OLT Lead Case No.: OLT-23-000965  
OLT Case Name: Badour v. Windsor (City)

**PROCEEDING COMMENCED UNDER** subsection 45(12) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant / Appellant:	Fouad Badour
Subject:	Minor Variance
Description:	To facilitate construction of two single unit dwellings on the proposed conveyances
Reference Number:	A-048/23
Property Address:	991 Morand Street (Lots 31 and 32, RP 1579)
Municipality/UT:	City of Windsor
OLT Case No.:	OLT-23-000967
OLT Lead Case No.:	OLT-23-000965
OLT Case Name:	Badour v. Windsor (City)

---

The Ontario Land Tribunal (“Tribunal”) will conduct a **Case Management Conference (CMC)** by **Video Conference** for this matter.

The event will be held:

**AT: 10:00 AM**

**ON: Friday March 22, 2024**

**AT: <https://global.gotomeeting.com/join/687587165>**

The Tribunal has set aside **1 day** for this matter.

The event will be held using GoTo Meetings. The appellant(s), applicant, municipality or approval authority, and those persons who intend to request party or participant status, are asked to log into the video hearing through the link provided above at least **15 minutes** before the start of the event to test their video and audio connections. All persons are expected to access and set-up the application well in advance of the event to avoid unnecessary delay. The desktop application can be downloaded at [GoToMeeting](https://gotomeeting.com). A web application is also available: <https://app.gotomeeting.com/home.html>. A compatible web browser for this service is Chrome.

Persons who experience technical difficulties accessing the GoToMeeting application or who only wish to listen to the event can connect to the event by calling into an audio-only telephone line: **+1 (647) 497-9373** or **Toll Free 1-888-299-1889**. The access code is **687-587-165**.

Event dates are firm – adjournments will not be granted except in the most serious circumstances, and only in accordance with the Tribunal’s Rules of Practice and Procedure [Rule 17](#) on adjournments.

This event is conducted under [Rule 20](#) of the Tribunal’s Rules. [Rule 20.2](#) sets out how a party may object to the Tribunal conducting this event electronically. Any party, or any



person who intends to seek party status, may object to the Tribunal holding this event by video by filing an objection with the Tribunal's Case Coordinator. The objection must be received by the Tribunal **at least 20 days** before the date of the CMC and must be copied to the other parties. All contact information is included in Schedule A.

If you do not attend the CMC, the Tribunal may proceed in your absence and you will not be entitled to any further notice of these proceedings. The Tribunal may finalize the list of appellants, parties and/or participants at this CMC, and may order that no additional appellants, parties and/or participants be added or included in this proceeding, without leave of the Tribunal.

### **SUBMISSION REQUIREMENTS**

If a person intends to refer to a document at the CMC that is not in the Tribunal's case file, the document is expected to be pre-filed electronically with the Tribunal **at least 10 days** before the date of the CMC, unless another filing date is specified in the Tribunal's Rules. All pre-filed documents shall be served on the other parties electronically. All contact information is included in Schedule A.

Submissions larger than **10MB** must be transferred to the Tribunal's Case Coordinator using an electronic file sharing link/service. Please see Schedule B for further submission requirements.

The purpose of the CMC is set out in [Rule 19.1](#) of the Tribunal's Rules. The CMC will deal with preliminary issues, that include the following:

- **Identification of parties** - these persons have the right to participate throughout by presenting evidence, questioning witnesses, and making final arguments. In order for the Tribunal to determine your status for the hearing, you or your representative should attend the CMC and ask to be added as a party. Groups, whether incorporated or not, who wish to become parties should name a representative. Parties do not need to be represented by lawyers or agents.
- **Identification of participants** - persons who do not wish to participate throughout the hearing may attend the hearing and provide a written statement to the Tribunal.
- **Identification of issues.**
- **Possibility of settlement and/or mediation of any or all of the issues** – the panel will explore with the parties whether the case before the Tribunal and the issues in dispute are matters that may benefit from mediation. Mediation is a voluntary process that encourages all sides in a dispute to get a better understanding of each other's positions and fully explore and negotiate options for a mutually acceptable settlement of all or some of the issues in dispute. The panel may direct, upon consent of the parties, that some or all of the issues in dispute proceed to mediation.
- **Start date of the hearing.**

- **Duration of the hearing.**
- **Directions for pre-filing of witness lists, expert witness statements and written evidence.**
- **The hearing of motions.**
- **Draft Procedural Order** – parties are expected to meet before the CMC to consider a draft Procedural Order, as per [Rule 19.2](#) (see [Sample Procedural Order](#) on the website at <https://olt.gov.on.ca/forms-submissions/>).
- **Such further matters as the Tribunal considers appropriate.**

Everyone should come prepared to consider specific dates for proceedings in this matter.

All persons who wish to participate in this matter are expected to be prepared should the Tribunal convert the CMC to a settlement conference, a motion for procedural directions, or a preliminary hearing, where evidence or formal statements or submissions may be heard. Even when no settlement is reached, the Tribunal may proceed to make a final decision on any evidence received during the conference.

#### **PARTY OR PARTICIPANT STATUS REQUEST:**

Persons other than the appellant(s), applicant, municipality or approval authority who wish to participate in the proceeding, either as a party or as a participant, are expected to file a written status request with the Tribunal to outline their interest in the proceeding.

The [Party Status Request Form](#) and [Participant Status Request and Participant Statement Form](#) are available on the Tribunal’s website (<https://olt.gov.on.ca/forms-submissions/>) and are to be used to assist with the preparation of the request. If you are requesting status, this form must be provided at least 10 days in advance of the Case Management Conference to:

- The assigned Tribunal Case Coordinator Riana Zammit at [Riana.Zammit@Ontario.ca](mailto:Riana.Zammit@Ontario.ca) .
- The municipality and the approval authority on the same day as it is emailed to the Tribunal Case Coordinator.
- The Applicant and the Appellant(s) on the same day as it is emailed to the Tribunal Case Coordinator.

The contact information for the parties is included in Schedule A.

The status request will be reviewed and considered by the presiding Member at the CMC. It will also assist the Tribunal in organizing the hearing event. **Attendance by the requestor, or their representative, at the CMC is required for all status requests.**

Persons who are granted **party status** may participate fully in the proceeding (see [Rule 8](#)).

Persons who are granted **participant status** may only participate in writing by way of a participant statement. This statement is expected to be provided 10 days advance of the CMC as part of the status request (see above) and sets out their position in the matter (see [Rule 7.7](#)).

Only persons who are granted party or participant status by the Tribunal at the CMC are permitted to participate in any further hearing event that is convened by the Tribunal for this appeal.

## **FURTHER DIRECTIONS**

Tribunal proceedings are open to the public and all documents filed in a proceeding will be included in the Tribunal's public file (except those documents that may be deemed confidential in accordance with the Ontario Land Tribunal's [Rule 22.1](#)).

The Tribunal shall issue a disposition following the CMC that will set out the directions of the Tribunal. A copy of this decision may be obtained from the Tribunal's website (<https://olt.gov.on.ca/decisions/>) by referencing the above case number.

Please review the Tribunal's [Rules](#) for relevant information.

We are committed to providing accessible services as set out in the *Accessibility for Ontarians with Disabilities Act, 2005*. If you have any accessibility needs, please contact our Accessibility Coordinator as soon as possible by emailing [OLT.COORDINATOR@ontario.ca](mailto:OLT.COORDINATOR@ontario.ca). If you require documents in formats other than conventional print, or if you have specific accommodation needs, please let us know so we can make arrangements in advance.

Pour recevoir des services en français, veuillez communiquer avec la Tribunal au 1-866-448-2248/(416) 212-6349 ou [OLT.COORDINATOR@ontario.ca](mailto:OLT.COORDINATOR@ontario.ca).

For general information concerning the Tribunal, visit our website at <https://olt.gov.on.ca> or you may contact the Tribunal's offices at 1-866-448-2248 or local (416) 212-6349.

DATED at Toronto, this 7<sup>th</sup> day of March, 2024.

Euken Lui  
Acting Registrar

## SCHEDULE A

Please provide materials electronically to the assigned Tribunal Case Coordinator  
**Riana Zammit at [Riana.Zammit@Ontario.ca](mailto:Riana.Zammit@Ontario.ca) .**

On the same day that documents are submitted to the Tribunal, electronic copies are to be submitted to:

### **Applicant/Appellant [Representative]**

Fouad Badour  
C/O Rita Jabbour  
[info@rjplanner.com](mailto:info@rjplanner.com)

### **Municipality [Representative]**

City of Windsor  
Aaron Farough  
[afarough@citywindsor.ca](mailto:afarough@citywindsor.ca)

### **Party Status**

Mary Paniccia  
C/O Jeffrey Nanson  
[jnanson@mousseaulaw.com](mailto:jnanson@mousseaulaw.com)  
[jessica@mousseaulaw.com](mailto:jessica@mousseaulaw.com)

### **Party Status**

Doris Roback  
C/O Jeffrey Nanson  
[jnanson@mousseaulaw.com](mailto:jnanson@mousseaulaw.com)  
[jessica@mousseaulaw.com](mailto:jessica@mousseaulaw.com)

### **Party Status**

Claudio Silvaggi  
C/O Jeffrey Nanson  
[jnanson@mousseaulaw.com](mailto:jnanson@mousseaulaw.com)  
[jessica@mousseaulaw.com](mailto:jessica@mousseaulaw.com)

### **Party Status**

Carolyn Ozimek  
C/O Jeffrey Nanson  
[jnanson@mousseaulaw.com](mailto:jnanson@mousseaulaw.com)  
[jessica@mousseaulaw.com](mailto:jessica@mousseaulaw.com)

**Party Status**

Steve Bodnar

C/O Jeffrey Nanson

[jnanson@mousseaulaw.com](mailto:jnanson@mousseaulaw.com)

[jessica@mousseaulaw.com](mailto:jessica@mousseaulaw.com)

**Party Status**

David Toldo

C/O Jeffrey Nanson

[jnanson@mousseaulaw.com](mailto:jnanson@mousseaulaw.com)

[jessica@mousseaulaw.com](mailto:jessica@mousseaulaw.com)

**Party Status**

Annemarie Toldo

C/O Jeffrey Nanson

[jnanson@mousseaulaw.com](mailto:jnanson@mousseaulaw.com)

[jessica@mousseaulaw.com](mailto:jessica@mousseaulaw.com)

## SCHEDULE B

### INSTRUCTIONS FOR ELECTRONIC PRE-FILING SUBMISSIONS

#### Submission requirements to organize the video hearing

If a person intends to refer to a document at the video hearing (for clarity, any document that is not in the Tribunal's case file), it is expected to be pre-filed electronically with the Tribunal at **least 10 days** before the date of the video hearing and provided to all parties. The deadline applies unless otherwise specified in the Rules.

Submission emails **under 10MB** in size may be emailed directly to the assigned Tribunal Case Coordinator. Emails **larger than 10MB** must be transferred to the Tribunal's Case Coordinator using an electronic file sharing link/service to avoid sending documents across multiple email parts. Where appropriate, documents are to be submitted in .pdf format.

#### Naming convention

To assist the Tribunal and the adjudicator during the event, it is important that all submissions are **paginated and labelled appropriately** to clearly identify the content of each document. Where a document contains numerous sections, each section is to be indexed to a table of contents.

Additionally, clearly identify and separately tab the relevant sections that will be relied upon for quicker reference. The entirety of the policy documents (e.g. the PPS, Planning Act, Official Plans, Zoning By-laws, etc.) are not required unless deemed necessary to be presented by the parties or as otherwise directed by the Tribunal.

Parties are asked to adhere to the following naming convention: **case number\_party role\_ document type\_date of hearing event**.

For example: PL123456\_Applicant\_Notice of Motion\_Jan 1, 2020

Please see [Rules 7.1 and 7.2](#) for the standard document submission requirements.

## SCHEDULE C

**EXCERPT FROM ONTARIO LAND TRIBUNAL'S RULES OF PRACTICE AND PROCEDURE, ON DOCUMENTS, EXHIBITS, FILING, SERVICE, ROLES OF PARTIES, ADJOURNMENTS, CASE MANAGEMENT CONFERENCES AND ELECTRONIC HEARINGS. THE FULL DOCUMENT IS AVAILABLE ON THE TRIBUNAL'S WEBSITE.**

### RULE 7

#### DOCUMENTS, EXHIBITS, FILING, SERVICE

**7.1 Form of Documents** Unless otherwise directed by the Tribunal, every document filed or introduced by a party or participant in a proceeding before the Tribunal shall be legible and prepared on letter size paper (8 ½" x 11"), except for large documents such as plans, surveys or maps, and, where bound together with other documents, shall have each page numbered consecutively, throughout the entire text or within tabs, including any graphic content. Wherever possible, an electronic copy of the document must also be filed with the Tribunal, identically numbered as the paper document.

**7.2 Other Exhibits** Large graphic or other such types of visual evidence should not be glued to foam or other boards. They shall be on paper and be removed from the boards following the hearing event, and folded to 8 ½" x 11". Three-dimensional models must be photographed and the photographs must be introduced with the model. Visual evidence must be reviewed by the other parties before the hearing event or by an earlier date if set out in a procedural order.

**7.3 Copies of Documents for Parties and the Municipal Clerk** A party who intends to introduce a document as evidence at a hearing event shall provide a copy of the document to all the parties at the beginning of the proceeding or by an earlier date if that is required by the terms of a procedural order or otherwise directed by the Tribunal. If the document is an official plan, those parts of the plan to be referred to at the hearing event should be distributed to the parties, and a copy of the entire plan must be made available to the Tribunal Member(s). If the Tribunal orders that the Municipal Clerk keep copies of documents for public inspection, they do not need to be certified copies, unless a party objects that they are not authentic copies.

**7.4 Prefiling of Witness Statements and Reports** If the hearing is expected to last more than 5 days, the Tribunal may require that parties calling expert or professional witnesses serve on the other parties any expert witness statements and reports prepared for the hearing, at least 30 days in advance of the commencement of the hearing, unless otherwise directed by the Tribunal. The Tribunal may in its discretion, or at the request of a party, also make this prefiling order for hearings expected to last fewer than 5 days. The expert witness statement must contain:

- a. an executed acknowledgment of expert's duty form (attached to these Rules) and the expert's qualifications;

- b. the issues the expert will address, their opinions on these issues, the reasons that support their opinions and their conclusions; and
- c. a list of the reports or documents, whether prepared by the expert or by someone else, that the expert will refer to at the hearing.

The expert's complete report may be filed instead of this statement if it contains the required information.

An expert may not be permitted to testify if this statement or report is not served on all parties when so directed by the Tribunal.

**7.5 Duty of the Expert Witness** It is the duty of every expert engaged by or on behalf of a party who is to provide opinion evidence at a proceeding under these Rules to acknowledge, either prior to (by signing the acknowledgment form attached to the Rules) or at the proceeding, that they are to:

- a. provide opinion evidence that is fair, objective and non-partisan;
- b. provide opinion evidence that is related only to the matters that are within the expert's area of expertise;
- c. provide such additional assistance as the Tribunal may reasonably require to determine a matter in issue;
- d. not to seek or receive assistance or communication from any third party, except technical support, while giving oral evidence in examination in chief, while under cross-examination, or while in reply; and
- e. acknowledge that these duties prevail over any obligation owed by the expert to the party by whom or on whose behalf he or she is engaged.

**7.6 Other Witnesses** The Tribunal may also require that a witness who is not presenting expert evidence provide a witness statement. A witness statement should contain:

- a. a short written outline of the person's background experience and interest in the matter;
- b. a list of the issues that they will discuss; and
- c. a list of reports or materials that they will rely on at the hearing.

The Tribunal may decline to allow the witness to testify if this statement is required by the Tribunal and has not been provided to the other parties.

**7.7 Participant Statements** A person who wishes to participate in a proceeding as a participant, shall file a written participant statement that sets out their position on the appeal and issues of the proceeding, together with an explanation of their reasons in support of their position. A participant may only make submissions to the Tribunal in writing unless otherwise provided for by an Act or regulation.

**7.8 Amendment of Documents** Documents filed with the Tribunal can only be amended with the consent of the parties or by order of the Tribunal. The Tribunal may



require that the person requesting an amendment do so by way of a motion under Rule 10.

**7.9 Copies of Tribunal Documents** A person may examine any document, including electronic documents, filed with the Tribunal and copy it after paying the Tribunal's fee, unless a statute, a Court Order, an order of the Tribunal or these Rules provide otherwise.

**7.10 Return of Exhibits** Exhibits of all types introduced at a hearing will be kept for 180 days after the Tribunal decision issues. The person introducing an exhibit may ask for its return after this time, and it may be given back if the Tribunal agrees. If no such request is made, the exhibit becomes the property of the Tribunal and may be archived.

**7.11 Service by Personal Service or Electronic Service** Where any document is required to be served or filed, including the one commencing a proceeding or a motion or providing notice, it shall be served by personal service, registered mail or electronically (unless a statute or the Tribunal requires another method of service) and shall be sent to:

- a. the party's representative, if any;
- b. where the party is an individual and is not represented, to that party directly, where that party has provided an address for service and/or an e-mail address;
- c. where that party is a corporation and is not represented, to the corporation directly, to the attention of an individual with apparent authority to receive the document;
- d. where served on or filed with a local board or commission, or any department, ministry or agency of the federal, provincial or municipal government, to an individual with apparent authority to receive the document; or
- e. where served on or filed with the Tribunal, to the Registrar, or the assigned administrative staff.

Subject to Rule 7.12, if a document is served by e-mail, then service is effective on the date of service.

**7.12 If Served Electronically After 4:30 p.m.** Any document served electronically after 4:30 p.m. is deemed to have been served on the next business day.

**7.13 Proof of Electronic Service** A confirmation printout received by the sender is proof of the full transmission and receipt of the electronic service.

## **RULE 8**

### **ROLE AND OBLIGATIONS OF A PARTY**

**8.1 Role and Obligations of a Party** Subject to Rule 8.2 below, a person conferred party status to a proceeding before the Tribunal may participate fully in the proceeding, and by way of example may:

- a. Identify issues raised in a notice of appeal for the approval of the Tribunal;
- b. Bring or respond to any motion in the proceeding;
- c. Receive copies of all documents and supporting information exchanged, relied upon or filed in connection with any hearing event conducted in the proceeding;
- d. Present opening and closing submissions at the hearing;
- e. Present and examine witnesses and cross-examine witnesses not of like interest;
- f. Claim costs or be subject to a costs award when ordered by the Tribunal; and
- g. Request a review of the Tribunal's decision or order as set out in Rule 25.

**8.2 Power of Tribunal to Add or Substitute Parties** The Tribunal may add or substitute a party to a proceeding when that person satisfies any applicable legislative tests necessary to be a party and their interest may be transferred or transmitted to another party to be added or substituted provided their presence is necessary to enable the Tribunal to adjudicate effectively and completely on the issues in the proceeding.

**8.3 Non-Appellant Party** A party to a proceeding before the Tribunal which arises under any of subsections 17(24) or (36), 34(19) or 51(39) of the Planning Act who is not an appellant of the municipal decision or enactment may not raise or introduce a new issue in the proceeding. The non-appellant party may only participate in these appeals of municipal decisions by sheltering under an issue raised in an appeal by an appellant party and may participate fully in the proceeding to the extent that the issue remains in dispute. A non-appellant party has no independent status to continue an appeal should that appeal be withdrawn by an appellant party.

**8.4 Common Interest Class** Where the Tribunal is of the opinion that more than one party is of common interest with another party or other parties, the Tribunal may, on its own initiative or on the request of any party, appoint a person of that class of parties to represent the class in the proceeding.

## RULE 17

### ADJOURNMENTS

**17.1 Hearing Dates Fixed** Hearing events will take place on the date set unless the Tribunal agrees to an adjournment. Adjournments will not be allowed that may prevent the Tribunal from completing and disposing of its proceedings within any applicable prescribed time period.

**17.2 Requests for Adjournment if All Parties Consent** If all of the parties agree, they may make a written request to adjourn a hearing event. The request must include the reasons, a suggested new date, and the written consents of all parties. However, the Tribunal may require that the parties attend in person or convene an electronic hearing to request an adjournment, even if all of the parties consent. The consenting parties are expected to present submissions to the Tribunal on the application of any prescribed time period to dispose of the proceeding.

**17.3 Requests for Adjournment without Consent** If a party objects to an adjournment request, the party requesting the adjournment must bring a motion at least 15 days before the date set for the hearing event. If the reason for an adjournment arises less than 15 days before the date set for the hearing event, the party must give notice of the request to the Tribunal and to the other parties and serve their motion materials as soon as possible. If the Tribunal refuses to consider a late request, any motion for adjournment must be made in person, at the beginning of the hearing event.

**17.4 Emergencies Only** The Tribunal will grant last minute adjournments only for unavoidable emergencies, such as illnesses so close to the hearing date that another representative or witness cannot be obtained. The Tribunal must be informed of these emergencies as soon as possible.

**17.5 Powers of Tribunal upon Adjournment Request** The Tribunal may,

- a. grant the request.
- b. grant the request and fix a new date or, where appropriate, the Tribunal will schedule a case management conference on the status of the matter;
- c. grant a shorter adjournment than requested;
- d. deny the request, even if all parties have consented;
- e. direct that the hearing proceed as scheduled but with a different witness, or evidence on another issue;
- f. grant an indefinite adjournment, if the Tribunal finds no substantial prejudice to the other parties or to the Tribunal's schedule and the Tribunal concludes the request is reasonable for the determination of the issues in dispute. In this case, a party must make a request, or the Tribunal on its own initiative may direct, that the hearing be rescheduled or resumed as the case may be;
- g. convert the scheduled date to a mediation or case management conference; and
- h. make any other appropriate order.

## **RULE 19**

### **CASE MANAGEMENT CONFERENCES**

**19.1 Case Management Conference** At the request of a party, on its own initiative or as may be required by legislation or regulation, the Tribunal may direct parties to participate in a case management conference conducted by a Member of the Tribunal, which can include settlement conferences, motions or preliminary hearing matters, such as to:

- a. identify the parties and participants;
- b. determine the issues raised by the appeal;
- c. narrow the issues in dispute;
- d. identify facts or evidence the parties may agree upon or on which the Tribunal may make a binding decision;
- e. obtain admissions that may simplify the hearing, which may include the examination of persons by the Tribunal as part of the conference;
- f. provide directions for exchange of witness lists, witness statements, expert witness statements and reports, for meetings of experts including to address the disclosure of information such as the disclosure of the information that was not provided to the municipality before council or the approval authority made its decision that is the subject of the appeal, and for further disclosure where necessary;
- g. provide directions to the parties to file a hearing plan to outline how the hearing will proceed, the order of witnesses, or the anticipated time for submissions to ensure the Tribunal sets aside sufficient time in its hearing calendar to dispose of the issues;
- h. discuss opportunities for settlement, including possible use of mediation or other dispute resolution processes;
- i. fix a date, place and format for the hearing and estimate its length, and encourage the parties to agree upon the dates for any procedural steps;
- j. discuss issues of confidentiality, including any need to hold a part of the hearing in the absence of the public or to seal documents;
- k. address the production and cost sharing of joint document books; and
- l. deal with any other matter that may assist in a fair, just, expeditious and cost-effective resolution of the issues.

**19.2 Sample Procedural Order and Meeting Before Case Management Conference** Where the parties are known before the case management conference, they are expected to discuss the matters set out in Rule 19.1 and present a draft procedural order to the Tribunal for its approval. Sample procedural orders are listed in the Index to these Rules.

**19.3 Serving Notice of a Conference** The Tribunal will determine the notice requirements for a Case Management Conference and any directions to serve a Notice of Case Management Conference that provides the time, place and format of the conference. The directions may include a notice to all persons or authorities entitled by

legislation or regulation. The person, municipality or approval authority who is issued the direction must serve this notice on those persons entitled to notice of the conference and provide an affidavit to the Tribunal, at or prior to the conference, to prove service of the notice.

**19.4 Tribunal Member Presides** The Tribunal's Chair will assign at least one Member of the Tribunal to conduct the conference.

**19.5 Public Attendance at a Case Management Conference** A case management conference held in person will be open to the public. A case management conference held by electronic hearing will be open to the public where practical. Despite the general principle of public open sessions, where circumstances prevail that may require confidentiality, in the discretion of the presiding Tribunal Member, part or all of the conference may be conducted in *camera*.

**19.6 Conversion from One Procedure to Another** The Tribunal Member may, at any time, conduct a procedural discussion, initiate a motion, inquire into a preliminary matter, or convert the conference into a hearing. The Tribunal will state in the notice of a case management conference that the parties are expected to arrive prepared for a procedural and settlement conference as well as a preliminary hearing, where evidence or formal statements or submissions may be heard. Even if no settlement is reached, the Tribunal may proceed to make a final decision on any evidence received during the conference.

**19.7 Results of Failure to Attend a Conference** If a party fails to attend the conference or by authorized representative, the Tribunal may proceed without that party. The non-attending party is not entitled to notice of subsequent hearing events in the proceedings.

**19.8 Tribunal Order Following** The Tribunal Member conducting the case management conference will issue an order that may decide any of the matters considered at the conference and provide procedural directions for any subsequent hearing event.

**19.9 Hearing Member Bound** The Tribunal Member conducting the hearing or any subsequent hearing event is bound by the order resulting from the case management conference unless that Member is satisfied that there is good reason to vary the order.

**19.10 Methods of Holding Hearing Events** The Tribunal may direct in an order following a conference that hearing events in a proceeding be held by a combination of written, electronic or in person hearing events.

## RULE 20

### ELECTRONIC HEARINGS

**20.1 Hearing Events by Teleconference or Videoconference** The Tribunal may hold a hearing event by electronic hearing, such as by teleconference or videoconference, for the determination of any issue in the proceeding. Where the Tribunal directs that a hearing event be held by electronic hearing, the Tribunal may direct a party to make the necessary arrangements and to give notice of those arrangements to the Tribunal and other parties.

**20.2 Objection to the Electronic Format** A party who objects to a hearing event being held as an electronic hearing shall notify the Tribunal and all other parties of its objection within the time period specified in the notice of the electronic hearing. The objecting party shall set out the reasons why the electronic hearing is likely to cause the objecting party significant prejudice.

**20.3 Response to Notice of Objection** The Tribunal may request a written response from other parties to the objection of an electronic hearing within a time period set out by the Tribunal.

**20.4 Procedure When Objection is Received** If the Tribunal receives an objection to hold a hearing event by electronic hearing, it may:

- a. accept the objection, cancel the electronic hearing, and schedule an in person or written hearing; or
- b. if the Tribunal is satisfied, after considering any responding submissions that no significant prejudice will result to a party, then the Tribunal will reject the objection and proceed with the electronic hearing.

**20.5 Directions for the Electronic Hearing** The Tribunal may direct the arrangements for the electronic hearing or designate an approved location for videoconference to protect the integrity of the hearing process, including the security and confidentiality of evidence as necessary.

**20.6 Videoconferences** The Tribunal shall pre-approve all arrangements for conducting a hearing event by videoconference, including the pre-filing and exchange of motion materials, documents, written submissions or any visual and written evidence, and the locations for the conference. Any information, statement or material intended to be filed as an exhibit at a videoconference shall be pre-filed with the Tribunal and provided to all parties in accordance with the Tribunal's directions or procedural order for conducting a hearing event by videoconference.

**20.7 The View of the Camera** A party's representative or a witness in a videoconference shall be in view of the camera, with minimal visual obstructions, in the course of their presentations or submissions to the Tribunal. Where a witness is being examined or cross-examined, there shall be a view of the witness, counsel protecting

the witness, and the person conducting the examination or cross-examination. Any document that may be referred to by parties or their witnesses shall be visible and legible to the Tribunal and all other parties to the conference, either by the camera or by referring to a copy of the document exchanged in accordance with the Tribunal's directions.

June 1, 2021



**Town of LaSalle**

**Notice of a Public Planning Meeting**

**Comprehensive Zoning By-law Housekeeping Amendment File Z-01-2024**

**Take notice** that the Council of the Town of LaSalle has prepared a complete application for a Town initiated Zoning By-law Amendment pursuant to Section 34 of the Planning Act. The proposed amendment is housekeeping in nature and will include the following:

- Correction of spelling, grammar, and typos;
- The addition of or modifications to existing provisions with regard to Additional Residential Units to reflect updates to the *Planning Act* as a result of Bill 23;
- The addition of, or removal of, uses or provisions to provide greater flexibility and clarity where issues have occurred;
- Updates to reflect the changes in the Ontario Building Code;
- Updates to definitions to provide greater clarity;
- The addition of new definitions to add clarity, and,
- Updates to general provisions to provide greater clarity.

A key map is not provided since the proposed amendment applies to the entirety of the Town of LaSalle.

Notice of application, once complete, is required to be provided by publishing a notice in the newspaper as well as notifying the applicant and those prescribed by the Planning Act.

**Take notice that the Council of the Town of LaSalle will hold a Public Planning Meeting on Tuesday, March 12<sup>th</sup>, 2024, commencing at 5:00 p.m.** to consider a Housekeeping Amendment to the Town's Comprehensive Zoning By-law, 8600. The Public Planning Meeting will be live streamed on the Town of LaSalle's YouTube Channel, which can be found at the following link:

[www.youtube.com/c/TownofLaSalleOntario](http://www.youtube.com/c/TownofLaSalleOntario)

The purpose of the public meeting is to consider the proposed Town initiated Zoning By-law Amendment that proposes general housekeeping amendments.

Information relating to the proposed housekeeping amendment is available for in-person inspection between 9:00 a.m. and 4:00 p.m. at the Planning and Development office at the LaSalle Municipal Building on the second floor or you may contact Allen Burgess by



emailing [aburgess@lasalle.ca](mailto:aburgess@lasalle.ca) or calling 519 969-7770 extension 1227. The LaSalle Municipal Building is located at 5950 Malden Road, LaSalle, Ontario, N9H1S4.

If a person or public body would otherwise have the ability to appeal the decision of the Town of LaSalle to the Ontario Land Tribunal (“OLT”) but the person or public body does not make oral submissions at a public meeting or make written submissions to the Town of LaSalle before the by-law is passed, the person or public body is not entitled to appeal the decision.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the Town of LaSalle before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal (“OLT”) unless, in the opinion of the OLT, there are reasonable grounds to do so.

Anyone is welcome to appear in person or via Zoom to make comments regarding the proposal. Please note that if you wish to appear via Zoom at the Public Meeting, you must register in advance by emailing [nsharp@lasalle.ca](mailto:nsharp@lasalle.ca) or calling 519-969-7770 extension 1234 before March 8<sup>th</sup>, 2024 at noon. As an alternative to attending the meeting, written correspondence may be submitted in person at the Planning Development Office or by emailing [planning@lasalle.ca](mailto:planning@lasalle.ca) or the LaSalle Municipal Building night deposit box. Written correspondence received by noon on March 8<sup>th</sup>, 2024 will be published on the Town’s website as an Additional Document to the Agenda.

Dated at the Town of LaSalle **February 16<sup>th</sup>, 2024**



Drinking Water Systems Regulation O. Reg. 170/03

OPTIONAL ANNUAL REPORT TEMPLATE

Drinking Water System Number:	220003421
Drinking Water System Name:	City of Windsor Drinking Water System
Drinking Water System Owner:	The Windsor Utilities Commission
Drinking Water System Category:	Large Municipal Residential
Period being reported:	Calendar Year 2023

<p><b><u>Complete if your Category is Large Municipal Residential or Small Municipal Residential</u></b></p> <p>Does your Drinking Water System serve more than 10,000 people? Yes [ X ] No [ ]</p> <p>Is your annual report available to the public at no charge on a web site on the Internet? Yes [ X ] No [ ]</p> <p>Location where Summary Report required under O. Reg. 170/03 Schedule 22 will be available for inspection.</p> <div style="border: 1px solid black; padding: 5px; width: fit-content;"> <p>The Windsor Utilities Commission 4545 Rhodes Dr. Windsor ON N8W 5T1</p> </div>	<p><b><u>Complete for all other Categories</u></b></p> <p>Number of Designated Facilities served: <input type="text"/></p> <p>Did you provide a copy of your annual report to all Designated Facilities you serve? Yes [ ] No [ ]</p> <p>Number of Interested Authorities you report to: <input type="text"/></p> <p>Did you provide a copy of your annual report to all Interested Authorities you report to for each Designated Facility? Yes [ ] No [ ]</p>
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List all Drinking Water Systems (if any), which receive all their drinking water from your system:

Drinking Water System Name	Drinking Water System Number
Town of Lasalle, ON	220004402
Town of Tecumseh, ON	260004969

Did you provide a copy of your annual report to all Drinking Water System owners that are connected to you and to whom you provide all drinking water? Yes [ X ] No [ ]

Indicate how you notified system users that your annual report is available and is free of charge.

- [ X ] Public access/notice via the web
- [ X ] Public access/notice via Government Office
- [ ] Public access/notice via a newspaper
- [ X ] Public access/notice via Public Request
- [ ] Public access/notice via a Public Library
- [ ] Public access/notice via other method \_\_\_\_\_

**Description of the Drinking Water System**

The City of Windsor Drinking Water System is owned by The Windsor Utilities Commission (WUC). It is maintained and operated by ENWIN Utilities Ltd. (ENWIN) as Operating Authority.

The City of Windsor Drinking Water System consists of the A.H. Weeks Water Treatment Plant (WTP), which is a Class IV water treatment subsystem and a Class III distribution system under Ontario Regulation 128/04 of the Safe Drinking Water Act, 2002. In addition, WUC has the Old Water Treatment Plant (OTP), also a Class IV water treatment subsystem currently in Stand By mode, A.J. Brian Pumping Station, George Avenue Pumping Station, J.F. Cooke Reservoir, Pumping and Re-chlorination Station and one (1) water tower.

To treat the raw water, which is sourced from the Detroit River, the WTP employs screening, pre-chlorination (on an as needed basis), pH adjustment (utilizing CO<sub>2</sub>), disinfection (utilizing ozone), coagulation, flocculation, sedimentation, dual-media filtration with post chlorination, fluoridation (utilizing fluorosilicic acid) and corrosion control adjustment (utilizing phosphoric acid). The WTP pumps sedimentation sludge and backwash water to the sanitary sewer.

Treated water from the WTP is routed to an on-site reservoir and another reservoir located near the WTP. The treated water is then pumped into the distribution system from two (2) pumping stations, which are located near the WTP. Water from the pumping stations satisfies demand for the greater Windsor area including the Towns of Tecumseh and LaSalle. A reservoir, pumping and re-chlorination station located further from the WTP provides system pressure and flow to the southwest portion of the system, while a centrally located water tower provides pressure and flow control to the downtown core.

The drinking water system is monitored continuously at various locations, both at the WTP and pumping stations as well as throughout the distribution system via a Supervisory Control and Data Acquisition (SCADA) system.

**List all water treatment chemicals used over this reporting period**

Chlorine gas, Sodium Hypochlorite, Carbon Dioxide (CO<sub>2</sub>), Ozone (generated on-site using liquid oxygen), Calcium Thiosulfate (ozone quench agent), Polyaluminum Chloride (PaCl), Filter Aid Cationic Polymer, Phosphoric Acid (corrosion control agent) and Fluorosilicic Acid.

**Were any significant expenses incurred to?**

- Install required equipment
- Repair required equipment
- Replace required equipment

**Please provide a brief description and a breakdown of monetary expenses incurred:**

**Capital Projects in the Distribution System,**

WUC, with a capital expenditure of approximately \$17,500M, has:

- Installed 10.53 KM of Watermain (<400 mm)
- Installed 1.34KM of Feedermain (>400 mm)
- Installed 967 New Water Services in the public Right the Way (ROW)
- Installed 250 New Valves in the public ROW
- Installed 85 New Fire Hydrants in the public ROW
- Removed 76 Old Fire Hydrants in the public ROW
- Removed 592 Old Lead Water Services in the public ROW

**Capital Projects in the Treatment System encompasses:****Filter Bed Rehabilitation – Phase 4**

ENWIN completed rehabilitation of our eight (8) dual media filters at the WTP in 2023 which included removal of the existing plastic underdrain system, waterproof coating of the filter beds and walls, installation of new stainless-steel underdrains and installation of new anthracite and sand filter media. The new underdrain system and media will increase the overall filter performance. Approximate capital expenditure for phase 4 of the rehabilitations is \$4.2M which included four (4) filter rehabilitations from 2022 to 2023.

**Fluoride Implementation**

As part of the overall fluoride implementation project, ENWIN completed construction of the permanent fluoride dosing system, as well as upgrades to the phosphoric dosing system at the WTP. The new system includes dual chemical storage tanks, chemical dosing pump skid complete with three (3) dosing pumps and chemical containment structure, and it was completed April 2023. Approximate cost for the overall project including studies, engineering and construction was \$1.5M.

**SCADA Network Upgrade**

ENWIN engaged the service of Rockwell for the design and implementation of an upgraded SCADA Network at the WTP. The project will update and improve the current SCADA network infrastructure, adding increased security measures in line with current industry best practice. Installation and commissioning of the new SCADA network was completed in late 2022. Testing and commissioning of the new network continued into early 2023. Approximate capital expenditure is \$1.1M.

**Ozone Power Supply Unit (PSU) Upgrades**

ENWIN procured the services of Suez Water Technologies to begin the refurbishment of two of the Ozone Generator Power Supply Units (PSU). The current PSU components for Ozone Gen. #1 and #2 are at end of life and in need of replacement. ENWIN tendered the work for the PSU upgrades in summer 2022 and following receipt of the replacement equipment in October 2022 began work on the PSU upgrades. Due to some equipment issues, work on the project was completed June of 2023. Approximate capital expenditure for the project was \$800k.

Provide details on the notices submitted in accordance with subsection 18 (1) of the Safe Drinking Water Act or section 16-4 of Schedule 16 of O.Reg.170/03 and reported to Spills Action Centre.

Incident Date	Parameter	Result	Unit of Measure	Corrective Action	Corrective Action Date
2023/03/11	1 NTU Turbidity for 18 minutes	1	NTU	Additional monitoring and sampling. Refer to CPAR EWU-2023-04 details.	2023/03/20
2023/09/10	Total Coliform (TC) – Treated Water	TC = 1	CFU/100 mL	Due to our sampling schedule samples are collected every 12 hours, consecutively.  Note: This is a point source (Most likely Laboratory error)	2023/09/15
2023/11/17	Total Coliform (TC) – S.S. D10	TC = 1	CFU/100 mL	Flush and Re-sample at location, upstream and downstream for 2 consecutive days. Results of the re-sampling are free of bacterial content.	2023/11/21

Please refer to the colour chart below when reviewing the data summarized herein:

Green	Indicates results are in compliance
Yellow	Indicates results are in compliance however above the half Maximum Acceptable Concentration (MAC) or IMAC level.
Red	Indicates results are not in compliance or not within the operational guideline

Microbiological testing done under the Schedule 10, 11 or 12 of Regulation 170/03, during this reporting period.

	Number of Samples	Range of E.Coli (min#)-(max#)	Range of Total Coliform (min#)-(max#)	Number of HPC Samples	Range of HPC (min#)-(max#)
Raw	253	0 - 2600	0 - 8500	253	<10 - 1650 <sup>(1)</sup>
Treated	1583	0 - 0	0 - 1	968	<10 - 440 <sup>(2)</sup>
Distribution	1883	0 - 0	0 - 1	1023	<10 - 300 <sup>(2)</sup>

(1) No standard available – Results indicate the overall Raw Water Quality

(2) < 500 – Internal Target as Best Management Practice

Operational testing done under Schedule 7, 8 or 9 of Regulation 170/03 during the period covered by this Annual Report.

	Number of Samples	Range of Results (min#)-(max#)	Unit of Measure
Turbidity	365	0.02 - 0.1	NTU
Chlorine	365	1.19 - 1.66	mg/L

**Summary of additional testing and sampling carried out in accordance with the requirement of an approval, order or other legal instrument.**

Date of legal instrument issued	Parameter	Date Sampled	Running Annual Average Result	Unit of Measure	In compliance
MDWL 025-101	Bromate - Treated	1-Jan-23 to 31-Dec-23	0.004	mg/L	Yes
MDWL 025-101	Bromate - Distribution	1-Jan-23 to 31-Dec-23	0.004	mg/L	Yes

Date of legal instrument issued	Location Type	Number of Samples	Range of Lead Results (min#)-(max#)	Unit of Measure	Number of Exceedances
MDWL 025-101	Lead - Plumbing	83	<0.05 - 12.9	ug/L	1
MDWL 025-101	Lead - Distribution	66	<0.05 - 9.77	ug/L	0

**Summary of Inorganic parameters tested during this reporting period or the most recent sample results.**

Parameter	MAC OR IMAC	Sample Date	Result Value	Unit of Measure	In Compliance
Antimony	0.006	October 4, 2023	0.0001	mg/L	Yes
Arsenic	0.01	October 4, 2023	0.0003	mg/L	Yes
Barium	1	October 4, 2023	0.0163	mg/L	Yes
Boron	5	October 4, 2023	0.016	mg/L	Yes
Cadmium	0.005	October 4, 2023	0.000005 <MDL	mg/L	Yes
Chromium	0.05	October 4, 2023	0.00050 <MDL	mg/L	Yes
Lead <sup>(3)</sup>	0.01	October 4, 2023	0.0005 <MDL	mg/L	Yes
Mercury	0.001	October 4, 2023	0.00000010 <MDL	mg/L	Yes
Selenium	0.05	October 4, 2023	0.0001	mg/L	Yes
Sodium	20	October 4, 2023	6.71	mg/L	Yes
Uranium	0.02	October 4, 2023	0.00004	mg/L	Yes
Fluoride	1.5	October 4, 2023	0.57	mg/L	Yes
Nitrite <sup>(3)</sup>	1	October 4, 2023	0.010 <MDL	mg/L	Yes
Nitrate <sup>(3)</sup>	10	October 4, 2023	0.24	mg/L	Yes

(3) Lead, Nitrite, Nitrate results are from Maximum resolution in the Distribution system

**Summary of Organic parameters sampled during this reporting period or the most recent sample results.**

Parameter	MAC OR IMAC	Sample Date	Result Value	Unit of Measure	In Compliance
Alachlor	0.005	October 4, 2023	0.00050 <MDL	mg/L	Yes
Atrazine + N-dealkylated metabolites	0.005	October 4, 2023	0.001 <MDL	mg/L	Yes
Azinphos-methyl	0.02	October 4, 2023	0.0020 <MDL	mg/L	Yes
Benzene	0.001	October 4, 2023	0.0001 <MDL	mg/L	Yes
Benzo(a)pyrene	0.00001	October 4, 2023	0.0000050 <MDL	mg/L	Yes
Bromoxynil	0.005	October 4, 2023	0.00050 <MDL	mg/L	Yes
Carbaryl	0.09	October 4, 2023	0.005 <MDL	mg/L	Yes
Carbofuran	0.09	October 4, 2023	0.005 <MDL	mg/L	Yes
Carbon Tetrachloride	0.002	October 4, 2023	0.00010 <MDL	mg/L	Yes
Chlorpyrifos	0.09	October 4, 2023	0.001 <MDL	mg/L	Yes
Diazinon	0.02	October 4, 2023	0.001 <MDL	mg/L	Yes
Dicamba	0.12	October 4, 2023	0.001 <MDL	mg/L	Yes
1,2-Dichlorobenzene	0.2	October 4, 2023	0.00020 <MDL	mg/L	Yes
1,4Dichlorobenzene	0.005	October 4, 2023	0.00020 <MDL	mg/L	Yes
1,2-Dichloroethane	0.005	October 4, 2023	0.00020 <MDL	mg/L	Yes
1,1-Dichloroethylene (vinylidene chloride)	0.014	October 4, 2023	0.00010 <MDL	mg/L	Yes
Dichloromethane	0.05	October 4, 2023	0.00050 <MDL	mg/L	Yes
2,4-Dichlorophenol	0.9	October 4, 2023	0.00025 <MDL	mg/L	Yes
2,4-Dichlorophenoxy acetic acid (2,4-D)	0.1	October 4, 2023	0.001 <MDL	mg/L	Yes
Diclofop-methyl	0.009	October 4, 2023	0.00090 <MDL	mg/L	Yes
Dimethoate	0.02	October 4, 2023	0.0025 <MDL	mg/L	Yes
Diquat	0.07	October 4, 2023	0.007 <MDL	mg/L	Yes
Diuron	0.15	October 4, 2023	0.010 <MDL	mg/L	Yes
Glyphosate	0.28	October 4, 2023	0.010 <MDL	mg/L	Yes
<b>Haloacetic Acids (HAA5)<sup>(4)</sup></b>					
(Note: show latest running annual average)					
Q1 2023 = <0.0050 mg/L	0.080	Running Annual Average =	0.0050 <MDL	mg/L	Yes
Q2 2023 = <0.0050 mg/L					
Q3 2023 = <0.0050 mg/L					
Q4 2023 = <0.0050 mg/L					
Malathion	0.19	October 4, 2023	0.010 <MDL	mg/L	Yes
MCPA	0.1	October 4, 2023	0.00050 <MDL	mg/L	Yes
Metolachlor	0.05	October 4, 2023	0.0050 <MDL	mg/L	Yes
Metribuzin	0.08	October 4, 2023	0.00010 <MDL	mg/L	Yes
Monochlorobenzene	0.08	October 4, 2023	0.001 <MDL	mg/L	Yes

Parameter	MAC OR IMAC	Sample Date	Result Value	Unit of Measure	In Compliance
Paraquat	0.01	October 4, 2023	<b>0.00050 &lt;MDL</b>	mg/L	Yes
Pentachlorophenol	0.06	October 4, 2023	<b>0.00050 &lt;MDL</b>	mg/L	Yes
Phorate	0.002	October 4, 2023	<b>0.0050 &lt;MDL</b>	mg/L	Yes
Picloram	0.19	October 4, 2023	<b>0.00005 &lt;MDL</b>	mg/L	Yes
Polychlorinated Biphenyls (PCB)	0.003	October 4, 2023	<b>0.00025 &lt;MDL</b>	mg/L	Yes
Prometryne	0.001	October 4, 2023	<b>0.0010 &lt;MDL</b>	mg/L	Yes
Simazine	0.01	October 4, 2023	<b>0.0010 &lt;MDL</b>	mg/L	Yes
<b>THM<sup>(4)</sup></b>					
(Note: show latest running annual average)					
Q1 2023 = 0.00349 mg/L	0.100	Running Annual Average =	<b>0.0095</b>	mg/L	Yes
Q2 2023 = 0.00615 mg/L					
Q3 2023 = 0.0144 mg/L					
Q4 2023 = 0.014 mg/L					
Terbofos	0.001	October 4, 2023	<b>0.00050 &lt;MDL</b>	mg/L	Yes
Tetrachlorethylene	0.01	October 4, 2023	<b>0.00010 &lt;MDL</b>	mg/L	Yes
2,3,4,6-Tetrachlorophenol	0.1	October 4, 2023	<b>0.00050 &lt;MDL</b>	mg/L	Yes
Triallate	0.23	October 4, 2023	<b>0.0010 &lt;MDL</b>	mg/L	Yes
Trichloroethylene	0.005	October 4, 2023	<b>0.00010 &lt;MDL</b>	mg/L	Yes
2,4,6-Trichlorophenol	0.005	October 4, 2023	<b>0.00050 &lt;MDL</b>	mg/L	Yes
Trifluralin	0.045	October 4, 2023	<b>0.0010 &lt;MDL</b>	mg/L	Yes
Vinyl Chloride	0.001	October 4, 2023	<b>0.00020 &lt;MDL</b>	mg/L	Yes

(4) – THM's and HAA5 results are from Max resolution in the Distribution system  
 Note – MDL – Method Detection Limit

List any Inorganic or Organic parameter(s) that exceeded half the standard prescribed in Schedule 2 of Ontario Drinking Water Quality Standards.

No Inorganic or Organic parameter(s) exceeded half the standard prescribed in Schedule 2 of Ontario Drinking Water Quality Standards.





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February 20, 2024

Sent via email: [clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)

Clerk, City of Windsor

For distribution per the Essex Region Conservation Authority recent Board Resolution below.

### **BD03/24 Biological Success of the Peche Island Erosion Mitigation and Habitat Restoration Project**

#### **Resolution No. 23/24**

Moved by Kieran McKenzie

Seconded by Angelo Marignani

THAT Report BD03/24 be received for Members' information; and further,

THAT a copy of this report be forwarded to the Clerk at the City of Windsor for inclusion in an upcoming Council Agenda

**-CARRIED**

I, Nicole Kupnicki, Human Resources Manager/EA of the Essex Region Conservation Authority, do hereby certify this to be a true and complete copy of Resolution No. 23/24, passed by the Essex Region Conservation Authority Board of Directors at the Meeting of the Board on the 15<sup>th</sup> day of February 2024.

DATED at Essex, Ontario  
this 20th day of February, 2024.



Nicole Kupnicki



## Essex Region Conservation Authority

### Board of Directors

BD03/24

From: Jacqueline Serran, DRCC Remedial Action Plan Coordinator  
Kevin Money, Director of Conservation Services

Date: Monday, February 5, 2024

**Subject: Biological Success of the Peche Island Erosion Mitigation and Habitat Restoration Project**

Strategic Action: 7.1 Expand and connect core habitat parcels to ensure species resiliency.  
11.1 Continue to bring regional planners/ engineers together on matters of sustainability and finding innovative, regional solutions.

Recommendation: THAT Report BD03/24 be received for Members' information

### Summary

- ERCA partnered with the City of Windsor to construct 9 sheltering islands at Peche Island in the Detroit River to reduce erosion and create fish habitat.
- Biological monitoring of the created calm water habitat was conducted by the Department of Fisheries and Oceans Canada in late summer 2021 and 2023.
- Submerged aquatic vegetation cover increased from 10% pre-construction to 59.49% in 2021 and 52.0% in 2023 in the calm water area likely due to decreased wave action. Decreased wave action and the establishment of aquatic vegetation are measurable mitigative processes indicating decreased rates of erosion, although that is not the focus of this study.
- In 2021, 34 fish species were captured (4 species at risk), including 19 native species that were not captured in previous surveys. In 2023, 31 fish species were captured (3 species at risk), of which, 3 are native species not previously caught in the 2021 survey or other previous surveys. Fish from all life stages were caught (i.e., juveniles and adults).
- Overall, the newly constructed sheltering islands have positively affected fish by improving habitat suitability around Peche Island for fish species.

### Discussion

Peche Island is a 79-acre island located in the upper Detroit River near Lake St. Clair. The island is owned by the City of Windsor and is a municipal park that is accessible by boat. The island and surrounding waters have high biodiversity, including 22 species of rare native plants (235 plant species

documented in total), 2 rare reptile species, critical habitat for species at risk, freshwater clams and mussels, and numerous birds (including bald eagles) that utilize the island for multiple life stages. The island has been designated an environmentally sensitive area and the marsh on the island is a provincially significant wetland.

Peche Island has been eroding at a rapid pace due to strong river currents and heavy wave action due to climate change and significant Great Lakes freighter traffic. The erosion of the island has caused large volumes of soil to erode into the river and it is estimated that Peche Island has decreased in area by 17 acres from 1931 to 2015. To mitigate the erosion, ERCA partnered with the City of Windsor to construct 9 sheltering islands to the north of the island and a 600 m revetment on the northeast side of the island. The primary purpose is for erosion control, where the sheltering islands also provide enhancement of fish habitat. The sheltering islands were designed to reduce wave action, thereby allowing submerged aquatic vegetation (SAV) to establish. The submerged aquatic vegetation provides food sources and cover for fish to use during their various life stages. The Peche Island project was completed in 2022 at an approximate cost of \$4.5 million dollars. Funding was secured through multiple partnerships including the City of Windsor, ERCA, Environment and Climate Change Canada, Ontario Ministry of Natural Resources and Forestry, and others.

### **Post Construction Monitoring**

Post construction monitoring was conducted in the calm water area created behind the sheltering islands to determine fish habitat improvements as a result of the project. Post construction monitoring was conducted in 2021 (on a portion of the calm water area) and 2023 (on the entire calm water area). The post construction monitoring consisted of measuring submerged aquatic vegetation, vegetation height, water quality, and fish community sampling.

### **Submerged Aquatic Vegetation Cover and Water Quality**

Submerged aquatic vegetation (SAV) cover was sampled in the calm water area to determine whether an increase submerged aquatic vegetation was observed. Pre-construction, the average submerged aquatic vegetation cover in the area was 10%. In 2021, the average percent SAV cover was 59.49%, with an average plant height of 0.19 m. In 2023, the average percent SAV cover of 52.0%, with an average plant height of 0.17m. In both years, SAV was found throughout the project site, but it was highest along the northeast corner behind the sheltering islands. It is expected that over time vegetation in the areas behind the sheltering islands will increase due to an identified accumulation of fine sediments behind the islands that could be a sign of relief from exposure and river currents. Though fine sediments have accumulated over time behind the sheltering islands, the sheltering islands have not impacted water quality parameters including water clarity, turbidity, and temperature.

### **Fish community**

In 2021, 34 fish species (n = 3,347 fish) were caught, four of which were Species at Risk (SAR): Northern Madtom, Channel Darter [*Percina copelandi*], Pugnose Shiner [*Notropis anogenus*], and Grass Pickerel [*Esox americanus vermiculatus*]. Thirteen species of potential juveniles were also found using the calm water area. Of the 34 species recorded in 2021, there were 19 native species that were not captured in the previous surveys. In 2023, 31 fish species were caught (n = 2,352 fish). Channel Darter was the only SAR species captured. Juvenile and adult life stages were caught for 12 species. Comparing the two

monitoring years, a total of 4 species were caught in 2023 that were not caught in 2021, and 3 of these species were not identified in the previous surveys.

### Erosion Protection and Mitigation

The 600 meter section of Peche Island most susceptible to erosion from prevailing Detroit River currents, storm events and wake from lake freighters has been fortified to halt the erosion that has taken place. The large rock reefs installed offshore not only provide significant habitat value, but also perform an important wave energy and dissipation roll that will reduce the rate and extent of erosion on the Amercian side of the island. Previously the wave energy present prevented the establishment and growth of SAV. Once the rock reefs were installed, the robust establishment of SAV behind the rock reefs is a clear indication that the wave energy along this side of the island has dissipated.

### Conclusion

Vegetation cover is dense behind the constructed sheltering islands, though low lying and similar to previous surveys. There was an increase in species richness, as more fish species were caught in surveys than in previous surveys. Four species at risk and 19 newly captured adult native species with some in the juvenile stage were recorded in 2021. Similarly, there was one species at risk and 16 newly captured adult native species with many in the juvenile life stage in 2023. Given the increase in species richness and number of fish caught, the newly constructed sheltering islands suggest positive improvements with little-to-no negative impact on the fish and fish habitat around Peche Island.

### Approved By:



---

Tim Byrne  
CAO/Secretary Treasurer

### Attachments:

- Draft Peche Island Biotic Monitoring Report for Phase 1, Years 1 and 3 and Phase 2, Year 1 Post-Construction

# **Peché Island Biotic Monitoring Report for Phase 1, Years 1 and 3 and Phase 2, Year 1 Post-Construction**

Jesse G. Gardner Costa, Stephanie L. Smodis, David T. Reddick, Stephen M. Murphy, Janet J. Jardine, Gillian K. Martin, Celeste Y.R. Remillard, Erin N. Budgell, and Susan E. Doka

Fisheries and Oceans Canada  
Central and Arctic Region (Fisheries Ecology Section)  
Great Lakes Laboratory for Fisheries and Aquatic Sciences  
867 Lakeshore Road Burlington, Ontario L7S 1A1

2024

**Canadian Technical Report of  
Fisheries and Aquatic Sciences**



Fisheries and Oceans  
Canada

Pêches et Océans  
Canada

City Council Agenda - Monday, March 18, 2024  
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**Canada**

Canadian Technical Report of  
Fisheries and Aquatic Sciences

2024

Peché Island Biotic Monitoring Report for Phase 1, Years 1 and 3 and Phase 2, Year 1  
Post-Construction

by

Jesse Gardner Costa, Stephanie L. Smodis, David T. Reddick, Stephen M. Murphy,  
Janet J. Jardine, Gillian K. Martin, Celeste Remillard, Erin N. Budgell, and Susan E.  
Doka

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## ABSTRACT

Gardner Costa, J., Smodis, S.L., Reddick, D.T., Murphy, S.M., Jardine, J.J., Martin, G.K., Remillard, C., Budgell, E.N., and Doka, S.E. 2022. Peche Island Biotic Monitoring Report for Phase 1, Years 1 and 3 and Phase 2, Year 1 Post-Construction, 2024. Fisheries and Oceans Canada, 52p.

In partnership with the Detroit River Remedial Action Plan, Fisheries and Oceans Canada (DFO) Great Lakes Laboratory for Fisheries and Aquatic Sciences has been tasked with biological monitoring for the Peche Island erosion mitigation project. Peche Island's fish habitat was sampled using hydroacoustics and the fish community assessed using electrofishing, seine netting, and minnow trapping gear. These data were then used to evaluate the success criteria provided in the *Fisheries Act* and *Species at Risk Act* project authorization (PATH No.: 19-HCAA-00130; DFO, Fisheries and Fish Habitat Protection Program). All biological criteria have been met and exceeded. Low lying submerged aquatic vegetation cover was determined to be dense in the northeast corner behind the constructed berms, similar to previous surveys. During Phase 1, Year 1 post-construction monitoring in 2021, there was a total of 34 species caught, with 15 more species caught than in the pre-construction surveys (i.e., 19 species caught during pre-construction), including four Species at Risk. Nineteen native species not-previously-captured were detected. During Phase 1, Year 3 and Phase 2, Year 1 post-construction monitoring in 2023, there were a total of 31 species caught, with 12 more species caught than in pre-construction surveys, including one Species at Risk. Sixteen native species not-previously-captured were detected. Adult and juvenile life stages were recorded during both monitoring years, and the greatest number of juveniles were caught in 2023 ( $n = 244$  juveniles). Newly captured species included both warmwater and coolwater temperature guild species, as determined by DFO's own habitat evaluation fish lists. Given the increase in species richness and number of fish caught, the newly constructed berms have little-to-no negative impact on the fish and fish habitat around Peche Island, with data suggesting positive improvements.

## INTRODUCTION

This report serves as part of the compliance component of the authorization (PATH No.:19-HCAA-00130; Fisheries and Fish Habitat Protection Program, Fisheries and Ocean Canada) of the Peche Island shoreline erosion mitigation project. After years of erosion, likely exacerbated by a combination of commercial navigation uses and man-made channel deepening, approximately 6.9 hectares of Peche Island's area has been lost since 1931 (Serran et al. 2020). Peche Island provides important habitat for both fish and wildlife at the mouth of the Detroit River. Several partners (City of Windsor; Essex Region Conservation Authority; Detroit River Canadian Cleanup; Swim, Drink, Fish; Environment and Climate Change Canada [ECCC]; and Ontario Ministry of Northern Development, Mines, Natural Resources and Forestry [OMNDMNR]) have undertaken the *Peche Island Fish Habitat and Erosion Mitigation Project* to protect the remaining habitat.

A revetment on the northeast shore and 9 off-shore sheltering islands on the north side of the island have been created to protect from further erosion and to provide fish habitat behind protected areas, promoting the establishment of submerged aquatic vegetation (SAV). The north side of the project was completed in two phases: 5.5 islands were constructed for Phase 1, and the remaining islands were constructed the following year for Phase 2. Detailed descriptions of the project are provided in Serran et al. (2020). Submerged aquatic vegetation provides habitat for fish species at all life stages, refuge for predators, habitat for prey items, and can serve as a food source for some fish species (Gilinsky 1984). Sites with SAV have been shown to have greater fish abundance than sites without (Chick and McIvor 1994; Randall et al. 1996).

Construction of Phase 1 was completed in 2020 and Phase 2 was completed in 2022. As part of the post-construction monitoring requirements for authorization, Fisheries and Oceans Canada, Great Lakes Laboratory for Fisheries and Aquatic Sciences (DFO) have sampled the fish and fish habitat of Peche Island for the Year 1 and 3 authorization post-construction monitoring requirements of Phase 1 (conducted in 2021 and 2023, respectively), and for the Year 1 post-construction monitoring of Phase 2 (conducted in 2023). This monitoring was funded by the Great Lakes Action Plan. Specifically, the proponent outlined success criteria regarding reduced wave action, macrophyte presence, and the presence of fish species and life stages (Table 1, adapted from Serran et al. 2020).

This report includes corrections to results presented in the Phase 1, Year 1 post-construction monitoring report (Gardner Costa et al. 2022; see Table A1 in the Appendix for more details), but the conclusions reported remain the same. Fish and fish habitat monitoring data are summarized in this report to evaluate the project success criteria and satisfy the Phase 1, Years 1 and 3 and Phase 2, Year 1 requirements of section 5.1.1.4 and 5.1.1.5 in the *Fisheries Act* authorization. For simplicity, the Phase 1, Year 1 post-construction monitoring may be referred to as 2021 sampling, and the Phase 1, Year 3 and Phase 2, Year 3 monitoring may be referred to as 2023 sampling.

## METHODS

### STUDY SITE

Peche Island contains 32 hectares of municipal park positioned at the mouth of the Detroit River, near Lake St. Clair (Figure 1). The island is owned and managed by the City of Windsor and is only accessible by watercraft. Peche Island has high biodiversity, much like the Windsor-Essex watershed and connecting channel it belongs to. The island itself is home to 235 plant species, 2 rare reptile species, numerous bird species, and provides critical habitat for aquatic Species at Risk (SAR), such as the Northern Madtom (*Noturus stigmosus*), Channel Darter (*Percina copelandi*), and various freshwater mollusks (Serran et al. 2020). The marsh on the island is a provincially significant wetland and the entire island is designated as an environmentally sensitive area. At the time of sampling for Phase 1, Year 1 monitoring (August 27, 2021) there were only 4 islands constructed, and daily mean water level was 175.7 m (IGLD85, station 11965 [Belle River]). For Phase 1, Year 3 and Phase 2, Year 1 monitoring (August 31, 2023), daily mean water level was 175.5 m. Water levels remained at the same level during both sampling weeks.

### AQUATIC VEGETATION SAMPLING

Peche Island SAV was sampled using standardized methods used by DFO (Gardner Costa et al. 2018), using hydroacoustics and validation point-sampling along transects. Hydroacoustic data were collected to provide coverage of the whole project site. Hydroacoustic sampling used a BioSonics MX habitat system with a 205 kHz, 8° single-beam transducer (Seattle, Wash., U.S.A.). Percent (%) SAV cover, two-dimensional density of SAV along a transect, and plant height (m) were measured. The field crew laid out a five parallel transects at the project site along east-west lines approximately 50 m apart. Once completed, a north-south zig-zag design was surveyed to complete a grid pattern (Figure 2).

Point sampling of SAV occurred along each transect haphazardly to provide validation points for the hydroacoustics and substrate bottom-typing (Figure 2, Tables 2 and 3). These data were collected concurrently with the hydroacoustic survey. Presence and percent SAV cover (sparse [ $<25\%$  SAV cover], moderate [ $25\text{--}75\%$  SAV cover], dense [ $>75\%$  SAV cover]) were visually estimated and recorded in relation to the hydroacoustic ping number, as well as longitude and latitude. Substrate type was classified visually according to the Wentworth scale of classification (following Bain and Stevenson 1999) and percent composition of each validation site was estimated. Clay, silt, and sand were generally classified as “fines” because of the inability to accurately assess the composition in the field. Due to reduced water clarity in 2021, point samples were captured using a GoPro camera mounted to a 1-m telescopic pole. Once the pole end touched bottom, it was rotated 360 degrees to record percent SAV cover and substrate type, which provided a uniform approach to the assessment. Crew members later reviewed the video to validate the substrate and plant information at each point.

## **HYDROACOUSTIC ANALYSIS**

The hydroacoustic data were analyzed using BioSonics Visual Habitat software, version 2.0.29744 (BioSonics 2015) to determine bottom depth, percent SAV cover, and SAV height. Default software parameters were used with the exception of -38 dB for the rising edge threshold for bottom detection, a plant detection length criterion of >15 cm and maximum plant depth of 10 m (although based on past surveys we had no expectation of vegetation beyond 6 m). This height threshold is part of our standard operating procedure to distinguish vegetation from soft sediments, as well as to reduce potential acoustic interference in measurements at the sediment interface. Following the interpretation of the hydroacoustic data, results were summarized (mean  $\pm$  standard deviation [SD], quartiles) for water depth (m), percent SAV cover, and SAV height (m).

All outputs were scrutinized and manually adjusted to address issues such as incorrect delineation of bottom depths because of dense SAV cover. Point sampling undertaken with the GoPro during the survey was used to verify SAV presence along transects. GoPro footage was only captured in 2021. Boxplots illustrating the median, 25<sup>th</sup> and 75<sup>th</sup> quartiles of both percent SAV cover and SAV height by depth range (1-m increments) were created using the echosounding data. SAV point data were plotted in ArcGIS to allow for a spatial assessment of SAV height and cover.

## **WATER QUALITY SAMPLING**

Water chemistry attributes were measured using a YSI EXO3 multi-parameter sonde (YSI, Yellow Springs, Ohio, U.S.A.) at each SAV point-sample location and minnow trapping site, and at the center point of each seine net haul. Measured parameters included: depth (m), water temperature ( $^{\circ}$ C), conductivity ( $\mu$ S/cm), turbidity (NTU), dissolved oxygen (mg/L), and pH.

Three data loggers were also used to continuously monitor dissolved oxygen and temperature (HOBO U26; Onset) at locations around the island in 2021 and 2023: one upstream outside of the construction zone (head of the island); one inside the embayment created by berm construction (backwater area); and one logger in the interior of the Peche Island wetland complex to the south (inner island) (Figure 2). Prior to deployment, dissolved oxygen and temperature loggers (DOT loggers) were calibrated and both the dissolved oxygen and temperature functions were performance checked to ensure accuracy of the loggers. All loggers were programmed to record every 15 minutes from the date of deployment until retrieval. Protocols for deployment, retrieval, and calibration are found in Larocque et al. (2020). Logger data was plotted for the entire duration that each logger was deployed. Dissolved oxygen was plotted with two thresholds: 3 mg/L which indicates anoxic conditions and 5 mg/L which is the lower optimum limit for fishes (Brown et al. 2009; Bowlby et al. 2019). Fish may survive dissolved oxygen levels that fall between the two thresholds for a short period of time depending on the species' sensitivity.

## **FISH COMMUNITY SAMPLING**

### **Electrofishing**

On August 27, 2021 and August 31, 2023, 10 transects were sampled using a boat electrofisher (Figure 1, Tables 2 and 3). Transect electrofishing was carried out using a Smith-Root SR20E electrofishing boat (length = 6.1 m, beam = 1.9 m). A 16-hp gas motor powered a 7.5-kW generator to produce the electric current. Electrical output was at approximately 6 to 8 amperes (A) at 170 volts DC in 2021, and approximately 17 to 20 A at  $217 \pm 11$  volts DC in 2023. The electrode configuration consisted of two anodes, each with a terminal six-wire umbrella array, which extended out from the bow at an approximately  $25^\circ$  angle, with the aluminum boat acting as the cathode. We followed the protocol from Brousseau et al. (2005) for boat electrofishing in nearshore areas of the Great Lakes. Electrofishing commenced one hour after sunset and continued until all transects were completed. Once netted, the fish were held in an aerated live-well with two holding tanks and processed before sampling the next transect.

We electrofished interior wetland locations along the head of the island and locations within the permit area. These sites were selected to overlap with previously sampled regions to add to those data sets. All transects were traversed in a downstream orientation to account for the river current. As per the protocol, SAV was visually assessed for each 100-m transect. Mean percent SAV cover was assigned to one of four categories: none (0%), sparse (1% to 19%), moderate (20% to 70%), or dense (>70%).

### **Minnow traps**

We used Gee minnow traps (Model G-40 manufactured N.Y., U.S.A.) constructed of 6.4-mm (1/4") square, galvanized wire mesh and are 42-cm (16") long, 19-cm (7.5") wide, and have a 22-mm (7/8") entrance hole. The bait for these traps was replaced at each deployment and consisted of one slice of common white bread, and one, 7-mm thick slice of old cheddar cheese. Traps were tied in a gang of three traps per location to one common weight, with one common float. Ten locations were trapped per 24-hour period, to exceed the 1,500-hour minimum in the permit requirements (Figure 1, Tables 2 and 3). Habitat features such as percent SAV cover and substrate percent composition were assessed visually using an AquaVue Aqua Scope-II underwater viewer, within an approximately 1-m radius around the center of the trap.

### **Seine nets**

Water depth and current prevented the crew from wading at the sites identified in the permit requirements, however, the pre-identified locations were shifted to proximate locations along the shoreline of Peche Island that could be sampled safely. Due to site limitations and safety concerns, transects were oriented parallel to shore as opposed to perpendicular, changing the plan outlined in

Serran et al. (2020) because of depth constraints (Figure 1, Tables 2 and 3). Start and end points were chosen so the seine could be hauled onto shore with minimal obstruction, while still covering an adequate netting area. Transects were planned for a length of 50 m, with three sites to be sampled per day in 2021, totalling six seine hauls between August 15<sup>th</sup> and 16<sup>th</sup>. In 2023, a total of five seine nets were hauled on August 30<sup>th</sup> due to time constraints. The seine net used was a 15.2-m (50') bag seine, with 6.4-mm (1/4") white, delta knotless netting wings and a 1.8-m (6') square bag of 3.2-mm (1/8") white, delta knotless netting. One water quality measurement using a YSI EXO3 multi-parameter sonde was recorded at the mid-point of each haul. A visual assessment of vegetation (percent SAV cover) and sediment composition (percent composition) were recorded in 2021.

### **Fish processing**

Fish captured using electrofishing, minnow traps, and seine nets were held in aerated bins and identified to species. Fork lengths were recorded; fish that had a rounded caudal fin were measured at total length ( $\pm 1$  mm). Fish captured using boat electrofishing were also weighed (wet mass, g). Digital balances were used to weigh fish up to 6,000 g to the nearest 1 g. Fish that were greater than 6,000 g or that were too long to fit on a digital balance (e.g., Northern Pike; *Esox lucius*) were placed in a mesh sling (of predetermined weight) and weighed with a digital hanging scale (with a capacity of 12,500 grams) to the nearest 100 grams. Fish were weighed and measured individually up to a maximum of 20 fish per species at each net haul, trap site, or electrofishing transect. When catches of a particular species exceeded 20 fish, the remaining fish were counted and batch-weighed for electrofishing transects, but were not batch-weighed for seining and minnow trapping. All fish were released after processing; large specimens and SAR fish were assessed and released first. Following the project's SAR permit requirements, captured Northern Madtom, a federally and provincially listed SAR, were relocated away from the in-water construction to the tail end of the island (42.34687, -82.93959) where there was some SAV present to provide cover.

Although we did not specifically target different life stages, we estimated the status of fish as either juveniles or non-juveniles, given their size-at-catch to address some authorization requirements. Excluding non-native and small bodied fishes, such as Round Goby [*Neogobius melanostomus*] and many cyprinids, we determined a cutoff of <60 mm for other fishes would be appropriate to provide a general size filter between non-juvenile (60+ mm) and juvenile (<60 mm) fishes. This is in line with the Mandrak et al. (2022) species-dependent guideline of 40 to 100 mm total length when collecting species vouchers for identification. They do not explicitly state that this range of fish lengths separates juveniles from adults but that at this size fish develop distinctive characteristics and thus the need for vouchers is greater to identify species with hard-to-detect features that are usually more obvious as adults.

## RESULTS

### PERCENT SAV COVER AND PLANT HEIGHT

#### **2021 Sampling (Phase 1, Year 1)**

More than 9.1 km (linear total of survey lines) of acoustic data were collected within the project area. Overall, the site had an average depth of  $1.88 \pm 0.36$  m (depth range was 1.07–2.66 m), average percent SAV cover of  $59.49 \pm 29.13\%$ , and average plant height of  $0.19 \pm 0.10$  m, although the recorded height may be impacted by current at that specific location. SAV was found throughout the project site but the density was highest (>75% SAV cover) in the northeast corner and to a lower degree in the northwest corner, proximate to the newly constructed berms (Figure 2A). For all sites, sand and fine sediments were the dominant substrate types with occasional traces of gravel.

Plants colonized both depth ranges (1–2 m and 2–3 m) sampled and they had similar percent SAV cover (median of 60% SAV cover for both ranges) (Figure 3A). The mean percent SAV cover was higher in the 1- to 2-m depth range (mean  $\pm$  SD of  $61.50 \pm 28.52\%$ ) compared with the 2 to 3 m range ( $56.14 \pm 29.84\%$ ). Percent SAV cover had the high variability across all sites with a standard deviation of 29.13%. Plant height was generally low lying, but the tallest plant height detected was at one of the deepest depths sampled (i.e., plant height of 1.19 m at a depth of 2.56 m); however, most vegetation at any depth was less than 0.2 m in height (Figure 4A). Plant heights in the 2- to 3-m depth range (median of 0.16 m, and mean  $\pm$  SD of  $0.19 \pm 0.11$  m) were comparable to the 1- to 2-m range (median of 0.15 m, and mean  $\pm$  SD of  $0.19 \pm 0.10$  m). Field crew validation using GoPro footage indicated local currents affected plant height measurements. Video showed that the currents within the survey bent the plants over so they were not upright, and therefore our plant height estimates may be lower in these locations than the actual heights.

#### **2023 Sampling (Phase 1, Year 3 and Phase 2, Year 1)**

Similar to the 2021 survey, more than 6.8 km (linear total of survey lines) of acoustic data were collected within the project area. The site had an average depth of  $1.45 \pm 0.28$  m (depth range was 0.87–2.07 m), average percent SAV cover of  $52.0 \pm 34.86\%$ , and average plant height of  $0.17 \pm 0.07$  m. SAV was found throughout the project site, but it was highest (>75% SAV cover) along the northeast corner behind the berms (Figure 2B). Sand and fine sediments (silt and clay) were the dominant substrates across all sites, with some gravel recorded in a few sites. Cobble and rubble were recorded at one site where no SAV was present.

Plants colonized all depth ranges sampled, to varying degrees. The greatest percent SAV cover was recorded in the <1-m range (median of 70% SAV cover, and mean  $\pm$  SD of  $58.89 \pm 36.76\%$ ) (Figure 3B). There was high variability of percent SAV cover across all sites with a standard deviation of 34.86%. Overall, plants were consistently low-lying throughout the entire project site with most vegetation under 0.2 m in height (Figure 4B). The highest plant height recorded was 0.45 m in the 1 to 2 m depth range. Plant heights in the 1 to 2 m depth range ( $0.14$  m, and  $0.17 \pm 0.07$  m) were comparable to the 2 to 3



m range (median of 0.15 m, and mean  $\pm$  SD of  $0.14 \pm 0.02$  m). Plant heights were lowest in the <1-m depth range (median of 0.12 m, and mean  $\pm$  SD of  $0.12 \pm 0.02$  m).

## **WATER QUALITY**

### **2021 Sampling (Phase 1, Year 1)**

Water quality parameters were consistent at all sampling points, with little variation for each parameter on the days sampled (Table 4). There were no differences in water quality parameters between the sampling points in and outside of the construction zone. The northern shore of Peche Island can be described as low turbidity ( $1.3 \pm 0.6$  NTU), low conductivity ( $221.8 \pm 4.1$   $\mu$ s/cm), slightly basic ( $8.5 \pm 0.1$  pH), and well oxygenated ( $8.7 \pm 0.3$  mg/L, mean temperature  $23.0 \pm 1.4$  °C). Average depth of water quality measurement points was  $1.5 \pm 0.4$  m. The field crew did note localized higher turbidity associated with areas of higher wave action and that the northern shore was influenced by river current. However, these spacial differences in turbidity were not reflected in the collected YSI data, likely because data collection was not continuous and did not capture higher turbidity events.

Logger data of dissolved oxygen (mg/L) and water temperature were similar between sites behind and in front of the constructed islands (i.e., backwater area and the head of island) (Figures 2 and 5). Dissolved oxygen was consistently above 5 mg/L from late August to November. Dissolved oxygen remained steady throughout this period with an average of  $8.96 \pm 1.01$  mg/L in the backwater area and  $9.70 \pm 1.17$  mg/L in the head of the islands. Temperature steadily decreased further into the fall season, reaching a high of over 25 °C. Throughout late August to November, the average temperature was  $17.04 \pm 5.43$  °C in the backwater area and  $17.03 \pm 5.41$  °C in the head of the islands. In the inner island, dissolved oxygen reached below 3 mg/L in early September and late October (Figure 5). Average dissolved oxygen was  $7.77 \pm 1.99$  mg/L and temperature was  $16.46 \pm 6.18$  °C in the inner island.

### **2023 Sampling (Phase 1, Year 3 and Phase 2, Year 1)**

Similar to 2021, water quality parameters were consistent among sampling points. There was little variation for each parameter on the days sampled (Table 5). One exception is that dissolved oxygen at site Peche Inner 3 had a single recording of 3.84 mg/L that was considerably lower compared with other sites, reaching as high as 10.68 mg/L. Average water quality parameters in the northern shore of Peche Island were comparable to 2021 values, with low turbidity ( $1.1 \pm 0.4$  NTU), low conductivity ( $215.1 \pm 7.8$   $\mu$ s/cm), slightly basic ( $8.5 \pm 0.2$  pH), well oxygenated ( $9.5 \pm 1.1$  mg/L, and mean temperature  $20.7 \pm 0.6$  °C). Water temperatures were cooler overall in 2023 than in 2021. Visual assessments from field crew members reported that there was less turbidity in 2023 compared with 2021. Average depth of water quality measurement points was  $1.4 \pm 0.3$  m.

Logger data in the backwater area and at the head of the island showed that dissolved oxygen (mg/L) and water temperature were similar between the backwater area and the

head of the island (Figures 2 and 5). Dissolved oxygen was consistently above 5 mg/L from late August to September. Dissolved oxygen was steady throughout the month of deployment, with averages of  $8.49 \pm 0.51$  mg/L in the backwater area and  $8.49 \pm 0.34$  mg/L at the head of the islands. The average temperature was  $21.10 \pm 1.73$  °C and  $22.13 \pm 1.72$  °C throughout the duration of deployment for each logger in the backwater area and head of the island, respectively. In the inner island, dissolved oxygen fell below 3 mg/L following a temperature increase to 25 °C in early September (Figure 5). Dissolved oxygen was variable later in the month and reached below 3 mg/L on a few days. The average dissolved oxygen was  $7.50 \pm 1.74$  mg/L and the average temperature was  $22.17 \pm 1.75$  °C.

## FISH COMMUNITY

### **2021 Sampling (Phase 1, Year 1)**

Using three gear types, 34 fish species ( $n = 3,347$  fish) were caught and identified to the species level. Specifically, electrofishing captured 257 fish (10 transects), minnow traps held 574 fish (30 traps, 2,103 trap hours), and seines netted 2,516 fish (6 × 50-m net hauls). Four SAR were captured: Northern Madtom, Channel Darter [*Percina copelandi*], Pugnose Shiner [*Notropis anogenus*], and Grass Pickerel [*Esox americanus vermiculatus*] (Figure 6, Table 6). Twenty of the 34 species caught belong to the warmwater temperature guild (58.8 %), 14 to the coolwater guild (41.2 %), and none from the coldwater guild (temperature guilds described in Abdel-Fattah et al. 2021, <https://habitatassessment.ca/>). There were 1,795 fish (53.6%) caught that belong to the warmwater temperature guild, and 1,552 fish (46.4 %) to the coolwater temperature guild.

Using a simple cutoff of 60 mm for adult (60+ mm) and juvenile (<60 mm) fishes, we identified the presence of potential juvenile lifestages ( $n = 84$  fish) at our sampling sites (Table 8). Potential juveniles included Largemouth Bass [*Micropterus salmoides*], Smallmouth Bass [*Micropterus dolomieu*], and Channel Catfish [*Ictalurus punctatus*], among others, for a total of 13 different species with immature life stages present on-site in August 2021. Juvenile and adult life stages were caught for all 13 species.

### **2023 Sampling (Phase 1, Year 3 and Phase 2, Year 1)**

There were fewer fishes caught in 2023 compared with 2021, with 31 fish species caught ( $n = 2,352$  fish). There were 2,324 fish identified to the species level, and 8 fish identified to the genus level, including 6 *Lepomis sp.* and 2 *Notropis sp.* Among the three gear types used, electrofishing captured 776 fish (10 transects and one extra, non-standardized electrofishing transect), minnow traps held 326 fish (30 traps, 2,116 trap hours), and seines netted 1,250 fish (5 × 50-m net hauls). The non-standardized electrofishing transect caught three species: Bowfin (*Amia calva*), Channel Catfish and Northern Pike. One seine net site (15-S3) was not sampled due to time constraints. Channel Darter was the only SAR species captured among all gear types (Figure 6, Table 7). Eighteen of the 31 species belong to the warmwater temperature guild (58.1%), 13 to the coolwater guild (41.9%), and none from the coldwater guild (temperature guilds described in Abdel-Fattah et al. 2021,

<https://habitatassessment.ca/>). Of the 2,324 fish identified to the species level, 1,440 fish (62.0%) belong to the warmwater temperature guild, and 884 fish (38.0%) to the coolwater temperature guild.

Following the same cutoff as Phase 1, Year 1 monitoring, 60 mm was used to identify adult (60+ mm) and juvenile (<60 mm) fishes. A total of 242 juveniles were identified, from 13 native species (Table 9). There were 6 juveniles that were only identified to the genus level (i.e., *Lepomis* sp.). Juvenile and adult life stages were caught for 12 species. The greatest number of juveniles identified were Bluegill (*Lepomis macrochirus*,  $n = 53$ ), followed by Bluntnose Minnow (*Pimephales notatus*,  $n = 39$ ), and Largemouth Bass (*Micropterus salmoides*,  $n = 33$ ). Brook Silverside [*Labidesthes sicculus*], Alewife [*Alosa pseudoharengus*], Round Goby, Tubenose Goby [*Proterorhinus marmoratus*], and White Perch [*Morone americana*] were excluded from the juvenile total.

## DISCUSSION

The objective of this report was to provide post-construction monitoring data and evaluate that data against the success criteria for the Peche Island erosion mitigation (habitat improvement) project to satisfy the conditions of the DFO *Fisheries Act* authorization. Half of the proposed berms were constructed in 2020 for Phase 1, with the remainder of the project completed in 2022 for Phase 2. There were some corrections to the fish community results for the Phase 1, Year 1 report (Gardner Costa et al. 2021), but they did not change the overall findings for meeting the success criteria (Appendix A). The following section discusses Phase 1, Years 1 and 3 post-construction monitoring, as well as Phase 2, Year 1 post-construction monitoring. The criteria listed in Table 1 related to biological monitoring define the success criteria around fish species caught and their lifestages, and percent SAV cover in the protected area behind the constructed berms (success criteria 2–4).

**Criteria 2:** *percent coverage of macrophytes has increased from an average of 10% to an average of 15% or greater in the entire backwater area.*

In 2021, Phase 1, Year 1 post-construction monitoring had a mean percent SAV cover of  $59.49 \pm 29.13\%$ . In the 2023 post-construction monitoring for Phase 1, Year 3 and Phase 2, Year 1, mean percent SAV cover was  $52.0 \pm 34.86\%$ , and therefore well above the success target. Of note, percent SAV cover was variable across the project site for both years. Vegetation had established in patches within the site in both years (Figure 2) but was low lying, likely due to current, particularly in 2021 (Figure 4; Koch 2001). Figure 2 shows the densest vegetation in both years was located along the northeastern shore of the island, behind the berms that were constructed, suggesting some relief from exposure to the main channel (Keddy 1983). There was dense vegetation in the northwestern area of the project in 2021, but this area was not sampled in 2023. The survey length was 2.3 km shorter in 2023, and key differences include no transects in the far northernwestern area and only one zig-zag transect in

2023 (Figure 2). This is likely why the percent SAV cover detected by hydroacoustics was lower in 2023, as visual observations of low-lying SAV were comparable between 2021 and 2023 sampling. Variation in SAV coverage is normal among years, especially given water level fluctuations (Chow-Fraser 2005). It is also possible that the lower water levels in 2023 could have increased the potential for ice scouring events in the winter.

The monitoring criteria in Serran et al. (2020) proposed comparing SAV estimates to a 2015 survey by OMNDMNR (2015). That survey only sampled four sites and only one in proximity to the constructed berms (site 2). Each site consisted of three rake tosses and a visual estimate of percent SAV cover. Site 2 had an estimated 36.0% SAV cover, compared with an average of 59.49% for the whole construction area in our 2021 survey and 52.0% in our 2023 survey. It is difficult to compare pre- and post-construction conditions with a single point that was visually estimated versus percent SAV cover measured for the whole construction area using hydroacoustics. Hydroacoustics sample more consistently than visual estimates and allow for the collection of larger datasets more quickly.

Over time, we expect vegetation in the areas behind the berms to increase. We identified an accumulation of fine sediments behind the berms that could be a sign of relief from exposure and river currents. Given the homogeneity of water quality parameters across all sampling points and DOT loggers, the berms appear to have not impacted water quality (e.g., water clarity, turbidity, and temperature). In both years, dissolved oxygen and temperature were very similar between the backwater area and head of islands (Figure 5). Since dissolved oxygen was consistently above 5 mg/L, the lower optimum threshold for fish suitability was surpassed and it provides better conditions for SAV growth (Brown et al. 2009). Dissolved oxygen tended to be lower and temperature tended to be slightly higher in the inner island compared with the other DOT logger locations. The only location that experienced dissolved oxygen levels below 3 mg/L was in the inner island. Dissolved oxygen levels below 3 mg/L are anoxic and are not suitable for fish survival (Bowlby et al. 2016). Since dissolved oxygen levels in the backwater area remained high, the construction of the berms did not negatively impact dissolved oxygen. Nonetheless, the suitable water quality parameters in the backwater area support the establishment of denser SAV as planned.

**Criteria 3:** *if fish sampling (e.g., minnow traps, seine netting) within the backwater area reveals two (2) new native species of cool or warmwater fish are utilizing the backwater area. Note: new native species are considered those that were not found in the project area in the 2017 sampling conducted near peche island [midwood et al. 2020]. Warm and coolwater native fish such as bowfin, pumpkinseed, and golden shiner have been found to the south of peche island in the 2017 sampling and could potentially use the new backwater area as habitat.*

Pre-construction fish community data were collected by partner agencies and were summarized in Serran et al. (2020) as part of the project authorization. Data referenced two reports: one drafted by OMNDMNR (2015), and the other published by Midwood

et al. (2020). Both used similar electrofishing protocols; however, the OMNDMNRFF study took place during daylight hours, which is known to capture less diversity than nighttime sampling (Dumont and Deniss 1997; Pierce et al. 2001). Within the project site of Peche Island, 4 species were caught by OMNDMNRFF (2015) and 19 species by DFO (2017) for a total of 155 fish. Comparatively, 26 species (257 fish total) were electrofished by DFO in August 2021 for Phase 1, Year 1 monitoring. In addition, we used multiple gear types as required by permit, with a final tally of 34 species and 3,347 fish; however, 28% (936 fish) of the total catch were Round Goby, predominantly captured in minnow traps and seine nets, not by electrofishing. Of the 34 species recorded in 2021, there were 19 native species that were not captured in the previous surveys. These 19 native species included a mix of both coolwater and warmwater fishes (Table 6), therefore more than fulfilling the Criteria 3 success metric for Phase 1, Year 1 monitoring in 2021.

In August 2023, 28 species (776 fish total) were electrofished by DFO. Using multiple gear types, there was a total of 31 species and 2,352 fish. Similar to the sampling in 2021, 26% (620 fish) of the total catch were Round Goby mainly from minnow traps and seine nets. Sixteen out of the 31 species were native (including coolwater and warmwater fishes) and were not captured in previous surveys summarized in Serran et al. (2020) (Table 7). Comparing the two monitoring years, a total of 4 species were caught in 2023 that were not caught in 2021, and 3 of these species were not caught in the previous surveys. The Criteria 3 success metric was exceeded during the 2023 monitoring of Phase 1, Year 3 and Phase 2, Year 1 post-construction.

**Criteria 4:** *presence of at least two life stages for two native species in the backwater area (e.g., young-of-year, juvenile or adult).*

Although we did not specifically target different lifestages in our general community sampling, we used length–weight relationships of several species to determine whether juveniles were present or not, based on their length at capture (Scott and Crossman 1973). Midwood et al. (2020) did not report life stages but OMNDMNRFF (2015) did; however, they did not detail how they determined if species were juveniles, young-of-year, or adults. Using adult length averages from Scott and Crossman (1973), a cutoff of <60 mm, and conservatively removing small-bodied fishes from our life stage estimates, we are confident in the count of 13 species of juvenile fishes ( $n = 84$  juveniles) captured during the Phase 1, Year 1 post-construction monitoring. All 13 species are native, and we captured both adult and juveniles of these species. During the Phase 1, Year 3 and Phase 2, Year 1 post-construction monitoring, there were 13 native species of juvenile fishes ( $n = 242$  juveniles) captured. There were some juvenile fishes ( $n = 8$  juveniles) that were only identified to the genus level, including 6 *Lepomis sp.* and 2 *Notropis sp.* Of the 13 native species of juveniles, 12 species were also captured in the adult life stage. This evaluation exceeds Criteria 4's success metric for Phase 1, Years 1 and 3, and Phase 2, Year 1 post-construction monitoring.

Despite the exceedance of all success criteria metrics in both sampling years, there are a few concerns that need to be addressed. Fewer fish were caught overall in the 2023 monitoring compared with the 2021 monitoring. The sampling gear type that caught the greatest number of fish overall were seine nets. Phase 2 had one less seine net than Phase 1 (5/6 sites netted in 2023), which partly contributes to the lower number of fishes caught in during the second phase. There are other possible reasons why fewer fishes were caught. Mean water temperature from YSI point-samples was cooler in 2023 ( $20.7 \pm 0.6$  °C) than 2021 ( $23.0 \pm 1.4$  °C), which may affect fish distributions, activity, and other physiological processes (Wismer and Christie 1987). There were 4 new species caught in the 2023 sampling that were not caught in 2021. Of the 4 species, 3 were coolwater fishes, including Alewife, Northern Pike, and Shorthead Redhorse (*Moxostoma macrolepidotum*). However, out of the total number of fish caught, there was a lower percentage of coolwater fishes in Phase 2 (38.0%) compared with Phase 1 (46.4%). Although fish are grouped into temperature guilds (Abdel-Fattah et al. 2021), fish may tolerate a wide range of temperatures that fall beyond their guild assignment (Wismer and Christie 1987).

There are likely other drivers that contributed to the lower fish catches in 2023. Offshore wind conditions were higher in 2021 and may have forced fish to seek shelter behind the islands from the wave action. Water levels were higher in 2021 than in 2023, therefore, fish that prefer deep water may be further offshore and not captured in our 2023 monitoring. There was higher turbidity in 2021 (e.g., that may provide some relief to fish from visual predators) that was not captured by the YSI data but was noted by the field crew. Limitations to the sampling design and use of each gear type must also be considered. The sampling design only captures fish at fine temporal and spatial scales, which means that not all fish in the area will be caught. There is a bias for boat electrofishing towards large-bodied fishes, whereas minnow traps and seine nets tend to catch small-bodied fishes. A holistic view of the site conditions and water quality parameters must be considered when comparing fish catches from different years. Even though the overall catch was lower in 2023, there was a greater number of native juvenile fishes caught in 2023 ( $n = 244$  juveniles) compared with 2021 ( $n = 84$  juveniles). This may indicate that adults are increasingly using the backwater area for spawning and rearing of their young.

There were two Northern Madtoms caught using minnow traps in 2021, however, there were no individuals caught in 2023. Northern Madtoms were caught further from the shore in 2021 (i.e., the only SAR species caught in seine nets in both 2021 and 2023 were Channel Darters). It is not surprising that boat electrofishing did not catch any Northern Madtoms, since this sampling gear type does not catch small-bodied fishes well. Fish salvages were ongoing during the construction of the project, and involved the use of minnow traps to relocate fish, including SAR, approximately 500 m downstream of the construction area. There were 42 Northern Madtoms relocated in 2020 and 18 Northern Madtoms in 2021 and 2022 (J. Serran, Essex Region Conservation Authority, Essex, Ontario, personal communication, 2024). It is possible that the minnow traps used for the fish salvage contributed to the lack of Northern Madtoms caught in our monitoring.

## **CONCLUSION**

In the first and second round (Phase 1) and first round (Phase 2) of biological monitoring for the Peche Island erosion mitigation project, the fish habitat and community success criteria have all been exceeded. Vegetation cover is dense behind the constructed berms, though low lying and similar to previous surveys. There was an increase in species richness, as more fish species were caught in our surveys than in previous surveys. Four species at risk and 19 newly-captured adult native species with some in their juvenile stage were recorded in 2021 for Phase 1, Year 1 post-construction monitoring. Similarly, there was one species at risk and 16 newly-captured adult native species with many in their juvenile life stage in 2023 for Phase 1, Year 3 and Phase 2, Year 1 post-construction monitoring. Newly captured species included both warmwater and coolwater temperature guilds. Based on the success criteria, the newly constructed berms have positively affected the fish by improving habitat suitability around Peche Island for these species.

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## TABLES

**Table 1.** Summary of monitoring and success criteria as reported in Tables 12 and 15 in Serran et. al (2020), including a summary of our results for Phase 1, Year 1 post-construction monitoring in 2021, and Phase 1, Year 3 and Phase 2, Year 1 post-construction monitoring in 2023. Adapted from Serran et. al (2020).

Attribute	Monitoring Criteria	Success Criteria	Phase 1, Year 1 Success Evaluation	Phase 1, Year 3 and Phase 2, Year 1 Success Evaluation
Reduced wave action in new backwater area	Wave action pre and post construction will be compared.	Wave action shows a visible decrease in the backwater area during a high wind event in comparison to pre-construction photos.		Not applicable to this report.
Improved macrophyte presence	% cover of macrophytes will be calculated and compared to pre construction.	Percent coverage of macrophytes has increased from an average of 10% to an average of 15% or greater in the entire new backwater area.	<b>Target met:</b> Mean % SAV cover was $59.49 \pm 29.13$ . % SAV was variable across the project site but Figure 2A shows the densest vegetation in the northeastern shore of the island, behind the constructed berms.	<b>Target met:</b> Mean % SAV cover was $52.0 \pm 34.86$ . There was variability in % SAV across the project site (Figure 2B) with the densest vegetation in the northeastern shore of the island, behind the constructed berms.
Habitat utilization by cool and warmwater fish in new backwater area	Presence of new native cool and warmwater fish in backwater area during summer.	If fish sampling (e.g., minnow traps, seine netting) within the backwater area reveal two (2) new native species of cool or warmwater fish are utilizing the new backwater area. Note: new native species are considered those that were not found in the project area in the 2017 sampling conducted around Peche Island. Warm and coolwater native fish such as bowfin, pumpkinseed, and golden shiner have been	<b>Target met:</b> Thirty-four (34) species were captured (19 species total in Peche North, 6 in Peche Head, and 20 in Peche Inner). There were fifteen (15) more species were captured than in previous surveys. Four (4) species at risk (SAR) were also captured. Of the 34 captured, 19 new native species not previously recorded by past surveys were captured in 2021, including a mix of cool and warmwater species.	<b>Target met:</b> Thirty-one (31) species were captured (22 species total in Peche North, 10 in Peche Head, and 18 in Peche Inner). There were twelve (12) more species were captured than in previous surveys. One (1) SAR species was captured. Of the 31 species, 16 new native species not previously recorded by past surveys (excluding the 2021 monitoring) were captured in 2023, including a mix of cool and warmwater species. Four (4) of these species were not captured in the 2021 monitoring of Phase 1, Year

<p>Early fish life stage use of backwater area</p>	<p>Presence of multiple life stage fish in backwater area.</p>	<p>found to the south of Peche Island in the 2017 sampling and could potentially use the new backwater area as habitat.</p> <p>Presence of at least two life stages for two native species in the backwater area (e.g., young-of-year, juvenile or adult).</p>	<p><b>Target met:</b> Thirteen (13) native species were caught in both their juvenile and adult life stages (84 individual fish total); all other species were likely in adult stage.</p>	<p>1, and three (3) were not captured in the 2021 monitoring or previous surveys.</p> <p><b>Target met:</b> Thirteen (13) native juvenile species were caught, and twelve (12) were caught in juvenile and adult life stages (244 individual juvenile fish total); all other species were likely in adult stage.</p>
<p>Stability and suitability of structures</p>	<p>A comparison of the constructed habitat (i.e., the sheltering islands) to the approved plan will be made to confirm that the area of constructed habitat is as specified in the plan. Observations will be made once per monitoring year (years 1, and 3 post construction), to confirm that constructed features are in place and functional. Stability of the features and general condition will be assessed by mapping and photo documenting the habitat features once per monitoring year (years 1 and 3 post)</p>	<p>As-built survey demonstrates that sheltering islands are constructed as per the approved plans. The survey will include bathymetry to demonstrate the designed water depths have been achieved. As built conditions and water levels will be used to confirm the habitat area commitment is met or exceeded. Subsequent stability assessments will ensure constructed habitat features (rock structures) remain in place and that offset features are stable and not eroding (≥80% of features are considered stable).</p>	<p>Not applicable to this report.</p>	

**Table 2.** Locations of all sampling points for fish and habitat sampling in 2021. Blanks indicate no data was collected depending on specific sampling types.

Sample Type	Site Code	Start Latitude	Start Longitude	End Latitude	End Longitude	Set Date	Check Date	Set Time	Check Time	Total Fishing Time
E-fishing	Peche Head 1	42.34628	-82.9207	42.34711	-82.92131	27/08/2021		0:30		
E-fishing	Peche Head 2	42.34715	-82.92136	42.3478	-82.92223	27/08/2021		0:40		
E-fishing	Peche Head 3	42.34852	-82.92326	42.34886	-82.92443	27/08/2021		0:52		
E-fishing	Peche Inner 4	42.34593	-82.93007	42.34565	-82.92894	26/08/2021		23:50		
E-fishing	Peche Inner 3	42.34546	-82.92437	42.34594	-82.92537	26/08/2021		23:10		
E-fishing	Peche Inner 2	42.34527	-82.92397	42.34475	-82.92298	26/08/2021		21:58		
E-fishing	Peche Inner 1	42.34553	-82.92528	42.34531	-82.92404	26/08/2021		21:50		
E-fishing	Peche North 3	42.34736	-82.92965	42.3472	-82.93085	27/08/2021		1:26		
E-fishing	Peche North 2	42.34794	-82.92738	42.34745	-82.92847	27/08/2021		1:35		
E-fishing	Peche North 1	42.34874	-82.92621	42.34861	-82.92716	27/08/2021		1:43		
Minnow Trap	13-T1	42.34884	-82.92646			9/13/2021	9/14/2021	15:05	12:44	21:39
Minnow Trap	13-T2	42.34832	-82.92632			9/13/2021	9/14/2021	15:15	12:50	21:35
Minnow Trap	13-T3	42.34869	-82.927478			9/13/2021	9/14/2021	15:20	13:10	21:50
Minnow Trap	13-T4	42.34801	-82.92782			9/13/2021	9/14/2021	15:25	13:35	22:10
Minnow Trap	13-T5	42.34879	-82.92821			9/13/2021	9/14/2021	15:30	14:20	22:50
Minnow Trap	13-T6	42.34786	-82.92815			9/13/2021	9/14/2021	15:35	15:34	23:59
Minnow Trap	13-T7	42.34812	-82.92883			9/13/2021	9/14/2021	15:40	15:48	23:52
Minnow Trap	13-T8	42.34875	-82.92913			9/13/2021	9/14/2021	15:45	15:55	23:50
Minnow Trap	13-T9	42.34831	-82.92929			9/13/2021	9/14/2021	15:50	16:05	23:45
Minnow Trap	13-T10	42.34760	-82.92949			9/13/2021	9/14/2021	16:00	16:15	23:45
Minnow Trap	14-T1	42.34818	-82.92699			9/14/2021	9/15/2021	14:50	15:24	0:34
Minnow Trap	14-T2	42.34846	-82.92682			9/14/2021	9/15/2021	14:55	15:30	0:35
Minnow Trap	14-T3	42.34781	-82.92726			9/14/2021	9/15/2021	15:00	15:41	0:41
Minnow Trap	14-T4	42.34832	-82.92783			9/14/2021	9/15/2021	15:05	15:45	0:40
Minnow Trap	14-T5	42.34753	-82.92892			9/14/2021	9/15/2021	15:10	15:50	0:40
Minnow Trap	14-T6	42.34720	-82.93045			9/14/2021	9/15/2021	16:02	16:05	0:03

Minnow Trap	14-T7	42.34805	-82.93067	9/14/2021	9/15/2021	16:07	16:20	0:13
Minnow Trap	14-T8	42.34827	-82.93192	9/14/2021	9/15/2021	16:11	16:28	0:17
Minnow Trap	14-T9	42.34774	-82.93204	9/14/2021	9/15/2021	16:15	16:33	0:18
Minnow Trap	14-T10	42.34687	-82.93156	9/14/2021	9/15/2021	16:20	16:36	0:16
Minnow Trap	15-T1	42.34764	-82.93004	9/15/2021	9/16/2021	15:54	14:21	22:27
Minnow Trap	15-T2	42.34848	-82.93008	9/15/2021	9/16/2021	15:56	14:36	22:40
Minnow Trap	15-T3	42.34771	-82.93140	9/15/2021	9/16/2021	15:58	14:46	22:48
Minnow Trap	15-T4	42.34729	-82.93205	9/15/2021	9/16/2021	16:02	14:52	22:50
Minnow Trap	15-T5	42.34715	-82.93253	9/15/2021	9/16/2021	16:04	14:58	22:54
Minnow Trap	15-T6	42.34714	-82.93304	9/15/2021	9/16/2021	16:27	15:06	22:39
Minnow Trap	15-T7	42.34708	-82.93386	9/15/2021	9/16/2021	16:35	15:20	22:45
Minnow Trap	15-T8	42.34861	-82.93431	9/15/2021	9/16/2021	16:52	15:31	22:39
Minnow Trap	15-T9	42.34856	-82.93292	9/15/2021	9/16/2021	16:54	15:42	22:48
Minnow Trap	15-T10	42.34784	-82.93288	9/15/2021	9/16/2021	16:56	15:56	23:00
Seine Net	15-S1	42.34865	-82.92575	9/15/2021			13:30	
Seine Net	15-S2	42.34785	-82.92667	9/15/2021			11:00	
Seine Net	15-S3	42.34772	-82.92741	9/15/2021			12:00	
Seine Net	16-S1	42.34736	-82.92846	9/16/2021			17:24	
Seine Net	16-S2	42.34706	-82.93124	9/16/2021			17:26	
Seine Net	16-S3	42.34696	-82.93336	9/16/2021			18:30	
DOT Logger 10327720	Peche Inside Islands	42.34801	-82.92738					
DOT Logger 10348234	Peche Head of Island	42.34908	-82.92614					
DOT Logger 10582214	Peche Island Inner	42.34414	-82.92331					
SAV Point Sample	Point 1	42.34882	-82.92600	9/17/2021				
SAV Point Sample	Point 2	42.34849	-82.92641	9/17/2021				
SAV Point Sample	Point 3	42.34822	-82.92722	9/17/2021				
SAV Point Sample	Point 4	42.34870	-82.92838	9/17/2021				
SAV Point Sample	Point 5	42.34887	-82.92970	9/17/2021				
SAV Point Sample	Point 6	42.34813	-82.93108	9/17/2021				

SAV Point Sample	Point 7	42.34730	-82.93244	9/17/2021
SAV Point Sample	Point 8	42.34762	-82.93370	9/17/2021
SAV Point Sample	Point 9	42.34802	-82.93568	9/17/2021
SAV Point Sample	Point 10	42.34853	-82.93778	9/17/2021

\* *DOT* = dissolved oxygen – temperature

\* *SAV* = submerged aquatic vegetation

**Table 3.** Locations of all sampling points for fish and habitat sampling in 2023. Blanks indicate no data was collected depending on specific sampling types.

Sample Type	Site Code	Start Latitude	Start Longitude	End Latitude	End Longitude	Set Date	Check Date	Set Time	Check Time	Total Fishing Time
E-fishing	Peche Head 1	42.34628	-82.92070	42.34711	-82.92131	30/08/2023		23:58		
E-fishing	Peche Head 2	42.34715	-89.92136	42.34780	-82.92223	30/08/2023		23:16		
E-fishing	Peche Head 3	42.34852	-82.92326	42.34886	-82.92443	30/08/2023		23:25		
E-fishing	Peche Inner 1	42.34553	-89.92528	42.34531	-82.92404	31/08/2023		0:19		
E-fishing	Peche Inner 2	42.34527	-89.92397	42.34475	-82.92298	31/08/2023		-		
E-fishing	Peche Inner 3	42.34546	-82.92437	42.34594	-82.92537	31/08/2023		1:03		
E-fishing	Peche Inner 4	42.34593	-82.93007	42.34565	-82.92894	29/08/2023		21:06		
E-fishing	Peche Inside Rocks (Extra)	42.34876	-82.92858	42.34872	-82.92596	30/08/2023		10:43		
E-fishing	Peche North 1	42.34874	-82.92621	42.34861	-82.92716	30/08/2023		21:36		
E-fishing	Peche North 2	42.34794	-82.92738	43.34745	82.92847	30/08/2023		21:45		
E-fishing	Peche North 3	42.34736	-82.92965	42.34720	-82.93085	30/08/2023		22:20		
Minnow Trap	13-T1	42.34884	-82.92646			18/09/2023	19/09/2023	15:13	15:10	23:57
Minnow Trap	13-T2	42.34832	-82.92632			18/09/2023	19/09/2023	15:21	15:30	0:09
Minnow Trap	13-T3	42.34869	-82.92747			18/09/2023	19/09/2023	15:32	16:14	0:42
Minnow Trap	13-T4	42.34801	-82.92782			18/09/2023	19/09/2023	15:49	15:49	0:00
Minnow Trap	13-T5	42.34879	-82.92821			18/09/2023	19/09/2023	15:57	-	-
Minnow Trap	13-T6	42.34785	-82.92813			18/09/2023	19/09/2023	15:38	16:00	0:22
Minnow Trap	13-T7	42.34811	-82.92886			18/09/2023	19/09/2023	16:08	17:14	1:06

Minnow Trap	13-T8	42.34875	-82.92913	18/09/2023	19/09/2023	16:17	16:52	0:35
Minnow Trap	13-T9	42.34830	-82.92933	18/09/2023	19/09/2023	16:12	17:21	1:09
Minnow Trap	13-T10	42.34760	-82.92949	18/09/2023	19/09/2023	16:22	17:30	1:08
Minnow Trap	14-T1	42.34820	-82.92699	19/09/2023	20/09/2023	17:10	17:10	0:00
Minnow Trap	14-T2	42.34846	-82.92682	19/09/2023	20/09/2023	15:32	16:50	1:18
Minnow Trap	14-T3	42.34781	-82.92726	19/09/2023	20/09/2023	15:45	17:00	1:15
Minnow Trap	14-T4	42.34832	-82.92783	19/09/2023	20/09/2023	16:09	5:05	12:56
Minnow Trap	14-T5	42.34753	-82.92892	19/09/2023	20/09/2023	16:40	17:23	0:43
Minnow Trap	14-T6	42.34720	-82.92300	19/09/2023	20/09/2023	17:00	17:23	0:23
Minnow Trap	14-T7	42.34805	-82.93067	19/09/2023	20/09/2023	16:46	17:30	0:44
Minnow Trap	14-T8	42.34827	-82.93192	19/09/2023	20/09/2023	17:38	17:37	23:59
Minnow Trap	14-T9	42.34774	-82.93204	19/09/2023	20/09/2023	17:41	17:41	0:00
Minnow Trap	14-T10	42.34687	-82.93156	19/09/2023	20/09/2023	17:46	17:47	0:01
Minnow Trap	15-T1	42.34764	-82.93004	20/09/2023	21/09/2023	17:00	15:55	22:55
Minnow Trap	15-T2	42.34848	-82.93008	20/09/2023	21/09/2023	18:00	16:00	22:00
Minnow Trap	15-T3	42.34771	-82.93148	20/09/2023	21/09/2023	18:04	16:03	21:59
Minnow Trap	15-T4	42.34729	-82.93205	20/09/2023	21/09/2023	18:09	16:07	21:58
Minnow Trap	15-T5	42.34715	-82.93253	20/09/2023	21/09/2023	18:12	18:13	0:01
Minnow Trap	15-T6	42.34714	-82.93304	20/09/2023	21/09/2023	18:16	16:16	22:00
Minnow Trap	15-T7	42.34708	-82.93386	20/09/2023	21/09/2023	18:20	16:19	21:59
Minnow Trap	15-T8	42.34861	-82.93431	20/09/2023	21/09/2023	18:26	16:23	21:57
Minnow Trap	15-T9	42.34856	-82.93292	20/09/2023	21/09/2023	18:30	16:27	21:57
Minnow Trap	15-T10	43.34784	-82.93288	20/09/2023	21/09/2023	23:34	15:34	16:00
Seine Net	15-S1	42.34865	-82.92575	8/30/2023			**	
Seine Net	15-S2	42.34785	-82.92667	8/30/2023			**	
Seine Net	16-S1	42.34736	-82.92846	8/30/2023			**	
Seine Net	16-S2	42.34706	-82.93124	8/30/2023			**	
Seine Net	16-S3	42.34696	-82.93336	8/30/2023			**	
DOT Logger 684544	Peche Inside Islands	42.34801	-82.92738	29/08/2023	21/09/2023			



DOT Logger 540345	Peche Head of Island	42.34908	-82.92614							29/08/2023 21/09/2023
DOT Logger 813879	Peche Island Inner	42.34409	-82.92321							29/08/2023 21/09/2023
SAV Point Sample	Point 1	42.34797	-82.93291							9/19/2023
SAV Point Sample	Point 2	42.34828	-82.92694							9/19/2023
SAV Point Sample	Point 3	42.34713	-82.93597							9/19/2023
SAV Point Sample	Point 4	42.34713	-82.93330							9/19/2023
SAV Point Sample	Point 5	42.3480	-82.92676							9/19/2023
SAV Point Sample	Point 6	42.34867	-82.92650							9/19/2023
E-fishing	Peche Head 1	42.34628	-82.92070	42.34711	-82.92131					30/08/2023
E-fishing	Peche Head 2	42.34715	-89.92136	42.34780	-82.92223					30/08/2023
E-fishing	Peche Head 3	42.34852	-82.92326	42.34886	-82.92443					30/08/2023
E-fishing	Peche Inner 1	42.34553	-89.92528	42.34531	-82.92404					31/08/2023

\* *DOT = dissolved oxygen – temperature*

\* *SAV = submerged aquatic vegetation*

\* *No data reported is denoted by “-”*

\*\* *Seine netting was completed between 13:00 to 17:00, starting upstream. Exact times are unavailable*

**Table 4.** Water quality collected at every sampling site for Peche Island in 2021. Blanks indicate data were not collected, N/A indicates data were collected but missing due to equipment failure. Mean and standard deviation are included at the bottom for each parameter.

Sample Type	Site Code	Depth (m)	Temperature (°C)	DO (mg/L)	Conductivity (µs/cm)	pH	NTU	SAV % Cover
E-fishing	Peche Head 1		25.81	8.78	212.00	8.57	1.07	
E-fishing	Peche Head 2		25.76	8.68	216.00	8.55	1.12	
E-fishing	Peche Head 3		N/A	N/A	N/A	N/A	N/A	
E-fishing	Peche Inner 4		29.10	8.77	233.20	8.31	1.62	
E-fishing	Peche Inner 3		27.73	8.80	213.80	8.30	1.68	
E-fishing	Peche Inner 2		26.30	9.16	211.60	8.50	1.60	
E-fishing	Peche Inner 1		27.19	9.44	209.00	8.62	2.05	
E-fishing	Peche North 3		25.46	8.92	216.60	8.56	0.90	
E-fishing	Peche North 2		25.60	8.06	212.10	8.57	0.84	
E-fishing	Peche North 1		25.76	8.10	220.10	8.61	1.01	
Minnow Trap	13-T1	1.48	21.59	8.58	223.80	8.40	1.48	
Minnow Trap	13-T2	0.96	21.59	8.60	223.70	8.41	4.08	
Minnow Trap	13-T3	1.30	21.59	8.60	223.80	8.40	1.55	
Minnow Trap	13-T4	1.68	21.59	8.61	223.60	8.14	1.61	
Minnow Trap	13-T5	1.68	21.59	8.65	223.80	8.43	1.24	
Minnow Trap	13-T6	1.22	21.62	8.59	223.80	8.42	1.30	
Minnow Trap	13-T7	1.52	21.62	8.63	223.70	8.41	1.38	
Minnow Trap	13-T8	1.86	21.60	8.66	223.80	8.43	1.22	
Minnow Trap	13-T9	1.75	21.61	8.62	223.80	8.43	1.30	
Minnow Trap	13-T10	1.23	21.60	8.67	223.80	8.48	1.50	
Minnow Trap	14-T1	1.20	22.27	8.63	224.90	8.34	0.98	
Minnow Trap	14-T2	1.50	22.34	8.70	224.70	8.36	0.99	
Minnow Trap	14-T3	1.03	22.25	8.65	224.90	8.35	1.10	
Minnow Trap	14-T4	1.60	22.19	8.57	225.00	8.35	0.91	
Minnow Trap	14-T5	1.30	22.32	8.70	224.90	8.35	1.68	
Minnow Trap	14-T6	1.11	22.75	8.83	224.90	8.57	1.30	
Minnow Trap	14-T7	1.30	22.29	8.74	225.40	8.40	0.92	
Minnow Trap	14-T8	2.01	22.28	8.69	225.00	8.36	0.94	
Minnow Trap	14-T9	2.21	22.31	8.62	224.80	8.39	0.96	
Minnow Trap	14-T10	1.00	22.93	8.66	224.40	8.45	1.54	
Minnow Trap	15-T1	1.40	22.21	8.89	223.30	8.94	1.14	
Minnow Trap	15-T2	1.90	22.15	8.81	223.40	8.43	1.06	

Minnow Trap	15-T3	1.80	22.21	8.84	223.30	8.45	1.03
Minnow Trap	15-T4	1.45	22.28	8.82	223.20	8.45	1.16
Minnow Trap	15-T5	1.20	22.27	8.66	223.20	8.47	1.14
Minnow Trap	15-T6	1.47	22.34	9.06	223.20	8.48	1.19
Minnow Trap	15-T7	1.30	22.39	9.11	223.30	8.49	1.17
Minnow Trap	15-T8	2.25	22.08	8.17	223.70	8.42	1.07
Minnow Trap	15-T9	2.18	22.09	8.69	223.60	8.43	1.14
Minnow Trap	15-T10	1.65	22.11	8.84	219.70	8.46	1.02
Seine Net	15-S1	1.30	22.48	8.97	223.50	8.50	1.31 5
Seine Net	15-S2	1.20	21.92	8.76	223.80	8.48	1.13 70
Seine Net	15-S3	1.30	22.17	8.74	223.60	8.49	1.14 75
Seine Net	16-S1	1.30	22.67	8.58	223.70	8.60	2.81 5
Seine Net	16-S2	1.30	22.53	9.09	223.40	8.54	3.23 0
Seine Net	16-S3	1.30	22.36	9.04	223.30	8.52	2.29 5
DOT Logger	Peche Inside	1.40	25.28	8.84	212.10		0.76
10327720	Islands						
DOT Logger	Peche Head of	1.40	25.28	8.84	212.10		0.76
10348234	Island						
DOT Logger	Peche Island	1.60	26.89	9.96	204.40	8.66	2.51
10582214	Inner						
SAV Point	Point 1						2
Sample							
SAV Point	Point 2						95
Sample							
SAV Point	Point 3						95
Sample							
SAV Point	Point 4						100
Sample							
SAV Point	Point 5						70
Sample							
SAV Point	Point 6						50
Sample							
SAV Point	Point 7						30
Sample							
SAV Point	Point 8						15
Sample							
SAV Point	Point 9						0
Sample							
SAV Point	Point 10						0
Sample							
<b>Mean</b>		<b>1.5</b>	<b>23.0</b>	<b>8.7</b>	<b>221.8</b>	<b>8.5</b>	<b>1.3</b>
<b>Standard</b>		<b>0.4</b>	<b>1.4</b>	<b>0.3</b>	<b>4.1</b>	<b>0.1</b>	<b>0.6</b>
<b>Deviation</b>							

\* DOT = dissolved oxygen – temperature

\* SAV = submerged aquatic vegetation

**Table 5.** Water quality collected at every sampling site for Peche Island in 2023. Blanks indicate data were not collected, N/A indicates data were collected but missing due to equipment failure. Mean and standard deviation are included at the bottom for each parameter.

Sample Type	Site Code	Depth (m)	Temperature (°C)	DO (mg/L)	Conductivity (µs/cm)	pH	NTU	SAV % Cover
E-fishing	Peche Head 1		20.74	8.7	216	8.73	0.69	
E-fishing	Peche Head 2		20.74	8.75	216	8.74	0.67	
E-fishing	Peche Head 3		20.76	8.66	217	8.71	0.81	
E-fishing	Peche Inner 1		20.13	8.26	216	8.52	0.73	
E-fishing	Peche Inner 2		19.96	7.41	219	8.47	0.14	
E-fishing	Peche Inner 3		19.29	3.84	238	7.57	0.25	
E-fishing	Peche Inner 4		23.68	10.06	214	9.05	0.78	
E-fishing	Peche Inside Rocks (Extra)							
E-fishing	Peche North 1		20.88	8.72	215	8.79	0.55	
E-fishing	Peche North 2		20.88	8.76	215	8.75	0.73	
E-fishing	Peche North 3		20.71	8.71	215	8.78	0.58	
Minnow Trap	13-T1	1.23	20.8	10.68	217	8.51	0.99	
Minnow Trap	13-T2	0.76	20.7	10.36	218.8	8.42	1.21	
Minnow Trap	13-T3	1.53	20.4	10.11	219.6	8.46	1.11	
Minnow Trap	13-T4	1.00	20.5	10.02	219.5	8.42	1.27	
Minnow Trap	13-T5	1.68	20.3	9.74	220	8.35	1.32	
Minnow Trap	13-T6	1.10	20.5	10.06	219.5	8.41	1.52	
Minnow Trap	13-T7	1.38	20.3	9.81	219.6	8.36	1.13	
Minnow Trap	13-T8	1.64	20.6	10.1	219.8	8.36	1.1	
Minnow Trap	13-T9	1.77	20.3	9.87	219.9	8.37	1.18	
Minnow Trap	13-T10	1.06	20.4	10.16	219.2	8.41	1.25	
Minnow Trap	14-T1	1.47	20.3	9.77	219.7	8.36	1.08	
Minnow Trap	14-T2	1.20	20.7	10.35	218.3	8.42	0.95	
Minnow Trap	14-T3	0.65	20.9	10.31	219.2	8.47	1.02	
Minnow Trap	14-T4	1.33	20.40	9.84	219.90	8.39	1.09	
Minnow Trap	14-T5	0.96	20.5	10.11	219.4	8.4	1.21	
Minnow Trap	14-T6	1.64	20.3	9.88	209.9	8.37	1.17	
Minnow Trap	14-T7	1.47	20.3	9.79	219.9	8.37	1.13	
Minnow Trap	14-T8	1.64	20.3	9.88	220.1	8.36	1.2	
Minnow Trap	14-T9	1.62	20.30	9.92	219.90	8.37	1.24	
Minnow Trap	14-T10	1.09	20.7	10.2	219	8.47	1.71	
Minnow Trap	15-T1	1.27	20.6	9.99	200.7	8.4	1.33	

Minnow Trap	15-T2	1.71	20.4	9.92	200.6	8.4	1.34
Minnow Trap	15-T3	1.56	20.6	9.96	200.4	8.35	1.45
Minnow Trap	15-T4	1.43	20.62	10.1	200.4	8.35	1.4
Minnow Trap	15-T5	1.15	20.71	10.22	219	8.42	1.46
Minnow Trap	15-T6	1.46	20.74	10.1	201	8.42	1.68
Minnow Trap	15-T7	1.28	20.89	10.21	198.2	8.34	1.82
Minnow Trap	15-T8	2.20	20.42	9.82	200.8	8.37	1.25
Minnow Trap	15-T9	2.01	20.43	9.86	200.2	8.36	1.2
Minnow Trap	15-T10	1.77	20.53	10.02	219.5	8.4	1.47
Seine Net	15-S1		21.16	9.91	213	8.47	1.8
Seine Net	15-S2		21.17	9.93	217	8.51	1.45
Seine Net	16-S1		21.26	9.99	212	8.53	1.6
Seine Net	16-S2		20.79	9.07	215	8.81	1.1
Seine Net	16-S3		21.25	9.95	212.2	8.58	1.22
DOT Logger	Peche Inside						
684544	Islands		21.26	6.96	223.7	8.07	0.8
DOT Logger	Peche Head of						
540345	Island		21.66	8.96	214.9	8.83	0.6
DOT Logger	Peche Island						
813879	Inner		21.29	8.94	215	8.81	0.63
SAV Point							
Sample	Point 1						0
SAV Point							
Sample	Point 2						20
SAV Point							
Sample	Point 3						0
SAV Point							
Sample	Point 4						0
SAV Point							
Sample	Point 5						50
SAV Point							
Sample	Point 6						100
<b>Mean</b>		<b>1.4</b>	<b>20.7</b>	<b>9.5</b>	<b>215.1</b>	<b>8.5</b>	<b>1.1</b>
<b>Standard</b>							
<b>Deviation</b>		<b>0.3</b>	<b>0.6</b>	<b>1.1</b>	<b>7.8</b>	<b>0.2</b>	<b>0.4</b>

\* *DOT* = dissolved oxygen - temperature

\* *SAV* = submerged aquatic vegetation

**Table 6.** Summary of all fish species caught by all gear types in 2021, including mean  $\pm$  standard deviation (SD) length and weight, and their associated guild (Abdel-Fattah et al. 2021, <https://habitatassessment.ca/>). Species in **bold** were not previously recorded in the other locally referenced studies. Total fish caught by each gear type were: electrofishing ( $n = 257$ ), minnow trap ( $n = 591$ ), and seine net ( $n = 2516$ ). All fish species are native, except Round Goby and Tubenose Goby.

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**Table 7.** Summary of all fish species caught by all gear types in 2023, including mean  $\pm$  standard deviation (SD) length and weight, and their associated guild (Abdel-Fattah et al. 2021, <https://habitatassessment.ca/>). Species in **bold** were not previously recorded in the other locally referenced studies. Total fish caught by each gear type were: electrofishing ( $n = 773$ ), minnow trap ( $n = 326$ ), and seine net ( $n = 1250$ ). All fish species are native, except Alewife, Round Goby, Tubenose Goby and White Perch. All fish species caught in 2021 were included in the table below and blanks indicate that the species was not caught in 2023. Species with an asterisk (\*) were only caught in 2023. Species with a double asterisk (\*\*) were caught in a non-standardized transect ( $n = 1$  fish).

Common Name	Scientific Name	Temperature Guild	All Gear Types				
			# of fish	Mean Length (mm)	SD	Mean Weight (g)	SD
<b>Alewife*</b>	<i>Alosa pseudoharengus</i>	Cool	2	46.0	1.4		
<b>Banded Killifish</b>	<i>Fundulus diaphanus</i>	Cool					
Bluegill	<i>Lepomis macrochirus</i>	Warm	117	62.4	33.1	18.1	33.4
<b>Bluntnose Minnow</b>	<i>Pimephales notatus</i>	Warm	77	55.1	8.3	6.0	2.0
<b>Bowfin**</b>	<i>Amia calva</i>	Warm	1	630			
<b>Brook Silverside</b>	<i>Labidesthes sicculus</i>	Warm	742	54.2	6.2	1.0	
<b>Brown Bullhead</b>	<i>Ameiurus nebulosus</i>	Warm	3	247.3	25.3	209.0	50.6
<b>Channel Catfish**</b>	<i>Ictalurus punctatus</i>	Warm	1	634			
<b>Channel Darter</b>	<i>Percina copelandi</i>	Warm	1	46.0		1.0	
<b>Common Shiner</b>	<i>Luxilus cornutus</i>	Cool					
Emerald Shiner	<i>Notropis atherinoides</i>	Cool	104	69.0	5.3	3.5	1.0
Freshwater Drum	<i>Aplodinotus grunniens</i>	Warm	3	500.7	68.5	1279.7	291.1
<b>Gizzard Shad</b>	<i>Dorosoma cepedianum</i>	Warm	54	153.7	116.6	189.4	362.8
<b>Golden Shiner</b>	<i>Notemigonus crysoleucas</i>	Cool	20	66.0	5.7	4.2	1.8
<b>Grass Pickerel</b>	<i>Esox americanus vermiculatus</i>	Warm					
<b>Hornyhead Chub</b>	<i>Nocomis biguttatus</i>	Warm					
Largemouth Bass	<i>Micropterus salmoides</i>	Warm	91	82.9	78.0	45.9	179.7
Logperch	<i>Percina caprodes</i>	Cool	46	77.2	12.3	4.9	6.6
<b>Longnose Gar</b>	<i>Lepisosteus osseus</i>	Cool	1	361.0		63.0	
Mimic Shiner	<i>Notropis volucellus</i>	Warm	36	53.3	6.9	1.0	0.0
Northern Hog Sucker	<i>Hypentelium nigricans</i>	Warm	4	291.8	59.6	338.0	

<b>Northern Madtom</b>	<i>Noturus stigmosus</i>	Warm						
<b>Northern Pike**</b>	<i>Esox lucius</i>	Cool	2	363.5	122.3	139.0		
<b>Pugnose Shiner</b>	<i>Notropis anogenus</i>	Cool						
<b>Pumpkinseed</b>	<i>Lepomis gibbosus</i>	Warm	89	67.8	24.2	13.1	21.6	
Rock Bass	<i>Ambloplites rupestris</i>	Warm	18	67.3	45.1	59.6	27.6	
<b>Round Goby</b>	<i>Neogobius melanostomus</i>	Cool	620	67.4	18.4	6.3	5.1	
Shorthead Redhorse*	<i>Moxostoma macrolepidotum</i>	Cool	2	169.0	12.7	59.5	7.8	
<b>Silver Redhorse</b>	<i>Moxostoma anisurum</i>	Cool						
Smallmouth Bass	<i>Micropterus dolomieu</i>	Warm	199	107.6	77.2	128.9	338.7	
<b>Spotfin Shiner</b>	<i>Cyprinella spiloptera</i>	Warm	1	67.0				
Spottail Shiner	<i>Notropis hudsonius</i>	Cool	7	56.1	14.0	1.0		
<b>Tube-nose Goby</b>	<i>Proterorhinus marmoratus</i>	Cool	30	42.8	8.4			
Walleye	<i>Sander vitreus</i>	Cool	1	383.0		613.0		
<b>White Perch*</b>	<i>Morone americana</i>	Warm	2	77.5	10.6	7.0	5.7	
White Sucker	<i>Catostomus commersonii</i>	Cool	8	90.1	10.7	9.4	3.5	
<b>Yellow Bullhead</b>	<i>Ameiurus natalis</i>	Warm	1	293.0		374.0		
Yellow Perch	<i>Perca flavescens</i>	Cool	41	111.3	43.6	33.9	40.4	
	<i>Lepomis sp.</i>		6	44.7	8.2	1.0	0.0	
	<i>Notropis sp.</i>		2	25.5	4.9			
<b>Grand Total</b>			<b>2352</b>					



**Table 8.** Raw catch data (total = 84) of juvenile fish species caught in 2021 by all gear types, their length and weight, the associated gear type, and site of catch.

<b>Gear Type</b>	<b>Site Code</b>	<b>Species</b>	<b>Length (mm)</b>	<b>Weight (g)</b>	<b>Trap ID</b>
E-fishing	Peche Inner 4	Bluegill	34	1	
E-fishing	Peche Inner 4	Bluegill	40	1	
E-fishing	Peche Inner 4	Bluegill	42	3	
E-fishing	Peche Inner 4	Bluegill	48	2	
E-fishing	Peche Inner 3	Bluegill	49	3	
E-fishing	Peche Inner 3	Bluegill	54	6	
E-fishing	Peche Head 2	Emerald Shiner	28		
E-fishing	Peche Inner 3	Golden Shiner	56	4	
E-fishing	Peche Inner 3	Largemouth Bass	50	4	
E-fishing	Peche Inner 3	Largemouth Bass	53	3	
E-fishing	Peche Inner 4	Largemouth Bass	55	4	
E-fishing	Peche Inner 1	Largemouth Bass	57	3	
E-fishing	Peche Inner 2	Largemouth Bass	60	1	
E-fishing	Peche Inner 2	Largemouth Bass	60	4	
E-fishing	Peche Inner 3	Pugnose Shiner	38	1	
E-fishing	Peche Inner 1	Pumpkinseed	43	3	
E-fishing	Peche Inner 1	Pumpkinseed	44	3	
E-fishing	Peche Inner 2	Pumpkinseed	46	4	
E-fishing	Peche Inner 2	Pumpkinseed	49	2	
E-fishing	Peche Inner 3	Pumpkinseed	50	3	
E-fishing	Peche Inner 3	Pumpkinseed	51	6	
E-fishing	Peche Inner 2	Pumpkinseed	52	3	
E-fishing	Peche Inner 3	Pumpkinseed	53	2	
E-fishing	Peche Inner 3	Pumpkinseed	54	6	
E-fishing	Peche Inner 1	Pumpkinseed	55	3	
E-fishing	Peche Inner 2	Pumpkinseed	58	3	
E-fishing	Peche Inner 2	Pumpkinseed	59	4	
Minnow Trap	14-T1	Mimic Shiner	50		B
Minnow Trap	14-T1	Mimic Shiner	51		B
Minnow Trap	13-T6	Mimic Shiner	52		B
Minnow Trap	14-T4	Mimic Shiner	52		B
Minnow Trap	14-T9	Mimic Shiner	52		A
Minnow Trap	14-T9	Mimic Shiner	54		B
Minnow Trap	14-T7	Mimic Shiner	59		C
Minnow Trap	14-T7	Smallmouth Bass	56		C
Minnow Trap	14-T2	Spottail Shiner	44		A
Minnow Trap	13-T3	Spottail Shiner	54		C
Seine Net	16-S1	Banded Killifish	38		
Seine Net	16-S1	Bluntnose Minnow	41		

Seine Net	16-S1	Bluntnose Minnow	48
Seine Net	16-S1	Bluntnose Minnow	54
Seine Net	16-S1	Bluntnose Minnow	55
Seine Net	15-S1	Channel Catfish	41
Seine Net	15-S3	Channel Darter	46
Seine Net	16-S2	Channel Darter	48
Seine Net	16-S2	Channel Darter	49
Seine Net	16-S1	Emerald Shiner	27
Seine Net	16-S2	Emerald Shiner	41
Seine Net	16-S2	Emerald Shiner	41
Seine Net	16-S2	Emerald Shiner	42
Seine Net	16-S2	Emerald Shiner	43
Seine Net	15-S2	Emerald Shiner	48
Seine Net	16-S2	Emerald Shiner	51
Seine Net	16-S2	Emerald Shiner	55
Seine Net	16-S2	Emerald Shiner	57
Seine Net	16-S1	Emerald Shiner	58
Seine Net	16-S2	Logperch	59
Seine Net	15-S3	Logperch	60
Seine Net	16-S1	Logperch	60
Seine Net	15-S2	Mimic Shiner	42
Seine Net	15-S2	Mimic Shiner	43
Seine Net	15-S1	Mimic Shiner	45
Seine Net	16-S2	Mimic Shiner	45
Seine Net	15-S1	Mimic Shiner	46
Seine Net	15-S1	Mimic Shiner	48
Seine Net	16-S2	Mimic Shiner	48
Seine Net	16-S2	Mimic Shiner	49
Seine Net	16-S2	Mimic Shiner	50
Seine Net	16-S2	Mimic Shiner	51
Seine Net	16-S1	Mimic Shiner	52
Seine Net	16-S2	Mimic Shiner	52
Seine Net	16-S2	Mimic Shiner	52
Seine Net	16-S2	Mimic Shiner	56
Seine Net	16-S2	Mimic Shiner	58
Seine Net	15-S1	Smallmouth Bass	60
Seine Net	16-S1	Spottail Shiner	48
Seine Net	16-S1	Spottail Shiner	51
Seine Net	16-S1	Spottail Shiner	53
Seine Net	16-S1	Spottail Shiner	54
Seine Net	16-S1	Spottail Shiner	55
Seine Net	15-S3	Spottail Shiner	57
Seine Net	16-S1	Spottail Shiner	57

Seine Net	15-S3	Spottail Shiner	60
Seine Net	16-S2	Spottail Shiner	60

DRAFT

**Table 9.** Raw catch data (total = 244) of juvenile fish species caught in 2023 by all gear types, their length and weight, the associated gear type, and site of catch.

<b>Gear Type</b>	<b>Site Code</b>	<b>Species</b>	<b>Length (mm)</b>	<b>Weight (g)</b>	<b>Trap ID</b>
E-fishing	Peche North 2	Largemouth Bass	58	9	
E-fishing	Peche North 2	Smallmouth Bass	54		
E-fishing	Peche North 2	Mimic Shiner	51	1	
E-fishing	Peche North 2	Mimic Shiner	50	1	
E-fishing	Peche North 2	Mimic Shiner	52	1	
E-fishing	Peche North 2	Mimic Shiner	49	1	
E-fishing	Peche North 2	Mimic Shiner	49		
E-fishing	Peche North 2	Mimic Shiner	57	1	
E-fishing	Peche North 2	Mimic Shiner	48		
E-fishing	Peche North 2	Mimic Shiner	54	1	
E-fishing	Peche North 2	Mimic Shiner	50		
E-fishing	Peche North 2	Mimic Shiner	52		
E-fishing	Peche North 2	Mimic Shiner	45		
E-fishing	Peche North 2	Mimic Shiner	50		
E-fishing	Peche North 1	Spottail Shiner	52	1	
E-fishing	Peche North 1	Mimic Shiner	53	1	
E-fishing	Peche North 3	Smallmouth Bass	57	3	
E-fishing	Peche North 3	Channel Darter	46	1	
E-fishing	Peche Head 2	Mimic Shiner	51		
E-fishing	Peche Head 3	Smallmouth Bass	55	4	
E-fishing	Peche Head 3	Logperch	52	1	
E-fishing	Peche Head 3	Mimic Shiner	54		
E-fishing	Peche Inner 1	Bluegill	33	1	
E-fishing	Peche Inner 1	Bluntnose Minnow	59		
E-fishing	Peche Inner 1	Bluntnose Minnow	55		
E-fishing	Peche Inner 1	Bluntnose Minnow	55		
E-fishing	Peche Inner 1	Largemouth Bass	55	1	
E-fishing	Peche Inner 1	Bluntnose Minnow	57		
E-fishing	Peche Inner 1	Bluntnose Minnow	46		
E-fishing	Peche Inner 1	Bluntnose Minnow	59		
E-fishing	Peche Inner 1	Bluntnose Minnow	45		
E-fishing	Peche Inner 1	Largemouth Bass	59		
E-fishing	Peche Inner 1	Bluntnose Minnow	54		
E-fishing	Peche Inner 1	Bluntnose Minnow	54		
E-fishing	Peche Inner 1	Bluntnose Minnow	57		
E-fishing	Peche Inner 1	Bluntnose Minnow	52		
E-fishing	Peche Inner 1	Bluegill	49	2	
E-fishing	Peche Inner 1	Bluegill	35	1	
E-fishing	Peche Inner 1	Bluegill	43	1	

E-fishing	Peche Inner 1	Bluegill	49	3
E-fishing	Peche Inner 1	Bluegill	53	2
E-fishing	Peche Inner 1	Bluegill	55	3
E-fishing	Peche Inner 1	Bluegill	40	1
E-fishing	Peche Inner 1	Bluegill	54	3
E-fishing	Peche Inner 1	Bluegill	48	1
E-fishing	Peche Inner 1	Bluegill	34	
E-fishing	Peche Inner 1	Bluegill	39	
E-fishing	Peche Inner 1	Bluegill	45	
E-fishing	Peche Inner 1	Bluegill	46	
E-fishing	Peche Inner 1	Bluegill	51	
E-fishing	Peche Inner 1	Bluegill	52	
E-fishing	Peche Inner 1	Bluegill	44	
E-fishing	Peche Inner 1	Bluntnose Minnow	56	
E-fishing	Peche Inner 1	Bluntnose Minnow	52	
E-fishing	Peche Inner 1	Bluntnose Minnow	51	
E-fishing	Peche Inner 1	Bluntnose Minnow	44	
E-fishing	Peche Inner 1	Bluntnose Minnow	54	
E-fishing	Peche Inner 1	Bluntnose Minnow	51	
E-fishing	Peche Inner 1	Largemouth Bass	55	3
E-fishing	Peche Inner 1	Pumpkinseed	56	
E-fishing	Peche Inner 1	Pumpkinseed	57	
E-fishing	Peche Inner 1	Pumpkinseed	53	3
E-fishing	Peche Inner 1	Pumpkinseed	51	
E-fishing	Peche Inner 1	Pumpkinseed	45	
E-fishing	Peche Inner 1	Pumpkinseed	54	3
E-fishing	Peche Inner 1	Pumpkinseed	59	3
E-fishing	Peche Inner 1	Pumpkinseed	54	
E-fishing	Peche Inner 1	Pumpkinseed	57	4
E-fishing	Peche Inner 1	Pumpkinseed	55	
E-fishing	Peche Inner 1	Pumpkinseed	53	
E-fishing	Peche Inner 1	Pumpkinseed	55	4
E-fishing	Peche Inner 1	Logperch	56	1
E-fishing	Peche Inner 1	Largemouth Bass	59	12
E-fishing	Peche Inner 1	Largemouth Bass	52	1
E-fishing	Peche Inner 1	Largemouth Bass	55	3
E-fishing	Peche Inner 1	Largemouth Bass	55	
E-fishing	Peche Inner 1	Largemouth Bass	55	
E-fishing	Peche Inner 1	Largemouth Bass	50	2
E-fishing	Peche Inner 1	Largemouth Bass	54	
E-fishing	Peche Inner 1	Largemouth Bass	59	2
E-fishing	Peche Inner 1	Largemouth Bass	55	

E-fishing	Peche Head 1	Bluntnose Minnow	43	
E-fishing	Peche Head 1	Pumpkinseed	59	3
E-fishing	Peche Head 1	Bluntnose Minnow	50	
E-fishing	Peche Inner 3	Largemouth Bass	56	3
E-fishing	Peche Inner 3	Golden Shiner	57	3
E-fishing	Peche Inner 3	Bluntnose Minnow	45	
E-fishing	Peche Inner 3	Largemouth Bass	56	
E-fishing	Peche Inner 3	Largemouth Bass	56	
E-fishing	Peche Inner 3	Largemouth Bass	57	4
E-fishing	Peche Inner 3	Largemouth Bass	52	3
E-fishing	Peche Inner 3	Bluegill	41	
E-fishing	Peche Inner 3	Largemouth Bass	52	
E-fishing	Peche Inner 3	Bluegill	38	
E-fishing	Peche Inner 3	Bluegill	47	
E-fishing	Peche Inner 3	Pumpkinseed	52	
E-fishing	Peche Inner 3	Bluegill	48	
E-fishing	Peche Inner 3	Bluegill	38	
E-fishing	Peche Inner 3	Largemouth Bass	57	
E-fishing	Peche Inner 3	Bluegill	46	
E-fishing	Peche Inner 3	Largemouth Bass	55	3
E-fishing	Peche Inner 3	Bluegill	37	
E-fishing	Peche Inner 3	Bluegill	28	
E-fishing	Peche Inner 3	Bluegill	44	
E-fishing	Peche Inner 3	Pumpkinseed	50	
E-fishing	Peche Inner 3	Bluegill	46	
E-fishing	Peche Inner 3	Bluegill	42	
E-fishing	Peche Inner 3	Bluegill	44	
E-fishing	Peche Inner 3	Bluegill	33	
E-fishing	Peche Inner 3	Bluegill	33	
E-fishing	Peche Inner 3	Bluegill	57	
E-fishing	Peche Inner 2	Bluntnose Minnow	55	
E-fishing	Peche Inner 2	Bluntnose Minnow	59	
E-fishing	Peche Inner 2	Bluntnose Minnow	58	
E-fishing	Peche Inner 2	Bluntnose Minnow	55	
E-fishing	Peche Inner 2	Bluntnose Minnow	53	
E-fishing	Peche Inner 2	Bluntnose Minnow	56	
E-fishing	Peche Inner 2	Bluntnose Minnow	54	
E-fishing	Peche Inner 2	Bluntnose Minnow	57	
E-fishing	Peche Inner 2	Bluntnose Minnow	45	
E-fishing	Peche Inner 2	Bluntnose Minnow	47	
E-fishing	Peche Inner 2	Bluntnose Minnow	54	
E-fishing	Peche Inner 2	Bluntnose Minnow	46	

E-fishing	Peche Inner 2	Bluntnose Minnow	56	
E-fishing	Peche Inner 2	Bluntnose Minnow	44	
E-fishing	Peche Inner 2	Bluntnose Minnow	49	
E-fishing	Peche Inner 2	Bluntnose Minnow	55	
E-fishing	Peche Inner 2	Bluntnose Minnow	56	
E-fishing	Peche Inner 2	Bluntnose Minnow	55	
E-fishing	Peche Inner 2	Bluntnose Minnow	51	
E-fishing	Peche Inner 2	Largemouth Bass	58	4
E-fishing	Peche Inner 2	Largemouth Bass	50	4
E-fishing	Peche Inner 2	Largemouth Bass	55	4
E-fishing	Peche Inner 2	Largemouth Bass	57	4
E-fishing	Peche Inner 2	Largemouth Bass	53	4
E-fishing	Peche Inner 2	Largemouth Bass	54	4
E-fishing	Peche Inner 2	Largemouth Bass	44	3
E-fishing	Peche Inner 2	Largemouth Bass	55	4
E-fishing	Peche Inner 2	Largemouth Bass	57	4
E-fishing	Peche Inner 2	Largemouth Bass	53	4
E-fishing	Peche Inner 2	Largemouth Bass	55	4
E-fishing	Peche Inner 2	Golden Shiner	56	
E-fishing	Peche Inner 2	Golden Shiner	57	
E-fishing	Peche Inner 2	Bluegill	35	2
E-fishing	Peche Inner 2	Bluegill	42	3
E-fishing	Peche Inner 2	Bluegill	41	3
E-fishing	Peche Inner 2	Bluegill	44	3
E-fishing	Peche Inner 2	Bluegill	46	3
E-fishing	Peche Inner 2	Bluegill	39	2
E-fishing	Peche Inner 2	Bluegill	40	2
E-fishing	Peche Inner 2	Bluegill	42	2
E-fishing	Peche Inner 2	Bluegill	48	3
E-fishing	Peche Inner 2	Bluegill	46	3
E-fishing	Peche Inner 2	Bluegill	44	3
E-fishing	Peche Inner 2	Bluegill	43	3
E-fishing	Peche Inner 2	Bluegill	40	3
E-fishing	Peche Inner 2	Bluegill	45	3
E-fishing	Peche Inner 2	Bluegill	35	2
E-fishing	Peche Inner 2	Bluegill	45	3
E-fishing	Peche Inner 2	Bluegill	35	2
E-fishing	Peche Inner 2	Pumpkinseed	46	3
E-fishing	Peche Inner 2	Largemouth Bass	47	3
E-fishing	Peche Inner 2	Pumpkinseed	57	5
E-fishing	Peche Inner 2	Pumpkinseed	50	2
E-fishing	Peche Inner 2	Pumpkinseed	54	3

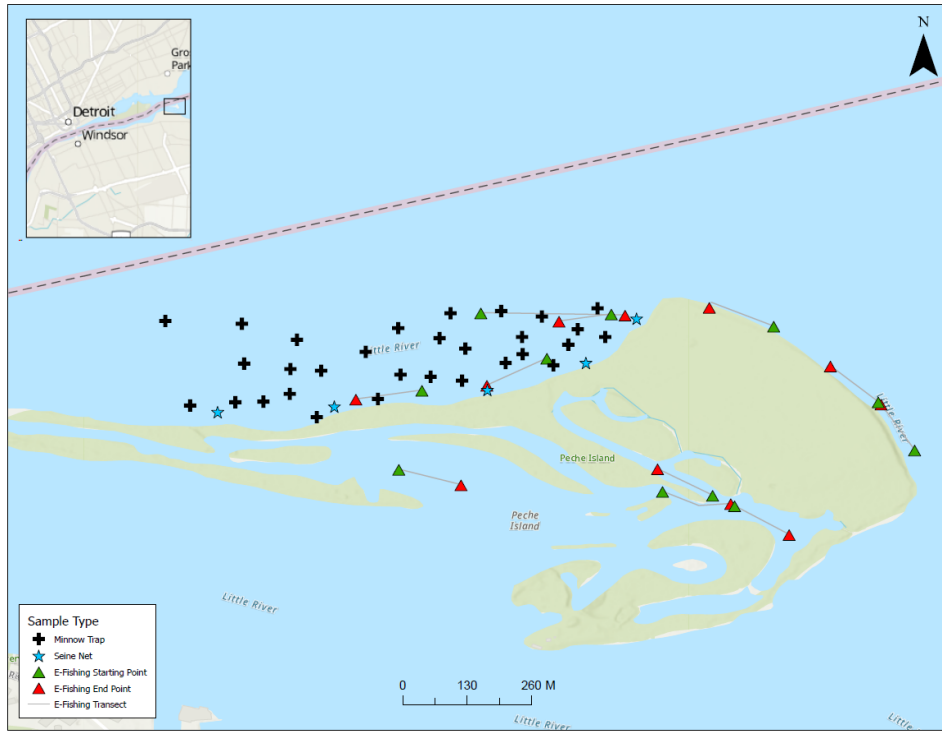
E-fishing	Peche Inner 2	Pumpkinseed	57	4	
E-fishing	Peche Inner 2	Pumpkinseed	55	2	
E-fishing	Peche Inner 2	Pumpkinseed	45	2	
E-fishing	Peche Inner 2	Pumpkinseed	52	3	
E-fishing	Peche Inner 2	Pumpkinseed	47	2	
E-fishing	Peche Inner 2	Pumpkinseed	50	3	
E-fishing	Peche Inner 2	Pumpkinseed	38	2	
E-fishing	Peche Inner 2	Pumpkinseed	56	3	
E-fishing	Peche Inner 2	Pumpkinseed	55	3	
E-fishing	Peche Inner 2	Pumpkinseed	55	4	
E-fishing	Peche Inner 2	Pumpkinseed	52	3	
E-fishing	Peche Inner 2	Pumpkinseed	57	4	
E-fishing	Peche Inner 4	Pumpkinseed	59	5	
E-fishing	Peche Inner 4	<i>Lepomis sp.</i>	31		
E-fishing	Peche Inner 4	Bluegill	51		
E-fishing	Peche Inner 4	Bluegill	44		
E-fishing	Peche Inner 4	Bluegill	50	3	
E-fishing	Peche Inner 4	<i>Lepomis sp.</i>	43		
E-fishing	Peche Inner 4	<i>Lepomis sp.</i>	52	1	
E-fishing	Peche Inner 4	<i>Lepomis sp.</i>	45		
E-fishing	Peche Inner 4	<i>Lepomis sp.</i>	43		
E-fishing	Peche Inner 4	<i>Lepomis sp.</i>	54	1	
Minnow Trap	14-T9	Mimic Shiner	55		A
Minnow Trap	14-T10	Mimic Shiner	51		A
Minnow Trap	14-T10	Mimic Shiner	55		A
Minnow Trap	14-T10	Mimic Shiner	51		B
Minnow Trap	14-T4	Rock Bass	45		B
Minnow Trap	14-T3	Mimic Shiner	59		A
Minnow Trap	14-T3	Rock Bass	31		B
Minnow Trap	14-T7	Mimic Shiner	56		C
Minnow Trap	14-T7	Mimic Shiner	45		C
Minnow Trap	13-T8	Rock Bass	47		B
Minnow Trap	13-T10	Mimic Shiner	51		B
Minnow Trap	13-T5	Rock Bass	32		A
Minnow Trap	13-T5	Rock Bass	39		C
Minnow Trap	13-T3	Rock Bass	43		A
Minnow Trap	13-T3	Rock Bass	41		B
Minnow Trap	13-T3	Rock Bass	29		C
Minnow Trap	13-T6	Rock Bass	51		A
Minnow Trap	13-T6	Mimic Shiner	55		C
Minnow Trap	13-T1	Bluegill	48		B
Minnow Trap	13-T1	Rock Bass	39		B



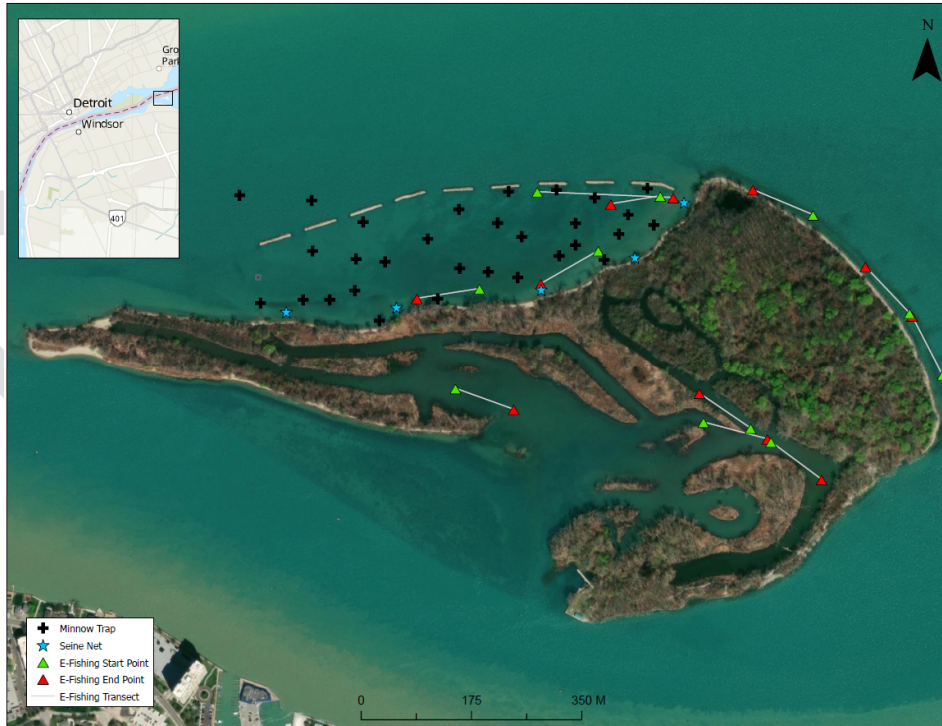
Minnow Trap	13-T1	Rock Bass	46	C
Minnow Trap	15-T10	Mimic Shiner	45	C
Minnow Trap	15-T8	Yellow Perch	59	A
Minnow Trap	15-T6	Rock Bass	42	C
Minnow Trap	15-T4	Mimic Shiner	55	A
Minnow Trap	15-T2	Rock Bass	51	C
Seine Net	15-S1	Alewife	47	
Seine Net	15-S1	Mimic Shiner	47	
Seine Net	15-S2	Spottail Shiner	57	
Seine Net	15-S2	Smallmouth Bass	47	
Seine Net	15-S2	Smallmouth Bass	56	
Seine Net	15-S2	Smallmouth Bass	42	
Seine Net	15-S2	Smallmouth Bass	55	
Seine Net	15-S2	Mimic Shiner	54	
Seine Net	15-S2	Spottail Shiner	57	
Seine Net	16-S1	Mimic Shiner	37	
Seine Net	16-S1	Alewife	45	
Seine Net	16-S1	Yellow Perch	54	
Seine Net	16-S1	Smallmouth Bass	55	
Seine Net	16-S1	Emerald Shiner	57	
Seine Net	16-S1	Notropis sp	29	
Seine Net	16-S2	Smallmouth Bass	58	
Seine Net	16-S2	Smallmouth Bass	50	
Seine Net	16-S2	Smallmouth Bass	52	
Seine Net	16-S2	Smallmouth Bass	58	
Seine Net	16-S2	Smallmouth Bass	58	
Seine Net	16-S2	Mimic Shiner	55	
Seine Net	16-S2	Yellow Perch	59	
Seine Net	16-S2	Yellow Perch	57	
Seine Net	16-S2	Yellow Perch	53	
Seine Net	16-S3	Smallmouth Bass	49	
Seine Net	16-S3	Smallmouth Bass	57	
Seine Net	16-S3	Mimic Shiner	56	
Seine Net	16-S3	Emerald Shiner	57	
Seine Net	16-S3	Spottail Shiner	35	
Seine Net	16-S3	Spottail Shiner	49	
Seine Net	16-S3	<i>Notropis sp.</i>	22	

# FIGURES

(A) 2021  
Monitoring

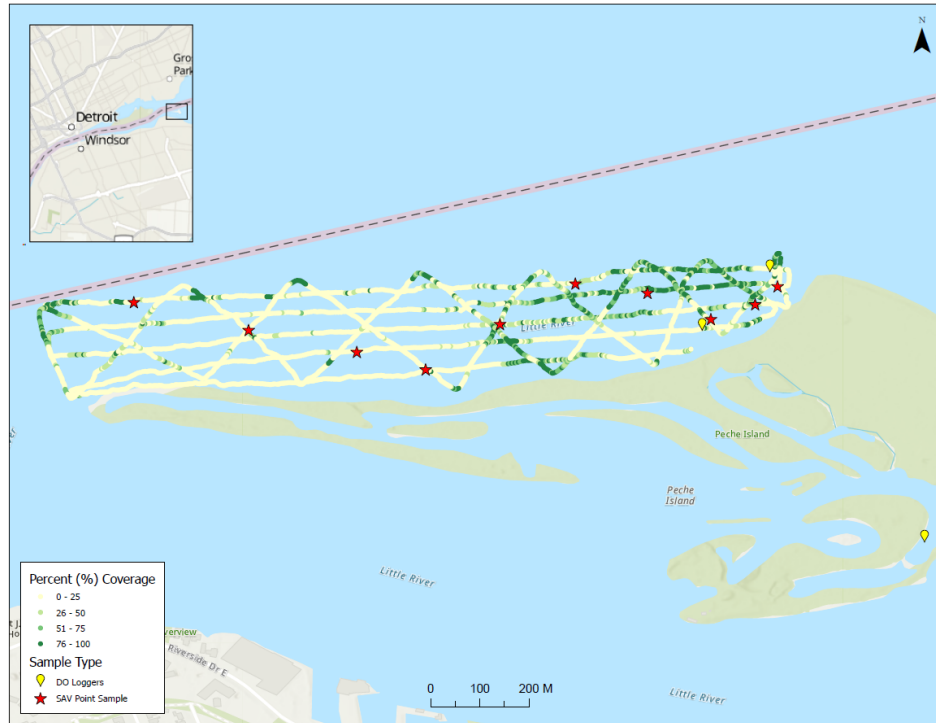


(B) 2023  
Monitoring

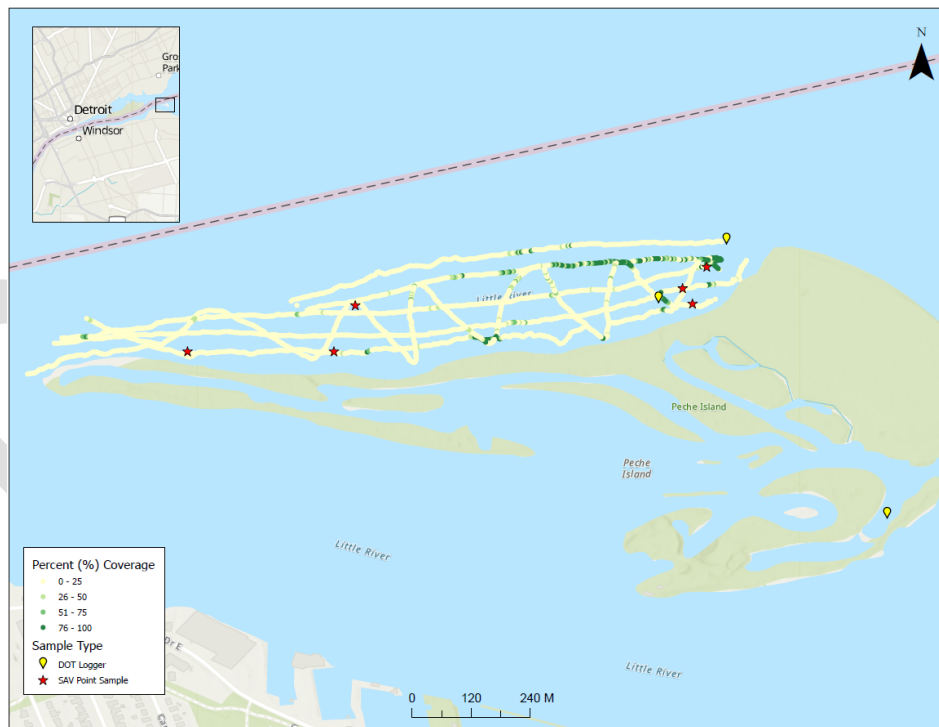


**Figure 1.** Map of Peche Island sampling sites in the Detroit River, classified by fish sampling gear, for (A) 2021, and (B) 2023.

**(A) 2021  
Monitoring**

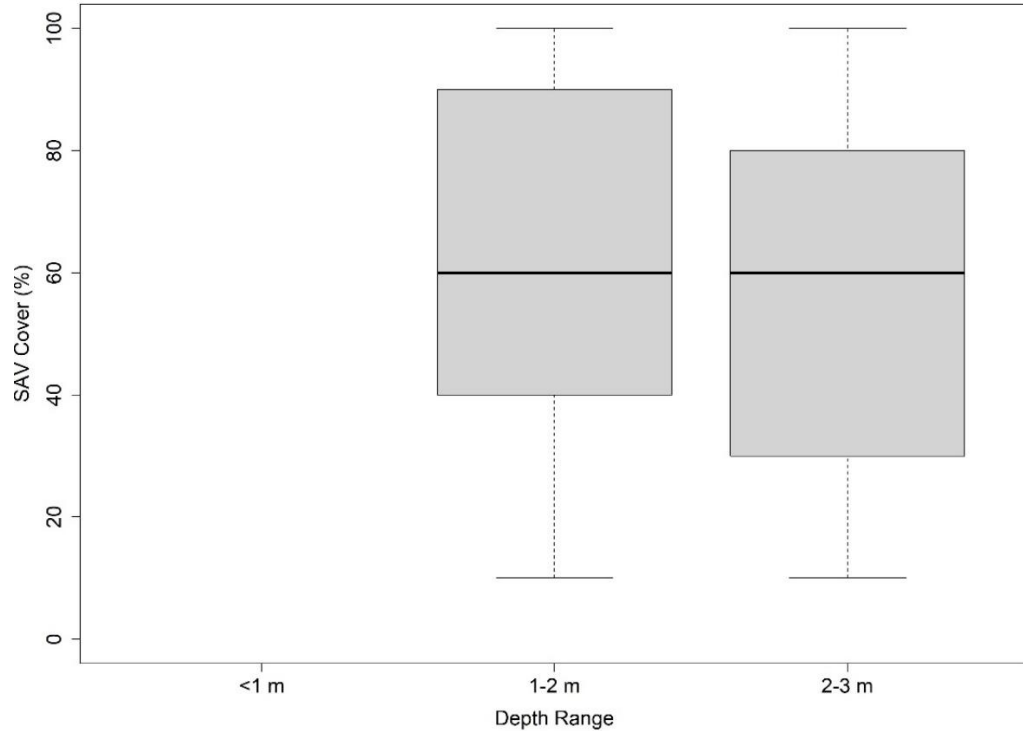


**(B) 2023  
Monitoring**

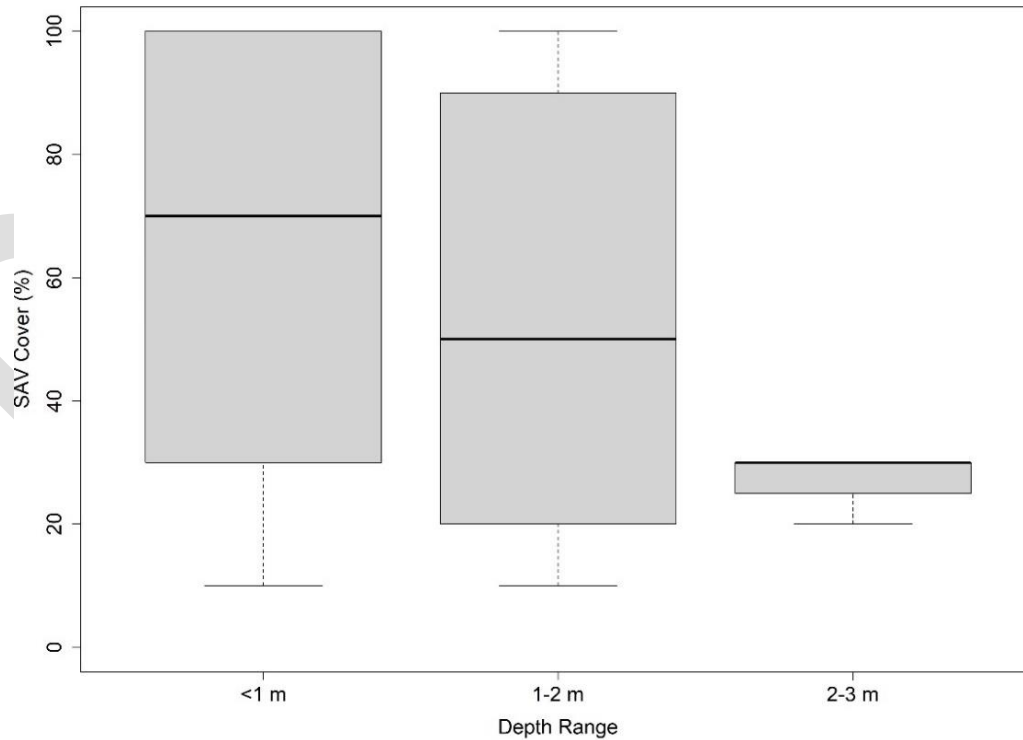


**Figure 2.** Percent submerged aquatic vegetation (% SAV) cover and density determined by the analysis of acoustic data from the Peche Island SAV survey for (A) Phase 1, Year 1 post-construction monitoring in 2021, and (B) Phase 1, Year 3 and Phase 2, Year 1 post-construction monitoring in 2023. Point samples are visual inspections to provide verification data for the acoustics. Location of the dissolved oxygen – temperature (DOT) loggers are included. Sampling did not occur in the <1 m range in 2021.

**(A) 2021  
Monitoring**

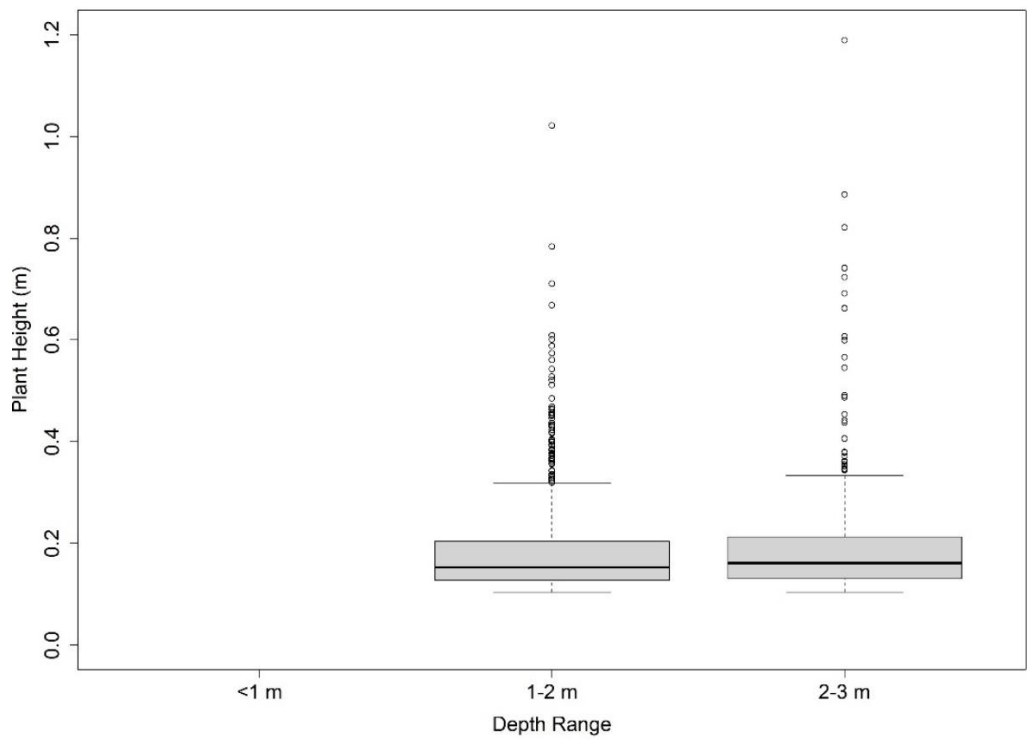


**(B) 2023  
Monitoring**

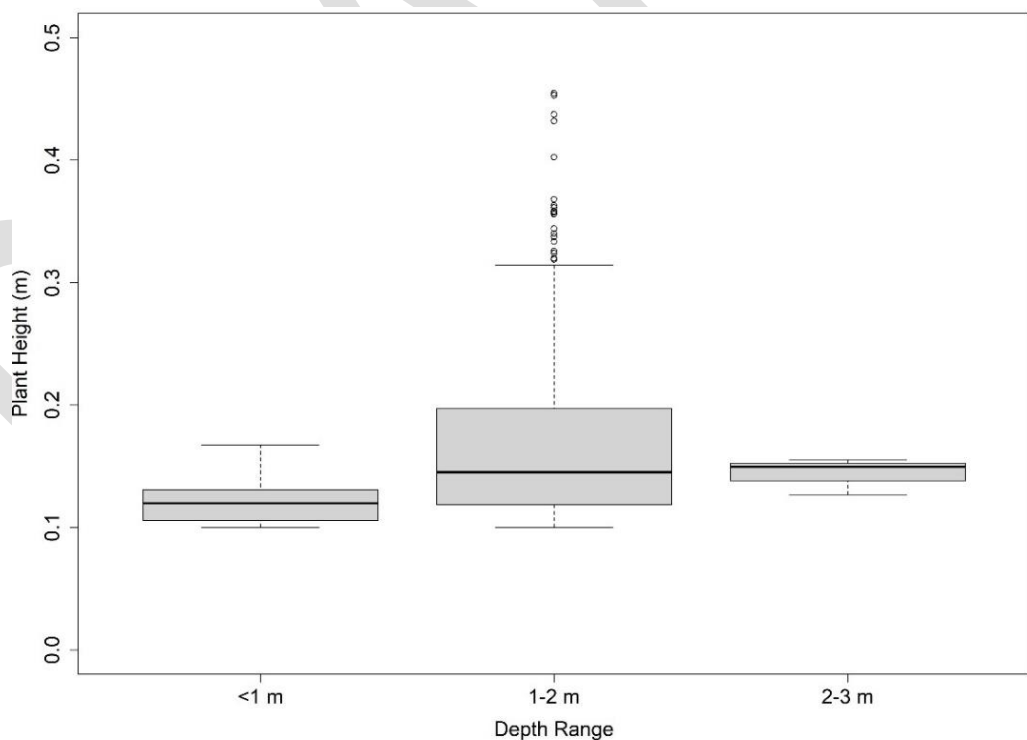


**Figure 3.** Boxplots by depth range of percent SAV cover for the Peche Island erosion mitigation project based on the acoustic analysis of (A) the August 2021 monitoring data, and (B) the August 2023 monitoring data.

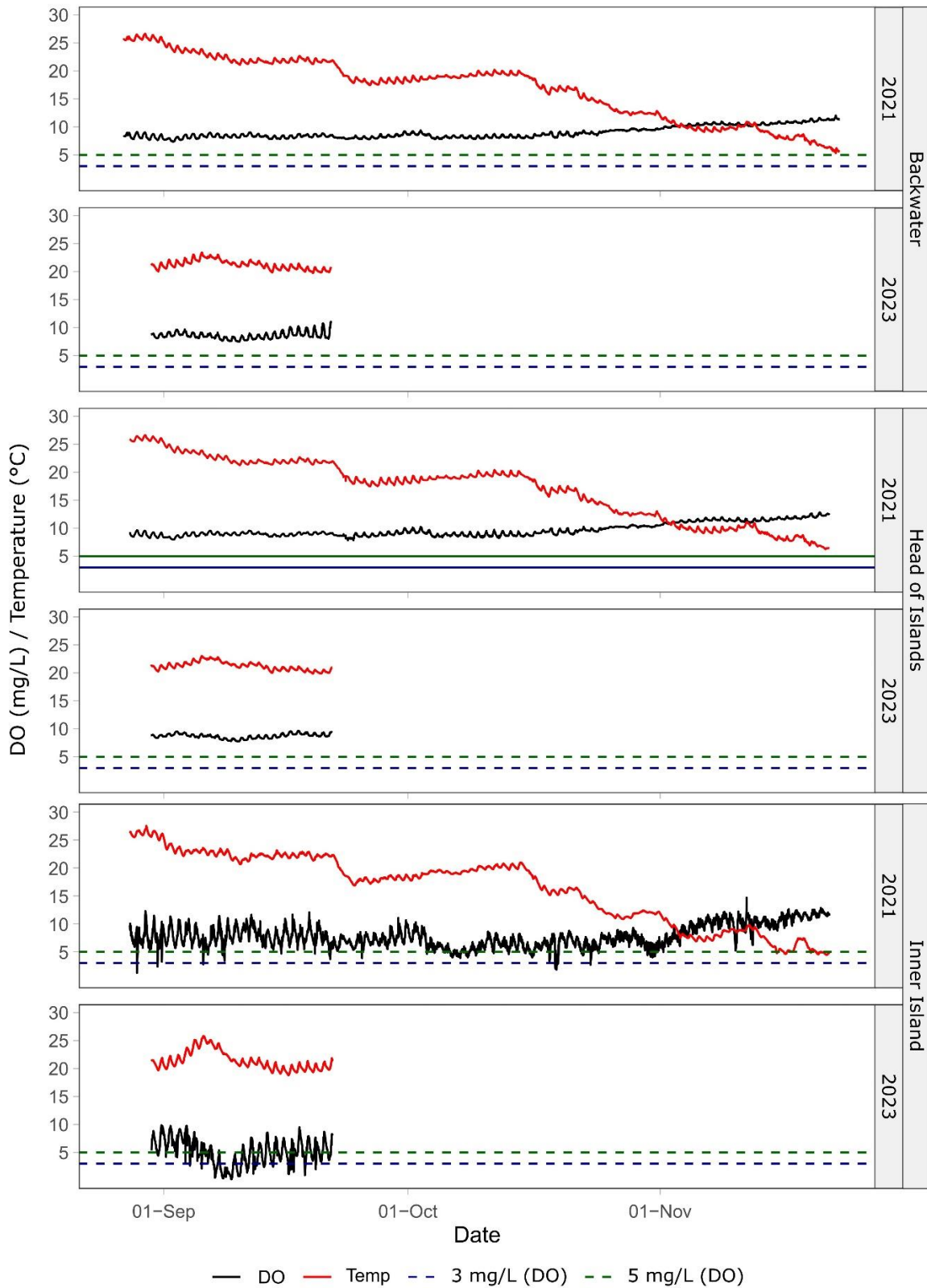
**(A) 2021  
Monitoring**



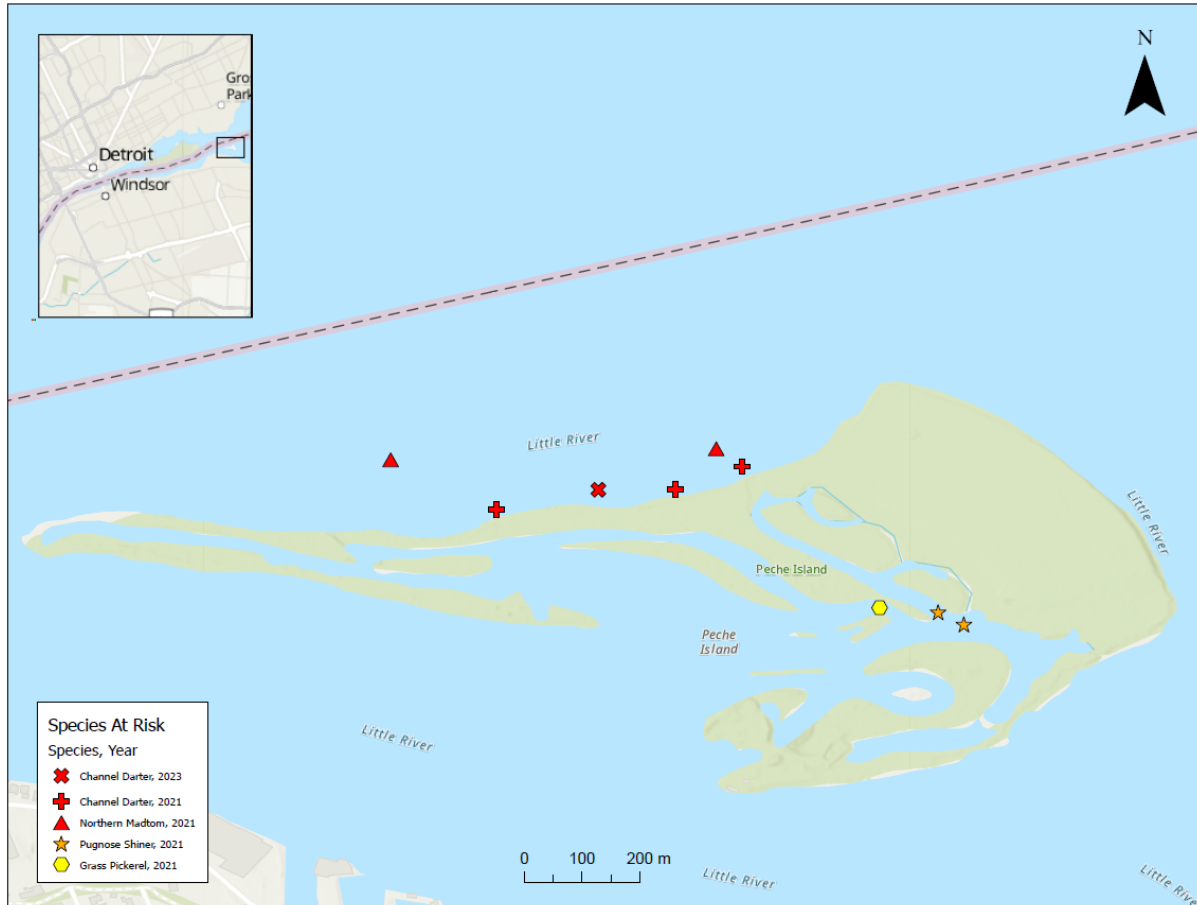
**(B) 2023  
Monitoring**



**Figure 4.** Boxplots by depth range of SAV plant height (m) determined for the Peche Island erosion mitigation project based on the acoustic analysis of (A) the August 2021 monitoring data, with no sampling in the <1 m range, and (B) the August 2023 monitoring data.



**Figure 5.** Dissolved oxygen (DO) and temperature (°C) recorded from HOBO U26 loggers deployed in the backwater area behind the islands, the head of the islands, and in the inner island wetland complex. Data for 2021 and 2023 are displayed for each location.



**Figure 6.** Map of the Species at Risk (SAR) captured at Peche island in 2021 and 2023. Colour of each symbol represents the SAR classification (Red = Endangered, Orange = Threatened, Yellow = Special Concern).

## APPENDIX

**Table A10.** Corrections made to the Peche Island Phase 1, Year 1 post-construction monitoring report (Gardner Costa et al. 2021).

Description	Previous Number(s) Reported	Corrected Number(s)	Reasoning
Total number of fish caught	$n = 3,364$ fish	$n = 3,347$ fish	Number misreported
Total number of fish captured using minnow traps	$n = 591$ fish	$n = 574$ fish	Number misreported
Total number of minnow traps and trap hours	$n = 36$ traps and $n = 2,158$ trap hours	$n = 30$ traps and $n = 2,103$ trap hours	Numbers misreported
Number of new native species not previously recorded by past surveys	$n = 20$ new native species	$n = 19$ new native species	Number misreported
Hydroacoustic data was re-analyzed	Percent SAV cover was $83.0 \pm 26.85\%$ , but it was misreported as $49.31 \pm 45.70\%$	Percent SAV cover is $59.49 \pm 29.13\%$	Previous analysis overestimated percent SAV cover. Cut-off for SAV was more conservative in the new analysis. New figures were created



**TO: Mayor and City Council**

**FROM: Jelena Payne, Commissioner Economic Development**

**Matthew Johnson, Executive Director Economic Development**

**DATE: March 18, 2024**

**SUBJECT: Ontario Energy Board (OEB) & Keeping Ontario Energy Costs Down Act**

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Mayor Dilkens and Members of City Council,

The intent of this communication is to provide additional information and context to the Ontario Energy Board (OEB) decision announced in December 2023 and the recently announced “Keeping Ontario Energy Costs Down Act” (“Act”) from the Ontario Minister of Energy, Honourable Todd Smith.

### **Overview of OEB Decision**

The OEB is the independent regulator of Ontario’s electricity and natural gas sectors with a mandate to protect the interests of consumers and deliver public value that contributes to Ontario’s economic, social and environmental development.

In December 2023, the OEB made a decision affecting how new homes are connected to natural gas infrastructure by Enbridge Gas Inc. (Enbridge). This decision, part of the "Phase I" of Enbridge's rate application, required Enbridge to collect the entire cost of connecting new homes to the natural gas network upfront, rather than allowing these costs to be amortized over a 40-year period as had been customary. This change was justified by a majority of the OEB Panel, who argued that a zero-year revenue horizon for new small-volume connections was more conservative and would eliminate the risk of stranded assets. This decision was based on the conclusion that the previous assumptions regarding the long-term viability of new natural gas connections were no longer reasonable given the current energy transition context away from natural gas.

The OEB decision followed an established process where 30+ intervenor groups applied for intervenor status and allowed participation in the process through interrogatories, a technical conference, expert evidence, and an oral hearing. The oral hearing was held between July 13<sup>th</sup> and August 11<sup>th</sup>, 2023 which included either oral or written submissions from several intervenor groups.

### **Overview of Enbridge’s response**

In January 2024, Enbridge filed a notice of appeal in Ontario’s Divisional Court asking the court to set aside portions of the OEB ruling that would see customers pay the total capital costs of a natural gas connection upfront instead of spreading the cost over 40 years as had been customary. Enbridge contends that the OEB had historically directed it to use 40 years and erred in law by “rendering a decision in the absence of any evidence considering the effect of a zero-year revenue horizon and with no evidence that any other jurisdiction has adopted this approach”.

## **Overview of “Keeping Ontario Energy Costs Down Act”**

The "Act", if passed, would give the provincial government the authority to negate the OEB's decision that required residential customers and small businesses to pay the full cost of new natural gas connections upfront, a cost that was previously spread out over forty years to all existing rate payers. Additionally, the government plans to introduce a Natural Gas Policy Statement following the recommendations of the Electrification and Energy Transition Panel's final report, which would necessitate a re-evaluation of this issue by the OEB.

Moreover, the government will appoint a new chair to the OEB, with an expectation for the board and commissioners to conduct thorough consultations before making decisions. These efforts are part of the government's broader strategy to maintain an affordable, reliable, and clean energy system, with natural gas playing a crucial role in Ontario's energy mix alongside investments in clean nuclear energy.

## **Summary of Positions**

This legislative move has faced criticism from environmental groups. Environmental Defence (ED), for example, is not supportive of the Ontario government's decision to overrule the OEB, arguing that it benefits specific stakeholders such as Enbridge and housing developers at the expense of current gas customers. The group highlights that this approach contradicts the need for affordable and efficient energy solutions, such as heat pumps, which could provide long-term cost savings and environmental benefits compared to natural gas. ED also pointed out that the act proposes changes that would exempt certain pipeline projects from OEB oversight, potentially overriding public interest considerations.

The " Act" tabled by the Ontario government in February 2024 with the aim of reversing a decision by the OEB cites that the OEB's decision would have increased the costs associated with building new homes in the province. This decision, made in December 2023, would have added an average of \$4,400 to the price of new homes, and in some cases, particularly in rural Ontario, this cost could have escalated to tens of thousands of dollars, according to the province. By proposing to reverse this decision, the government seeks to prevent these additional costs from impacting future homebuyers and to ensure the continuation of critical infrastructure projects.

## **Conclusion**

Administration is currently waiting for more information regarding the outcome of the OEB's decision because Enbridge is filing an appeal in Ontario's Divisional Court and the provincial government concurrently introduced new legislation under the "Act" that will have implications on this file. Additionally, the province is in the process of appointing a new chair of the OEB this spring with the expectation that the board and commissioners conduct appropriate consultation – in line with the proposed legislative requirements. As this process is still unfolding, Administration expects that Council will continue to receive letters from respective groups requesting Council to take a position on

this matter. Administration is recommending that Council remain neutral on this matter as the legal process unfolds and simply “Note to File” any current and future correspondence.

**Approvals:**

Name	Title
Matthew Johnson	Executive Director, Economic Development
Jelena Payne	Commissioner, Economic Development
Joe Mancina	Chief Administrative Officer



**Ontario**  
Home Builders'  
Association



**February 15, 2024**

To: Mayor Drew Dilkens Office  
350 City Hall Square West, P.O. Box 1607  
Windsor, Ontario  
Canada  
N9A 6S1  
Phone: (519) 255-6315

**Re: Securing access to natural gas for our community and Ontario**

Your Worship and Members of Council,

I am writing to inform you of Windsor-Essex Home Builders Associations' concerns with the Ontario Energy Board's (OEB) decision on Phase 1 of the Enbridge Gas 2024 rebasing application (the "Decision"), issued on December 21, 2023. The disappointing decision puts future access to natural gas in doubt and sets a deliberate course to eliminate natural gas from Ontario's energy mix. This decision is about the millions of Ontarians who rely on natural gas to keep their homes warm and the many businesses throughout Ontario that depend on natural gas for day-to-day operations. Furthermore, the consequence of the Decision, if left to stand, will increase the cost of servicing homes in our community to cover the upfront costs of all gas infrastructure needed. For new subdivisions, there is potential that multi-million dollar projects would be required to build necessary infrastructure, years before subdivision occupancy begins.

Ontario and our local communities are growing, and access to affordable energy to support this growth for homes and businesses is crucial. Energy infrastructure is vital to the manufacturing, agriculture, and consumer goods industries in Ontario. The impacts of this decision, which conveys a strong bias against natural gas, will stifle economic growth and put housing and energy affordability at risk – these are issues that matter the most to our municipality.

Without natural gas, communities across Ontario will feel the impacts of this decision in their everyday lives – the stakes are high.

- **Energy Affordability:** Those looking to connect to natural gas will be required to pay an upfront fee, which creates a significant financial barrier to all forms of residential and commercial development. This resulting fee adds thousands of dollars to individual consumers' cost to obtain or expand gas service.
- **Economic Growth:** This decision will put economic developments in your community at risk. The decision limits the ability of future expansion projects to support regional investment to meet the ever-growing energy needs in your community and communities across Ontario. That includes greenhouses,

grain dryers, industrial parks, and any new businesses or housing developments seeking access to natural gas.

- **Energy Access:** Preserving customer choice is critical. Constraining access to natural gas through a reduction in capital will significantly limit the future development of essential energy infrastructure vital to moving manufacturing, agriculture, and the consumer goods industry in Ontario.
- **Energy Security:** On an annual basis, natural gas delivers twice the energy to Ontario than electricity and five times the maximum peak capacity of Ontario's electricity grid at a quarter of the cost. Even in the worst weather conditions, our reliable natural gas system delivers.

The Ontario Homebuilders Association (OHBA) has conveyed these concerns and the basis of the Decision to the Minister of Energy, Premier Ford and MPPs.

Our ask of you is to reinforce this message by calling local MPPs to share your support for the government's quick action and write the OEB about the consequences of reduced access to the natural gas grid to support economic development, housing growth, and energy reliability. Use your voice to acknowledge the need for natural gas and infrastructure in Ontario today and into the future while we take a measured step towards energy transition and, lastly, express the Council's support to re-affirm the response of the Government of Ontario to introduce a legislative vehicle to reverse the OEB's rate rebasing decision upon return of the Legislature on February 20, 2024.

Regards,



**Brent Klundert**  
President,  
Windsor-Essex Home Builders Association



**Melissa Schenk**  
Executive Officer,  
Windsor-Essex Home Builders Association

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*The Windsor-Essex Home Builders' Association is the voice of the residential construction industry in our region. WEHBA is 1 of 27 local associations across the province, that comprises the Ontario Home Builders Association, representing 4,000 member companies. The residential construction industry employs over 550,000 workers, paying \$38.8 billion in wages and contributing over \$80 billion in investment value to Ontario's economy (2022). Our members have the vital responsibility to build the housing supply that current Ontario residents are counting on at all stages of their lives and be the voice of future home buyers who want to call our province home.*

January 30, 2024

Your Worship and Members of Council,

I am writing to inform you of our concerns with the Ontario Energy Board's (OEB) decision on Phase 1 of the Enbridge Gas 2024 rebasing application, issued on December 21, 2023. The disappointing decision puts future access to natural gas in doubt and sets a deliberate course to eliminate natural gas from Ontario's energy mix. This decision is about the millions of Ontarians who rely on natural gas to keep their homes warm, and the many businesses throughout Ontario who depend on natural gas for day-to-day operation.

Our 2024 rate rebasing application was designed to provide our customers with safe and reliable natural gas at a reasonable cost, in addition to measured steps to help Ontario advance a practical transition to a sustainable energy future. Natural gas plays a critical role in Ontario's energy evolution mix while supporting the reliability of Ontario's electricity system. Natural gas meets 30 percent of Ontario's energy needs, which can not be easily or quickly replaced.

**We are taking action to secure the future of natural gas in your communities. We have filed a motion to review evidence with the OEB and are seeking a judicial review of this decision.**

Without natural gas, communities across Ontario will feel the impacts of this decision in their everyday lives – the stakes are high.

- **Energy Affordability:** Those looking to connect to natural gas will be required to pay an upfront fee, which creates a significant financial barrier to all forms of residential and commercial development. This resulting fee adds thousands of dollars to individual consumers' cost to obtain or expand gas service.
- **Economic Growth:** This decision will put economic developments in your community at risk. The decision limits the ability of future expansion projects to support regional investment to meet the ever-growing energy needs in your community and communities across Ontario. That includes greenhouses, grain dryers, industrial parks, and any new businesses or housing developments seeking access to natural gas.
- **Energy Access:** Preserving customer choice is critical. Constraining access to natural gas through a reduction in capital will significantly limit the future development of essential energy infrastructure vital to moving manufacturing, agriculture, and the consumer goods industry in Ontario.
- **Energy Security:** On an annual basis, natural gas delivers twice the energy to Ontario than electricity, and five times the maximum peak capacity of Ontario's electricity grid at a quarter of the cost. Even in the worst weather conditions, our reliable natural gas system delivers.

**As local leaders across the province, your voice matters, and we encourage you to take action.**

Reach out to your MPP to share your support for the government's [quick action](#) and write the OEB about the consequences of reduced access to the natural gas grid to support economic development, housing growth, energy reliability. Use your voice to acknowledge the need for natural gas and infrastructure in Ontario today and into the future while we take a measured step towards energy transition.

We ask that you reach out to your municipal advisor or find us at [municipalaffairs@enbridge.com](mailto:municipalaffairs@enbridge.com) to get started.

Sincerely,



Michele Harradence  
President  
Enbridge Gas Inc.



February 12, 2024

Your Worship and Members of Council,

**Re: OEB Decision Supporting Gas Affordability**

We are writing regarding the decision of the Ontario Energy Board (“OEB”) to end the subsidy for methane gas pipelines in new residential developments and reduce spending on gas pipelines generally. This is an excellent decision that will help to lower the energy bills of your residents and help achieve municipal climate targets. Unfortunately, Enbridge has been working to overturn the decision because it would greatly reduce their profits.

We know that Enbridge has asked municipalities to lobby the Ontario Government to pass legislation reversing the decision, based on incorrect and misleading information. We are writing to correct the record.

Enbridge’s letters exclude key facts. For instance, they don’t mention how much the OEB decision would save gas customers – over \$2 billion over five years, or approximately \$600 per customer.<sup>1</sup> The OEB decision would also encourage more heat pumps in new buildings, which would lower energy bills for new homebuyers while lowering carbon pollution.<sup>2</sup> Enbridge says there is no subsidy for pipelines in new construction and that the OEB decision will eliminate gas from Ontario’s energy mix while undermining housing supply and affordability. The opposite is true.<sup>3</sup> The OEB decision promotes housing affordability and avoids the risk of gas prices spiralling out of control in the future due to excessive spending on fossil fuel infrastructure today.<sup>4</sup>

The subsidy for new gas pipelines conflicts with municipal climate targets and plans. Natural gas is also known as methane gas or fossil gas. It is a fossil fuel that causes approximately one-third of Ontario’s greenhouse gas emissions.<sup>5</sup> Heating homes and businesses with gas accounts for approximately 19% of Ontario’s greenhouse gas emissions.<sup>6</sup> Municipalities cannot achieve net zero without eliminating the use of methane gas for building heating.<sup>7</sup>

New gas pipelines generally have a 60-year lifetime, extending far beyond 2050, and are only financially viable if they can be paid off over a long period extending far beyond 2050. It is financially and environmentally irresponsible to

be building new pipelines and installing gas equipment in new developments with a massive subsidy worth over \$250 million each year.

These recent letters to municipalities are not the first time Enbridge has tried to deceive people with omissions and deceptive statements. The Commissioner of Competition recently commenced an inquiry into Enbridge's deceptive marketing under the *Competition Act*.<sup>8</sup> Enbridge has been telling Ontarians that gas is the cheapest way to heat homes, which is not true.<sup>9</sup> Heat pumps are the cheapest systems to use.<sup>10</sup> When armed with the truth, we hope that municipal leaders will stand up for the OEB's decision, for the sake of lower energy bills for residents and a cleaner future for all municipalities.

## **Background – The OEB's Sensible Decision**

The OEB's decision ended a subsidy for the cost of extending natural (methane) gas pipelines in and within new developments effective 2025. These costs are covered by other gas users.<sup>11</sup>

The OEB ended the subsidy because it is bad for existing gas customers and bad for new homebuyers. The subsidy is bad for existing gas customers because they pay for the subsidy through higher energy bills. This is a major capital cost, amounting to over \$250 million each year.<sup>12</sup> The subsidy is also bad for new homebuyers because it incentivizes developers to install gas equipment, which is much more expensive to operate than the heat pumps now available.<sup>13</sup> As such, the subsidy causes higher energy bills for both existing gas customers and new homebuyers. The subsidy also encourages fossil fuel use. Eliminating it is a win-win-win – for existing gas customers, for new homebuyers, and for reducing carbon pollution. The only real loser is Enbridge, which would see reduced profits when the subsidy is eliminated.

The OEB also reduced other spending on pipelines by \$250 million a year.<sup>14</sup> Those two changes amount to approximately \$600 in savings per customer over the five-year term of the OEB decision.<sup>15</sup>

## **Fact and fiction**

Enbridge argues that there is no subsidy for gas pipelines in new construction and that the OEB decision will reduce housing affordability, restrict housing supply, eliminate gas from Ontario's energy mix, and put renewable natural gas projects at risk. None of this is true.

1. **The gas pipeline subsidy:** Enbridge says that there is no subsidy for pipelines in new developments.<sup>16</sup> That is false. Most developers pay



nothing for the pipelines to and in their developments.<sup>17</sup> These costs are paid by all ratepayers. There is no surcharge levied on developers nor the new homebuyers to pay off the pipeline costs over time. Instead, the new homebuyers pay the same rates as other gas customers. It encourages fossil fuel expansion because all gas ratepayers cover the upfront cost of extending the gas expansion.<sup>18</sup>

2. **Housing affordability:** Enbridge argues that the OEB decision will undermine housing affordability. The opposite is true. It will encourage developers to install heat pumps, which are cheaper to operate than gas equipment.<sup>19</sup>
3. **Housing supply:** Enbridge argues that the OEB decision will slow down residential construction. This is untrue. Developers can simply forgo gas if they do not want to pay for gas pipelines. This requires changes that some developers do not want to make, but it need not inhibit construction.
4. **Gas for existing customers:** Enbridge argues that the decision will eliminate natural gas from Ontario's energy mix.<sup>20</sup> This is patently false. Instead, the decision protects gas customers from excessive spending that could lead to gas costs spiraling out of control.<sup>21</sup> Enbridge was planning to spend \$7 billion over the next five years (including over \$1 billion for the new construction subsidy) on fossil fuel infrastructure.<sup>22</sup> This would all need to be recouped from Ontario's gas customers. This plan was too expensive and risky, particularly as we phase out fossil fuels. The OEB's decision was consistent with the province's recent report of the Electrification and Energy Transition Panel, which discussed the need to keep costs down as customers become increasingly likely to leave the gas grid.<sup>23</sup> The OEB is a consumer protection agency and it simply did its job to protect customers.
5. **Low-carbon gases:** Enbridge is providing municipalities with template lobbying letters touting decarbonization through low-carbon gases, like biogas (which is gas captured from sources such as waste water, not extracted from underground). These gases are important for the hardest to decarbonize sectors, but they cannot replace any more than a tiny portion of the fossil-based methane gas we use today to heat our buildings.<sup>24</sup> We continue to need a huge amount of electrification even if we use low-carbon gases to their fullest. Also, the cost of the gas system must be cut dramatically for pipelines to have a viable future serving customers with low-carbon gases.<sup>25</sup>

6. **Biogas:** Enbridge says that the OEB decision puts biogas projects at risk. That would be contrary to the OEB's decision, which did not cut funding for biogas. Those projects are usually self-funded in any event.
7. **Electricity availability:** Enbridge argues that there is not enough electricity to replace gas. That is not true – increasing electricity supply is feasible and cost-effective.<sup>26</sup> But in any event, the OEB did not call for gas to be replaced by electricity. It simply said that costs must be reduced and that the subsidy for *new* pipelines must end. Ontario can certainly serve new housing with electricity if developers choose to install heat pumps instead of gas.

## Omissions

Enbridge's letter omits key details about the OEB decision. The decision, if allowed to stand, would benefit all Ontarians. Those benefits include the following:

- **Lower energy bills for existing gas customers:** The decision would lower energy bills for existing gas customers by ending the subsidy and cutting capital costs. The savings would be over \$2 billion over the five-year term of the decision (approximately \$600 per customer).<sup>27</sup>
- **Encourage the most cost-effective development decisions:** Developers do not have the right incentives now because they do not pay for gas infrastructure and do not pay the ongoing energy costs to run the expensive gas equipment they install.<sup>28</sup> Eliminating the pipeline subsidy will encourage developers to install equipment that is best for the homebuyers.<sup>29</sup>
- **Many benefits for new homebuyers:** Better incentives for developers will encourage them to install heat pumps and induction stoves, which have many benefits for new homebuyers, including the following:
  - **Lower energy bills:** Heat pumps and induction stoves are much cheaper to operate than gas.<sup>30</sup>
  - **Avoid future retrofit costs:** Installing electric equipment now will avoid retrofit costs that would otherwise be needed in the future for homes to get off fossil fuels for heating and cooking.<sup>31</sup>
  - **Eliminate carbon monoxide poisoning:** Electric equipment fully eliminates the risk of carbon monoxide poisonings and fatalities from gas appliances.
  - **Indoor air quality:** Gas equipment, especially stoves, emit toxic gases into homes, which can contribute to respiratory problems,

especially in children, seniors, and asthma sufferers.<sup>32</sup> One study found that 13% of childhood asthma in the United States is attributable to gas stove use.<sup>33</sup> Electric equipment results in cleaner air and healthier families.

- **Safety and convenience:** Induction stoves heat water faster than gas, are easier to clean, and are much safer for children as the surface does not get hot.<sup>34</sup> Heat pumps are stronger and more efficient than traditional air conditioners, providing better and cheaper cooling in the summer.<sup>35</sup> These are just some of the additional benefits of electric equipment.
- **Lower carbon pollution:** Encouraging less gas helps to avoid the carbon pollution that is already causing more frequent wildfires, drought, and green Christmases.
- **Jobs and growth:** Electric heating is much better for our economy than gas heating. Spending on gas flows out of the province and is lost to our economy. Spending on electricity will fund the growth of made-in-Ontario electricity generation, distribution, and transmission, creating good jobs, economic growth, and government revenue.

## Municipal climate plans and targets

Many jurisdictions, including New York State and Montreal, are prohibiting methane gas connections in new construction.<sup>36</sup> This makes a great deal of sense as a way to lower energy bills now *and* avoid expensive retrofit costs down the road. It also shows that housing development does not require gas. It would be ill-advised to not only allow new gas-heated subdivisions, but to maintain a *subsidy* for new gas connections. That subsidy is completely inconsistent with municipal climate plans and targets.

## Conclusion

The OEB decision would save gas customers over \$2 billion, but also slash Enbridge profits. Not surprising, Enbridge is rolling out a concerted effort against the OEB and its decision. As part of that effort, it is asking municipalities to write to their MPPs to ask the government to overturn the decision. We hope you will do the opposite, and write your MPP, the Minister of Energy, and the Premier in support of the OEB decision. Without this, the OEB decision will likely be reversed by the government, as they have already said they would do.<sup>37</sup> If the Government of Ontario wades in and reverses this OEB decision to support Enbridge, it would raise your residents' energy bills and make municipal climate targets even harder to reach.

If you have any questions about this letter, or would like to discuss this matter further, please don't hesitate to contact me at the email address listed below.

Sincerely,

A handwritten signature in black ink, consisting of the letters 'K' and 'B' followed by a long horizontal flourish.

Keith Brooks, Programs Director  
Environmental Defence  
kbrooks@environmentaldefence.ca

## **Attachment 1**

### **Excerpts from OEB Decision re Excessive Capital Spending**

The OEB concludes that Enbridge Gas’s proposal is not responsive to the energy transition and increases the risk of stranded or underutilized assets, a risk that must be mitigated.

...

Enbridge Gas identified the energy transition as a source of increased business risk. Despite this, Enbridge Gas has proposed approximately \$14 billion in capital expenditures for the 2023 to 2032 period (an average of \$1.4 billion per year), based on a forecast that shows continued growth in natural gas peak demand, extending the historic trendline, with a very small impact from the energy transition. The actual capital spend for the prior five years (2018 to 2022) was \$5.7 billion (average of \$1.1 billion year).

...

The risk that arises from the energy transition results from gas customers leaving the gas system as they transition to electricity to meet energy needs previously met by natural gas. This departure gives rise to assets that are not fully depreciated but are no longer used and useful. This results in stranded asset costs that Enbridge Gas would seek to recover from the remaining gas customers. This in turn would increase rates for those gas customers, leading more customers to leave the gas system, potentially leading to a continuing financial decline for the utility, often referred to as the utility death spiral.

In the face of the energy transition, Enbridge Gas bears the onus to demonstrate that its proposed capital spending plan, reflected in its Asset Management Plan, is prudent, having accounted appropriately for the risk arising from the energy transition.

The record is clear that Enbridge Gas has failed to do so.

...

The OEB is not satisfied that Enbridge Gas’s proposal will not lead to an overbuilt, underutilized gas system in the face of the energy transition.<sup>38</sup>

## Attachment 2

### Excerpts from Electrification and Energy Transition Panel Report

[E]merging evidence shows that it is unlikely the natural gas system can be fully decarbonized and continue to deliver cost-effective building heat. The development of regulatory frameworks and the evolution of natural gas infrastructure will need to align with the province's overarching clean energy economy commitment and protect customers as the role of natural gas changes in the province. A failure to align these regulatory frameworks with government's overarching policy commitments could result in significant cost hazards for customers or threats to overarching government policy commitments and an effective, orderly and well-aligned transition to a clean energy economy.

...

The speed at which customers would change their heating source is uncertain and dependent on a large number of individual factors, such as equipment age and personal preferences and values, as well as system-level and policy factors, such as cost development, availability of equipment and qualified technicians, and supportive policies and incentives. Nonetheless, this could lead to many customers disconnecting from the natural gas system absent any personal motivation to lower their carbon footprint. As a result, there is a real risk of stranding assets in home heating and the gas distribution grid over the medium to long-term, with significant risk to customers, investors and public finances. As more customers exit the natural gas grid to adopt electric heating, those customers who are least able to afford to electrify could be forced to pay higher and higher proportions of the network cost to keep the system running safely.

...

In either case, it is in the interest of the province, for the purpose of customer protection, to ensure that the regulatory mechanisms for the governance of the natural gas grid are aligned with a range of plausible outcomes, notably those that pose the greatest risks to customers.<sup>39</sup>

Notes:

<sup>1</sup> The OEB decision would reduce capital costs to be recouped from gas customers (through what is known as “rate base”) by over \$2.25 billion over the five-year term of the decision due to the elimination of the gas pipeline subsidy starting in 2025 (see the [OEB Decision](#), p. 48, and the all-in costs at p. 305 of [this evidence](#)) and the \$250 million per year capital spending reduction (see the [OEB Decision](#), p. 57). The actual savings would be even higher because customers pay interest and a return (i.e. profits) on capital spending to Enbridge over time. Even more would be saved by avoiding the cost in the future to disconnect meters and cut off services for customers that switch away from gas. There are approximately \$3.8 million Enbridge customers.

<sup>2</sup> OEB Decision and Order in EB-2022-0200, December 21, 2023, p. 41 ([link](#)).

<sup>3</sup> See pages 2-3 above.

<sup>4</sup> See page 3 above, [attachment 1](#), and [attachment 2](#).

<sup>5</sup> Enbridge Evidence in Ontario Energy Board File #EB-2022-0200, Exhibit 1, Tab 10, Schedule 3, Page 2 ([link](#)). upstream leaks add at least an additional 40% to the harmful climate impact (likely more if the latest science and measurements are used).

<sup>6</sup> Dr. Heather McDiarmid, An Analysis of the Financial and Climate Benefits of Electrifying Ontario’s Gas-Heated Homes by Installing Air-Source Heat Pumps, August 2, 2022, p. 8 ([link](#)).

<sup>7</sup> See [attachment 2](#) below and the submissions of Environmental Defence, p. 6-8 ([link](#)).

<sup>8</sup> National Observer, *Competition Bureau launches investigation into Enbridge over deceptive marketing*, January 11, 2024 ([link](#)).

<sup>9</sup> Application to the Competition Bureau dated June 19, 2023 ([link](#)).

<sup>10</sup> The OEB’s decision and many studies confirm that heat pumps achieve lower costs versus gas equipment - see: Evidence of the Energy Futures Group in OEB File # EB-2022-0200, p. 23 ([link](#)); Dr. Heather McDiarmid, An Analysis of the Financial and Climate Benefits of Electrifying Ontario’s Gas-Heated Homes by Installing Air-Source Heat Pumps, August 2, 2022, p. 11 ([link](#)); Corporate Knights, GREEN house effect: Calculate the savings from electrifying your home, June 20, 2023 ([link](#)); Ontario Ministry of Energy, Discussion Paper, August 2023, pp. 10-11 ([link](#)); OEB Decision and Order in EB-2022-0200, December 21, 2023, p. 41 ([link](#)).

<sup>11</sup> The subsidy was previously worth approximately \$4,500 per home on average. See OEB Decision and Order in EB-2022-0200, December 21, 2023, p. 34 ([link](#)).

<sup>12</sup> The cost is over \$300 million annually including all cost categories, such as capitalized overhead per Exhibit J13.7 ([link](#), PDF p. 305); OEB Decision and Order in EB-2022-0200, December 21, 2023, p. 48 ([link](#));

<sup>13</sup> The OEB’s decision and many studies confirm that heat pumps achieve lower costs versus gas equipment - see: Evidence of the Energy Futures Group in OEB File # EB-2022-0200, p. 23 ([link](#)); Dr. Heather McDiarmid, An Analysis of the Financial and Climate Benefits of Electrifying Ontario’s Gas-Heated Homes by Installing Air-Source Heat Pumps, August 2, 2022, p. 11 ([link](#)); Corporate Knights, GREEN house effect: Calculate the savings from electrifying your home, June 20, 2023 ([link](#)); Ontario Ministry of Energy, Discussion Paper, August 2023, pp. 10-11 ([link](#)); OEB Decision and Order in EB-2022-0200, December 21, 2023, p. 41 ([link](#)) and see also p. 34 regarding the perverse incentives for developers.

<sup>14</sup> OEB Decision and Order in EB-2022-0200, December 21, 2023, p. 57 ([link](#)).

<sup>15</sup> See note 1 above.

<sup>16</sup> Letter from Enbridge Gas, February 7, 2024 ([link](#)).

<sup>17</sup> OEB Decision and Order in EB-2022-0200, December 21, 2023, p. 34 ([link](#)) (“As a result of using the 40-year revenue horizon, virtually all developments end up including gas servicing, since the developer bears little or no cost to include gas servicing, has no responsibility for the energy bills to be paid by subsequent property owners, no exposure to the future stranded asset cost risk resulting from the energy transition, and therefore, no incentive to consider any of those impacts or alternatives that would avoid or reduce those impacts.”).

<sup>18</sup> OEB Decision and Order in EB-2022-0200, December 21, 2023, pp. 34 & 41 ([link](#)).

<sup>19</sup> OEB Decision and Order in EB-2022-0200, December 21, 2023, p. 41 ([link](#)).

<sup>20</sup> Letter from Michele Harradence, President of Enbridge Gas Inc., January 24, 2024 ([link](#)).

<sup>21</sup> OEB Decision and Order in EB-2022-0200, December 21, 2023, p. 19 ([link](#)) (“The OEB concludes that Enbridge Gas’s proposal is not responsive to the energy transition and increases the risk of stranded or underutilized assets, a risk that must be mitigated. ... The risk that arises from the energy transition results from gas customers leaving the gas system as they transition to electricity to meet energy needs previously met by natural gas. This departure gives rise to assets that are not fully depreciated but are no longer used and useful. This results in stranded asset costs that Enbridge Gas would seek to recover from the remaining gas customers. This in turn would increase rates for those gas customers, leading more customers to leave the gas system, potentially leading to a continuing financial decline for the utility, often referred to as the utility death spiral.

In the face of the energy transition, Enbridge Gas bears the onus to demonstrate that its proposed capital spending plan, reflected in its Asset Management Plan, is prudent, having accounted appropriately for the risk arising from the energy transition.

The record is clear that Enbridge Gas has failed to do so.”)

<sup>22</sup> Enbridge Evidence ([link](#), PDF p. 254); Enbridge Evidence, ([link](#), PDF p. 305).

<sup>23</sup> See excerpts in Appendix 1.

<sup>24</sup> Submissions of Environmental Defence, pp. 6-8 ([link](#)).

<sup>25</sup> Approximately 87% of the revenue needed to pay for gas pipelines in Ontario comes from the “general service” customers that use methane gas to heat their buildings (see Hearing Transcript Vol. 3, p. 12, Ins. 15-25, [link](#)). If much of that revenue is lost as buildings electrify, the remaining hard-to-decarbonize sectors (e.g. industrial facilities) will need to pick up the slack, leading to skyrocketing gas rates. Costs of gas infrastructure must be contained to maintain affordability for those sectors to may want to use pipelines to transport the small amount of low-carbon gases that will be available.

<sup>26</sup> Submissions of Environmental Defence, pp. 20-21 ([link](#)).

<sup>27</sup> OEB Decision and Order in EB-2022-0200, December 21, 2023, p. 48 ([link](#)); The cost is over \$300 million annually including all cost categories, such as capitalized overhead - see Exhibit J13.7 ([link](#), PDF p. 305).

<sup>28</sup> OEB Decision and Order in EB-2022-0200, December 21, 2023, p. 34 ([link](#)).

<sup>29</sup> OEB Decision and Order in EB-2022-0200, December 21, 2023, p. 41 ([link](#)) (“When a developer is faced with the full cost of including gas service in a development, that developer will be fully incented to choose the most cost effective, energy efficient choice in a manner that not only achieves efficiency in the cost of housing in a competitive market



and lowers the operating cost of that housing, but also maximizes the contribution to achieving government decarbonization policy goals.”).

<sup>30</sup> The OEB’s decision and many studies confirm this. See Evidence of the Energy Futures Group in OEB File # EB-2022-0200, p. 23 ([link](#)); Dr. Heather McDiarmid, *An Analysis of the Financial and Climate Benefits of Electrifying Ontario’s Gas-Heated Homes by Installing Air-Source Heat Pumps*, August 2, 2022, p. 11 ([link](#)); Corporate Knights, *GREEN house effect: Calculate the savings from electrifying your home*, June 20, 2023 ([link](#)); Ontario Ministry of Energy, *Discussion Paper*, August 2023, pp. 10-11 ([link](#)); OEB Decision and Order in EB-2022-0200, December 21, 2023, p. 41 ([link](#)).

<sup>31</sup> OEB Decision and Order in EB-2022-0200, December 21, 2023, p. 38 ([link](#)).

<sup>32</sup> CBC, *After seeing how gas stoves pollute homes, these researchers are ditching theirs*, April 7, 2022 ([link](#)); CBC,

<sup>33</sup> Taylor Gruenwald et al, *Population Attributable Fraction of Gas Stoves and Childhood Asthma in the United States*, *Int. J. Environ. Res. Public Health* 2023, 20(1), 75 ([link](#)).

<sup>34</sup> CBC, *Professional chefs tout the culinary — and environmental — advantages of induction stoves*, April 7, 2022 ([link](#)).

<sup>35</sup> Evidence of the Energy Futures Group in OEB File # EB-2022-0200, p. 22 and footnote 48 ([link](#)).

<sup>36</sup> Over 20 jurisdictions in the United States have prohibited gas connections in new construction. See EB-2022-0200, Exhibit J8.3, Attachment 1 ([link](#), PDF p. 66)

<sup>37</sup> Ontario Government Press Release, December 22, 2023 ([link](#)).

<sup>38</sup> OEB Decision and Order in EB-2022-0200, December 21, 2023, pp. 19-22 ([link](#)).

<sup>39</sup> Electrification and Energy Transition Panel, *Ontario’s Clean Energy Opportunity* ([link](#)), emphasis added.

**PLANNING DEPARTMENT – DEVELOPMENT DIVISION**

**Memo**

**To:** City Clerk

**From:** City Planner/Executive Director

**Date:** March 1, 2024

**Subject:** TRANSMITTAL OF NEW FILE

**Our File Number: Z-003/24 [ZNG/7169]  
OPA 180 [OPA/7168]**

**RE:** Application For: (X) Zoning Amendment (X) Official Plan Amendment  
( ) Part Lot Control ( ) Draft Plan of Subdivision/Condominium

Applicant: BOUZIDE ENTERPRISES LTD.


Location: 2144 HURON CHURCH ROAD

Description: Application to amend the Official Plan and Zoning By-law 8600 to construct a combined use building.

The ZONING AMENDMENT & OFFICIAL PLAN AMENDMENT applications submitted by BOUZIDE ENTERPRISES LTD. for 2144 HURON CHURCH ROAD has been deemed as complete on FEBRUARY 28, 2024.

Enclosures:

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



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Thom Hunt  
City Planner, Executive Director

/ap

March 1, 2024

Pillon Abbs Inc.  
Attn: Tracey Pillon-Abbs  
23669 Prince Albert Road  
Chatham, ON N7M 5J7

Dear Agent,

**Re: REZONING APPLICATION**  
**APPLICANT: BOUZIDE ENTERPRISES LTD.**  
**LOCATION: 2144 HURON CHURCH ROAD**  
**FILE NO.: Z-003/24 [ZNG/7169] & OPA 180 [OPA/7168]**

This is to acknowledge receipt of the applications for a rezoning and official plan amendment, which has been assigned the above-referenced file number. In accordance with the delegation authority as prescribed by By-Law 139-2013, the information and material required has been provided, therefore the application was deemed COMPLETE on February 28, 2024 and processing has begun.

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

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

Sincerely,



---

Adam Szymczak, MCIP, RPP  
Planner III – Development

AS/ap

## OFFICIAL PLAN AMENDMENT APPLICATION

### INSTRUCTIONS

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

- Section 1: Pre-Submission consultation with a staff Planner is mandatory per By-law 199-2007. If you do not have a valid Pre-Submission Letter, you must meet with a staff Planner who must sign and date this section.
- Section 2: During Pre-Submission consultation a staff Planner will indicate what supporting information must be submitted with the application.
- Section 3: Provide the full name, address, phone number, fax number and email address of the applicant, agent, and registered owner. If any of these are a corporation, provide the full corporate name. Include the full name of the contact person. If there is more than one person, corporation, or registered owner, use additional sheets.
- Section 4: Indicate if you are submitting companion applications with this application.
- Section 5: Provide information about the subject land. This information is used to determine or confirm supporting information requirements and to assist in the review of the application.
- Section 6: Describe the amendment and answer all questions. If some of this information is in a Planning Rationale Report, check the box beside "See Planning Rationale Report". If the question is not applicable, check the box beside "Not Applicable".
- Section 7: Provide details about any other Planning Act applications by the applicant for the subject land or any land within 120 metres of it.
- Section 8: Provide information about water service and sanitary sewage disposal.
- Section 9: Check the appropriate box based on the pre-submission consultation with the Planner.
- Section 10: Explain your proposed strategy for consulting with the public with respect to the application.
- Section 11: Complete and sign in the presence of a Commissioner of Taking Affidavits.
- Schedules: Read and complete Schedule A in full and sign.

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

Any timelines noted in this application form are subject to change.

The application is reviewed to ensure all prescribed information and the required fee have been submitted. Within 30 days of the receipt of the application, the applicant will be notified in writing that the application is deemed complete. If deemed incomplete, the application and fee will be returned. If deemed complete, the application fee is not refundable.

The applicant, agent and all other interested parties will be notified by Council Services of the date, time, and location of the Development & Heritage Standing Committee (DHSC) meeting and the Council meeting.

An application will be terminated without notice after 60 days of inactivity.

**DATE RECEIVED STAMP**

### CONTACT INFORMATION

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

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

# OFFICIAL PLAN AMENDMENT APPLICATION

## 1. PRE-SUBMISSION CONSULTATION

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

Valid Pre-Submission Letter? NO  YES  File Number: PS-080/21

*Staff Use Only*

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

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

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

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

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

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

# OFFICIAL PLAN AMENDMENT APPLICATION

## 3. APPLICANT, REGISTERED OWNER AND AGENT INFORMATION

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

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

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

### Applicant

Name: Bouzide Enterprises Ltd. Contact: c/o Vish Sood  
Name of Contact Person

Address: 2144 Huron Church Road

Address: Windsor, ON Postal Code: N9C 2L7

Phone: 519-796-3028 Fax: \_\_\_\_\_

Email: vishsood@yahoo.ca

### Registered Owner Same as Applicant

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

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

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

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

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

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

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

Address: 23669 Prince Albert Road

Address: Chatham, ON Postal Code: N7M 5J7

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

Email: tracey@pillonabbs.ca

## 4. COMPANION APPLICATIONS

Are you submitting a companion Rezoning application? NO  YES

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

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

# OFFICIAL PLAN AMENDMENT APPLICATION

## 5. SUBJECT LAND INFORMATION

Municipal Address 2144 Huron Church Road, Windsor

Legal Description See attached parcel abstract.

Assessment Roll Number 080-210-004200-0000

Frontage (m) 198.73 m (Huron Church Rd) Depth (m) Irregular Area (sq m) 1.26 ha (total)

Current Official Plan Designation Mixed Use Corridor, Schedule D (OPA 159)

What land uses are permitted by the Official Plan Designation? Commercial and residential land uses

## 6. DESCRIPTION OF OFFICIAL PLAN AMENDMENT (OPA)

Name of Official Plan proposed to be amended: *The City of Windsor Official Plan*

Amendment to Official Plan from Mixed Use Corridor to Site Specific Mixed Use Corridor

Purpose of the proposed OPA: To permit a 10 m landscape setback from Huron Church Road (South Cameron Planning Area and the Huron Church Road Corridor).

What land uses will the proposed official plan amendment (OPA) authorize? Commercial and residential land uses.

Does the proposed OPA change, replace or delete a policy in the Official Plan? No  Yes

If yes, the policy to be changed, replaced or deleted: Huron Church Road Corridor, Policy 1.2.2

Does the proposed OPA add a policy to the Official Plan? No  Yes

# OFFICIAL PLAN AMENDMENT APPLICATION

## 6. DESCRIPTION OF OFFICIAL PLAN AMENDMENT (OPA) - Continued

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Does the proposed OPA change or replace a designation in the Official Plan? No  Yes

If yes, the designation to be changed or replaced: \_\_\_\_\_  
\_\_\_\_\_

If a policy is being changed, replaced or deleted or if a policy is being added, the text of the proposed OPA:

Not Applicable                       See Planning Rationale Report                       See Attached

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If the proposed OPA changes or replaces a schedule in the Official Plan, the requested schedule and the text that accompanies it:

Not Applicable                       See Planning Rationale Report                       See Attached

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If the proposed OPA alters all or any part of the boundary of an area of a settlement or establishes a new area of settlement, the current official policies, if any, dealing with the alteration or establishment of an area of settlement:

Not Applicable                       See Planning Rationale Report                       See Attached

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If the proposed OPA removes the subject land from an area of employment, the current Official Plan policies, if any, dealing with the removal of land from an area of employment:

Not Applicable                       See Planning Rationale Report                       See Attached

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Explain how the proposed OPA is consistent with the Provincial Policy Statement:

See Planning Rationale Report                       See Attached

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# OFFICIAL PLAN AMENDMENT APPLICATION

## 7. OTHER APPLICATION INFORMATION

Is the subject land or land within 120 metres the subject of an application by the applicant under the Planning Act for:

A Minor Variance or Consent? No  Yes

File number: \_\_\_\_\_ Status: To be applied for after OPA and ZBA approval

Approval authority: City of Windsor - Committee of Adjustment

Affected lands: \_\_\_\_\_

Purpose of Minor Variance or Consent: To sever the existing commercial use from the proposed land to be developed.

Effect on the proposed OPA: None

An amendment to an Official Plan, a Zoning By-law or a Minister's Zoning Order? No  Yes

File number: \_\_\_\_\_ Status: To be applied for at the same time as OPA

Approval authority: City of Windsor

Affected lands: The entire lands

Purpose of OP or ZBL amendment or Zoning Order: ZBA to permit the proposed use and site specific relief from the zoning by-law.

Effect on the proposed OPA: None.

Approval of a plan of subdivision or a site plan? No  Yes

File number: \_\_\_\_\_ Status: \_\_\_\_\_

Approval authority: \_\_\_\_\_

Affected lands: \_\_\_\_\_

Purpose of plan of subdivision or site plan: \_\_\_\_\_

Effect on the proposed OPA: \_\_\_\_\_

# OFFICIAL PLAN AMENDMENT APPLICATION

## 8. WATER & SANITARY SEWAGE DISPOSAL

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

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Publicly owned & operated piped water system | <input type="checkbox"/> A lake or other water body |
| <input type="checkbox"/> Privately owned & operated individual well              | <input type="checkbox"/> Other means: _____         |
| <input type="checkbox"/> Privately owned & operated communal well                |   |

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

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Publicly owned & operated sanitary sewage system | <input type="checkbox"/> A privy            |
| <input type="checkbox"/> Privately owned & operated individual septic system         | <input type="checkbox"/> Other means: _____ |
| <input type="checkbox"/> Privately owned & operated communal septic system           |   |

If the application would permit development on privately owned and operated individual or communal septic systems, and more than 4500 litres of effluent would be produced per day as a result of the development being completed submit a Servicing Options Report and a Hydrogeological Report.

## 9. TYPE OF AMENDMENT, APPLICATION FEE & OTHER FEES

### TYPE OF OFFICIAL PLAN AMENDMENT (OPA)

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

**Minor OPA:** A minor revision to the text of the Official Plan or a Site Specific Policy direction.

**Major OPA:** A change from one land use designation to another land use designation, a change to any Schedule in the City of Windsor Official Plan, or any other amendment not described above.

### APPLICATION FEE

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

	<i>Code</i>	<input type="checkbox"/> Minor OPA	<input checked="" type="checkbox"/> Major OPA
Base Fee	63003	\$2,258.40	\$8,112.35
GIS Fee	63024	+ \$50.00	+ \$50.00
Essex Region Conservation Authority Fee	53023	+ \$200.00	+ \$300.00
<b>Total Application Fee</b>		<b>= \$2,508.40</b>	<b>= \$8,462.35</b>

### OTHER FEES

**Re-Notification/Deferral Fee** 53016 \$2,258.40

Required when an applicant requests a deferral after notice of a public meeting has been given.

**Ontario Land Tribunal (OLT) Appeal Fee** \$1,100.00

An appeal is made through Council Services (519-255-6211 or [clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)). Fees, forms, and processes are subject to change. Visit <https://olt.gov.on.ca> for additional information.

# OFFICIAL PLAN AMENDMENT APPLICATION

## 10. PROPOSED PUBLIC CONSULTATION STRATEGY

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

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

Open House

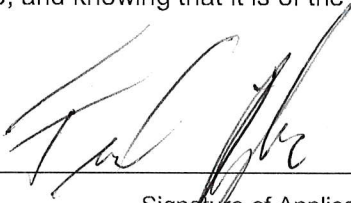
Website

Other \_\_\_\_\_

## 11. SWORN DECLARATION OF APPLICANT

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

I, Bouzide Enterprises Ltd., solemnly declare that the information required under Schedule 1 to Ontario Regulation 543/06 and provided by the applicant is accurate and that the information contained in the documents that accompany this application is accurate, that if this declaration was administered remotely that it was in accordance with Ontario Regulation 431/20, and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath.



Signature of Applicant

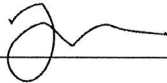
*Sign in the presence of a Commissioner  
For Taking Affidavits*

City of Windsor

Location of Applicant at time of declaration

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

Declared before me



Signature of Commissioner

at the

Municipality of Chatham-Kent

Location of Commissioner

this 21st day of May, 2023  
day month year

PLACE AN IMPRINT OF YOUR STAMP BELOW

Tracey Lynn Cecilia Pillon-Abbs, a Commissioner, etc.,  
Province of Ontario, for Pillon Abbs Inc.  
Expires August 4, 2026

### READ & COMPLETE SCHEDULE A IN FULL & SIGN

# OFFICIAL PLAN AMENDMENT APPLICATION

## SCHEDULE A – Authorizations & Acknowledgement

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

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

I, Bouzide Enterprises Ltd., am the registered owner of the land that is  
*name of registered owner*

subject of this application for an amendment to the City of Windsor Official Plan and I authorize

Pillon Abbs Inc.

to make this application on my behalf.

*name of agent*



Signature of Registered Owner

May 21, 2023

Date

If Corporation - I have authority to bind the corporation

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

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



Signature of Registered Owner

May 21, 2023

Date

If Corporation – I have authority to bind the corporation

**SCHEDULE A CONTINUES ON NEXT PAGE**

# OFFICIAL PLAN AMENDMENT APPLICATION

## SCHEDULE A – Authorizations & Acknowledgements - Continued

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### A3. Acknowledgements

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

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

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

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

#### Species at Risk

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

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

Additional information can be found at:

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

or by contacting MECP at SAROntario@ontario.ca

#### Acknowledgement

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



Signature of Applicant or Agent

May 21, 2023

Date

END OF SCHEDULE A

# OFFICIAL PLAN AMENDMENT APPLICATION

## DO NOT COMPLETE BELOW – STAFF USE ONLY

### Receipt and Assignment of Application

Date Received Stamp

This application has been assigned to:

- |   |   |
|---|---|
| <input type="checkbox"/> Adam Szymczak (AS)   | <input type="checkbox"/> Brian Nagata (BN)    |
| <input type="checkbox"/> Frank Garardo (FG)   | <input type="checkbox"/> Greg Atkinson (GA)   |
| <input type="checkbox"/> Jim Abbs (JA)        | <input type="checkbox"/> Justina Nwaesei (JN) |
| <input type="checkbox"/> Kevin Alexander (KA) | <input type="checkbox"/> Laura Strahl (LS)    |
| <input type="checkbox"/> Simona Simion (SS)   | <input type="checkbox"/> _____                |

### Complete Application

This application is deemed complete on \_\_\_\_\_  
Date

\_\_\_\_\_  
*Signature of Delegated Authority*

- |   |   |  |
|---|---|--|
| <input type="checkbox"/> Neil Robertson, MCIP, RPP<br>Manager of Urban Design | <input type="checkbox"/> Michael Cooke, MCIP, RPP<br>Manager of Planning Policy | <input type="checkbox"/> Thom Hunt, MCIP, RPP<br>City Planner & Executive Director |
|---|---|--|

### Internal Information

Fee Paid: \$ \_\_\_\_\_ Receipt No: \_\_\_\_\_ Date: \_\_\_\_\_

Payment Type:  Cash  Certified Cheque  Credit Card  Personal Cheque

NEW File No. OPA/ \_\_\_\_\_

Previous OPA File No. OPA/ \_\_\_\_\_

Related Zoning File No. ZNG/ \_\_\_\_\_

Other File Numbers: \_\_\_\_\_

Notes: \_\_\_\_\_

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

## ZONING BY-LAW AMENDMENT APPLICATION

### INSTRUCTIONS

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

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

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

### TYPE OF REZONING AMENDMENT

### DATE RECEIVED STAMP

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

#### **Minor Zoning Amendment**

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

#### **Major Zoning Amendment**

- Any other amendment not listed as minor.

# ZONING BY-LAW AMENDMENT APPLICATION

## ZONING BY-LAW AMENDMENT PROCESS

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

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

## CONTACT INFORMATION

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

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



# ZONING BY-LAW AMENDMENT APPLICATION

## 1. PRE-SUBMISSION CONSULTATION

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

Valid Pre-Submission Letter? NO  YES  File Number: PS- 080/21

*Staff Use Only*

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

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

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

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

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

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

# ZONING BY-LAW AMENDMENT APPLICATION

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

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

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

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

### Applicant

Name: Bouzide Enterprises Ltd. Contact: c/o Vish Sood  
*Name of Contact Person*

Address: 2144 Huron Church Road

Address: Windsor, ON Postal Code: N9C 2L7

Phone: 519-796-3028 Fax: \_\_\_\_\_

Email: vishsood@yahoo.ca

### Registered Owner Same as Applicant

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

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

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

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

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

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

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

Address: 23669 Prince Albert Road

Address: Chatham, ON Postal Code: N7M 5J7

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

Email: tracey@pillonabbs.ca

## 4. COMPANION APPLICATIONS

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

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

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

# ZONING BY-LAW AMENDMENT APPLICATION

## 5. SUBJECT LAND INFORMATION

Municipal Address 2144 Huron Church Road, Windsor

Legal Description See attached parcel abstract

Assessment Roll Number 080-210-004200-0000

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

Frontage (m) 198.73 m (Huron Church Rd) Depth (m) Irregular Area (sq m) 1.26 ha (total)

Official Plan Designation Mixed Use Corridor, Schedule D (OPA 159)

Current Zoning Commercial District 2.1 (CD2.1) on Map 4

Existing Uses Commercial (Fred's Farm Fresh) and vacant land.

If known, the lengths of time that the existing uses have continued: 2012

Previous Uses Vacant

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

None

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

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

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

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

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

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

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

# ZONING BY-LAW AMENDMENT APPLICATION

## 6. DESCRIPTION OF AMENDMENT

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Amendment to Zoning By-law from: CD2.1

to: site specific CD2.1 and CD 2.2

Proposed uses of subject land: Proposed to permit a combined use building on the vacant portion of the land along with relief for the proposed development and the severance of the land.

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

Proposed to sever the land. The existing commercial use will remain the same.  
The vacant portion of the Site will be developed for a combined use building.  
Commercial on the main floor and residential above. Total 6 storeys.  
Parking on site provided.

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Why is this amendment or these amendments being requested?

See attached PRR for details.

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

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

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

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

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

See Planning Rationale Report                       See Official Plan Amendment

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# ZONING BY-LAW AMENDMENT APPLICATION

## 7. EXISTING BUILDINGS / STRUCTURES ON SUBJECT LAND

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Are there any buildings or structures on the subject land?

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

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## 8. PROPOSED BUILDINGS / STRUCTURES ON SUBJECT LAND

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

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

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# ZONING BY-LAW AMENDMENT APPLICATION

## 9. ACCESS TO SUBJECT LAND

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

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

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## 10. WATER, SANITARY SEWAGE AND STORM DRAINAGE

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

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

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

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

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

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

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

# ZONING BY-LAW AMENDMENT APPLICATION

## 11. SKETCH OF SUBJECT LAND

Provide a sketch showing, in metric units,

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

## 12. APPLICATION FEE & OTHER FEES

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

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

### APPLICATION FEE

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

### OTHER FEES

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

# ZONING BY-LAW AMENDMENT APPLICATION

## 13. PROPOSED PUBLIC CONSULTATION STRATEGY

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

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

Open House

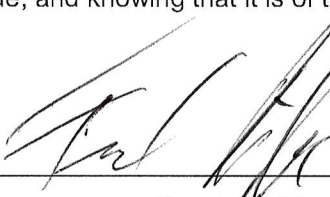
Website

Other \_\_\_\_\_

## 14. SWORN DECLARATION OF APPLICANT

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

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



Signature of Applicant

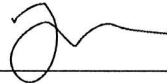
*Sign in the presence of a Commissioner  
For Taking Affidavits*

City of Windsor

Location of Applicant at time of declaration

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

Declared before me



at the

Municipality of Chatham-Kent

Signature of Commissioner

Location of Commissioner

this 21st day of May, 2023  
day month year

PLACE AN IMPRINT OF YOUR STAMP BELOW

Tracey Lynn Cecilia Pillon-Abbs, a Commissioner, etc.,  
Province of Ontario, for Pillon Abbs Inc.  
Expires August 4, 2026

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



# ZONING BY-LAW AMENDMENT APPLICATION

## SCHEDULE A – Authorizations & Acknowledgements

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

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

I, Bouzide Enterprises Ltd., am the registered owner of the land that is  
*Name of Registered Owner*

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

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

  
*Signature of Registered Owner*

May 21, 2023

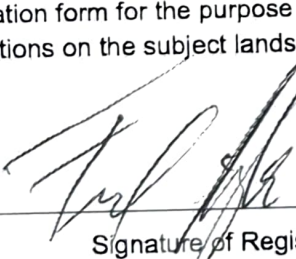
*Date*

If Corporation - I have authority to bind the corporation

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

I, Bouzide Enterprises Ltd.,  
*Name of Registered Owner*

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

  
*Signature of Registered Owner*

May 21, 2023

*Date*

If Corporation – I have authority to bind the corporation

**SCHEDULE A CONTINUES ON NEXT PAGE**

# ZONING BY-LAW AMENDMENT APPLICATION

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

### A3. Acknowledgements

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

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

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

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

#### Species at Risk

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

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

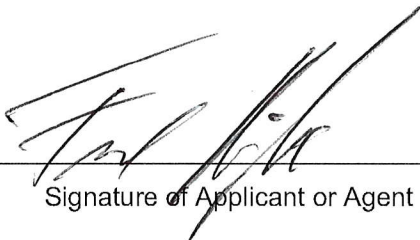
Additional information can be found at:

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

or by contacting MECP at SAROntario@ontario.ca

#### Acknowledgement

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



---

Signature of Applicant or Agent

May 21, 2023

---

Date

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

# ZONING BY-LAW AMENDMENT APPLICATION

## SCHEDULE E – Environmental Site Screening Questionnaire

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### Previous Use of Property

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

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

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

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

**SCHEDULE E CONTINUES ON NEXT PAGE**

# ZONING BY-LAW AMENDMENT APPLICATION

## SCHEDULE E - CONTINUED

### Acknowledgement Clause

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

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

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

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

Bouzide Enterprises Ltd.

Name of Applicant (print)

  
\_\_\_\_\_  
Signature of Applicant

May 21, 2023

Date

Pillon Abbs Inc.

Name of Agent (print)

  
\_\_\_\_\_  
Signature of Agent

May 21, 2023

Date

**END OF SCHEDULE E**

# ZONING BY-LAW AMENDMENT APPLICATION

## DO NOT COMPLETE BELOW – STAFF USE ONLY

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

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

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

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

**Subject: Your Quick Gateway (Windsor) Inc. (YQG) - 2023 Financial Statements (Q3) - City Wide**

**Reference:**

Date to Council: March 18, 2024  
Author: Dan Seguin  
Deputy Treasurer - Financial Accounting & Corporate Controls  
519-255-6100 Ext. 1663  
dseguin@citywindsor.ca

Financial Accounting  
Report Date: February 26, 2024  
Clerk's File #: AF2024

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

**Recommendation:**

THAT City Council **RECEIVE FOR INFORMATION** the 2023 Quarter 3 Variance and Performance Analysis Report 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 2023 Quarter 3 Variance and Performance Analysis.

**Risk Analysis:**

N/A

**Climate Change Risks**

**Climate Change Mitigation:**

N/A

**Climate Change Adaptation:**

N/A

**Financial Matters:**

See attached Appendix:

- Appendix A – 2023 3<sup>rd</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 of Finance & City Treasurer
Joe Mancina	Chief Administrative Officer

**Notifications:**

Name	Address	Email
Mark Galvin		

**Appendices:**

- 1 Appendix A - 2023 3<sup>rd</sup> Quarter Variance & Performance Analysis

**YQG 2023 Q3 Variance and Performance Analysis**

				Variance		Projection	
		2023 Approved Budget	Q3 Actuals Sept 30, 2023	Q3 Variance Sept 30, 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	1,163,878	(917,107)	56%	1,697,346	(383,639)
2	Terminal and Landing Fees	1,383,754	1,147,399	(236,355)	83%	1,529,866	146,112
3	Ground Handling	180,000	129,198	(50,802)	72%	160,000	(20,000)
4	Leases	1,410,176	1,313,687	(96,489)	93%	1,775,120	364,944
5	Parking Revenue	450,000	464,812	14,812	103%	619,750	169,750
6	Fuel Sales	150,000	185,149	35,149	123%	246,865	96,865
7	Miscellaneous	80,000	86,427	6,427	108%	115,236	35,236
8	Interest	80,000	205,412	125,412	257%	273,882	193,882
9	Licensing/Advertising	55,000	42,170	(12,830)	77%	66,226	11,226
10	Food Services	50,000	-	(50,000)	0%	-	(50,000)
11	Property Taxes	880,000	534,094	(345,906)	61%	880,000	-
<b>Total Income</b>		<b>6,799,915</b>	<b>5,272,225</b>	<b>(1,527,690)</b>	<b>78%</b>	<b>7,364,290</b>	<b>564,375</b>
<b>Expenses</b>							
20	Salaries and Benefits	2,185,790	1,433,820	751,970	66%	1,629,277	556,513
21	Repairs and Maintenance	900,000	635,809	264,191	71%	886,227	13,773
22	Safety and Security	425,000	367,687	57,313	87%	570,610	(145,610)
23	Sales and Marketing	100,000	134,683	(34,683)	135%	137,358	(37,358)
24	Business Development	825,000	750,000	75,000	91%	765,000	60,000
25	Office	70,000	60,978	9,022	87%	70,000	-
26	Utilites and Communication	425,000	283,501	141,499	67%	378,002	46,998
27	Insurance	70,000	83,327	(13,327)	119%	83,327	(13,327)
28	Professional Fees	130,000	67,125	62,875	52%	100,000	30,000
29	Depreciation	46,110	35,163	10,947	76%	46,110	-
30	Property Taxes	880,000	420,129	459,871	48%	880,000	-
<b>Total Expenses</b>		<b>6,056,900</b>	<b>4,272,222</b>	<b>1,784,678</b>	<b>71%</b>	<b>5,545,912</b>	<b>510,988</b>
<b>Net Income</b>		<b>743,015</b>	<b>1,000,003</b>	<b>256,988</b>	<b>135%</b>	<b>1,818,378</b>	<b>1,075,364</b>



**Subject: Mayor, Councillors and Appointees Statement of Remuneration and Expenses for 2023**

**Reference:**

Date to Council: March 18, 2024

Author: Jocelyn De Luna

Financial Analyst

519-255-6100 Ext 6334

[jdeluna@citywindsor.ca](mailto:jdeluna@citywindsor.ca)

Financial Accounting

Report Date: February 23, 2024

Clerk's File #: ACO/7090

To: Mayor and Members of City Council

**Recommendation:**

THAT the report of the City Treasurer regarding the Mayor, Councillors and Appointees 2023 Statement of Remuneration and Expenses **BE RECEIVED** for information.

**Executive Summary:**

N/A

**Background:**

In compliance with the *Municipal Act (S. 284(1))*, each year the City Treasurer is required to provide a report to council that itemizes the remuneration paid and expenses reimbursed in the previous year to:

- (a) each member of council in respect of his or her services as a member of the council or any other body, including a local board, to which the member has been appointed by council or on which the member holds office by virtue of being a member of council;
- (b) each member of council in respect of his or her services as an officer or employee of the municipality or other body described in clause (a); and
- (c) each person, other than a member of council, appointed by the municipality to serve as a member of any body, including a local board, in respect of his or her services as a member of the body.

Additionally, the report also includes travel related expenses that were not reimbursed but paid directly by the municipality and attributable to an individual.

Furthermore, on April 16, 2012 Council Resolution M182-2012 directed as follows:

“That the report of the City Treasurer dated March 30, 2012 regarding Councillors and Appointees 2011 Statement of Remuneration and Expenses **BE RECEIVED** for information, and further, that Administration **BE DIRECTED**, on a go-forward basis, to **ENDEAVOR** to include in future reports, the same information currently collected for City Councillors, for City appointees to City agencies, boards and commissions, provided that they are not subject to any legislative restrictions.”

As required by Council Resolution M182-2012, the additional information collected is reflected in Appendix D – Schedule of Mayor, Council and Appointees Remuneration and Expenses for 2023 from City ABC’s (Direct Payments Made by the Listed Organizations) attached.

**Discussion:**

Administration has compiled the required and requested information in the attached schedules which are being provided for information.

Appendix A – Schedule of Mayor and Council Remuneration for 2023

Appendix B – Schedule of Council and Appointees Expenses for 2023

Appendix C – Schedule of Appointees Remuneration for 2023

Appendix D – Schedule of Mayor, Council and Appointees Remuneration and Expenses for 2023 from City Agencies, Boards, Commissions

Appendix E – Schedule of Mayor’s Business and Travel Expenses for 2023

This information is consistent with previous year disclosures.

**Risk Analysis:**

Disclosure of this information is required under the *Ontario Municipal Act*.

**Climate Change Risks**

**Climate Change Mitigation:**

N/A.

**Climate Change Adaptation:**

N/A

**Financial Matters:**

The financial compensation is provided in the attached schedules.

**Consultations:**

Theresa Nelles, Corp Payroll Admin & Compliance

Christine Chauvin, Mayor's Office  
Becky Murray, Council Services  
Sandra Gebauer, Council Services

**Conclusion:**

This report is provided to Council for information purposes.

**Approvals:**

Name	Title
Dan Seguin	Deputy Treasurer - Financial Accounting and Corporate Controls
Janice Guthrie	Commissioner – Finance & City Treasurer
Steve Vlachodimos	City Clerk
Joe Mancina	Chief Administrative Officer

**Notifications:**

N/A

**Appendices:**

Appendix A – Schedule of Mayor and Council Remuneration for 2023

Appendix B – Schedule of Council and Appointees Expenses for 2023

Appendix C – Schedule of Appointees Remuneration for 2023

Appendix D – Schedule of Mayor, Council and Appointees Remuneration and Expenses for 2023 from City Agencies, Boards, Commissions

Appendix E – Schedule of Mayor's Business and Travel Expenses for 2023

**THE CORPORATION OF THE CITY OF WINDSOR  
SCHEDULE OF MAYOR AND COUNCIL REMUNERATION FOR 2023**

<b>NAME</b>	<b>BASE SALARY</b>	<b>RETRO AMOUNTS Paid 2023</b>	<b>TAXABLE BENEFITS</b>	<b>ANNUAL SALARY</b>
<b>Mayor</b>				
DILKENS, ANDREW "DREW"	\$ 206,645.52	\$ 3,004.23	\$ 9,941.37	\$ 219,591.12
<b>Councillor</b>				
AGOSTINO, RENALDO	\$ 52,001.16	\$ -	\$ 237.12	\$ 52,238.28
COSTANTE, FABIO	\$ 52,001.16	\$ -	\$ 237.12	\$ 52,238.28
FRANCIS, FRED	\$ 52,001.16	\$ -	\$ 237.12	\$ 52,238.28
GIGNAC, JO ANNE	\$ 52,001.16	\$ -	\$ 237.12	\$ 52,238.28
KASCHAK, GARY	\$ 52,001.16	\$ -	\$ 237.12	\$ 52,238.28
MARIGNANI, ANGELO	\$ 52,001.16	\$ -	\$ 237.12	\$ 52,238.28
MCKENZIE, KIERAN	\$ 52,001.16	\$ -	\$ 237.12	\$ 52,238.28
MCKENZIE, MARK	\$ 52,001.16	\$ -	\$ 237.12	\$ 52,238.28
MORRISON, JAMES	\$ 52,001.16	\$ -	\$ 237.12	\$ 52,238.28
SLEIMAN, AOUNAD	\$ 52,001.16	\$ -	\$ 237.12	\$ 52,238.28
<b>TOTAL COUNCILLORS</b>	<b>\$ 520,011.60</b>	<b>\$ -</b>	<b>\$ 2,371.20</b>	<b>\$ 522,382.80</b>

Notes:

1. As of January 2019, the annual salaries no longer include the tax-free Municipal Officers Allowance.
2. Retro amounts paid to Mayor were due to January 1st & July 1st negotiated increments from 2022 paid in 2023.

**SCHEDULE OF COUNCIL AND APPOINTEES EXPENSES FOR 2023**

Councillor	Description	Destination	Date		Amount <sup>1</sup>	Total Expenses <sup>1</sup>
			From	To		
<b>Agostino, Renaldo</b>	AMO AGM & Annual Conference	London, ON	20-Aug-23	23-Aug-23	\$ 2,147.45	\$ 5,708.99
	International Downtown Assc (IDA) 69th Conference	Chicago, IL	04-Oct-23	07-Oct-23	\$ 3,561.54	
<b>Costante, Fabio</b>	FCM Annual Conference & Trade Show	Toronto, ON	25-May-23	28-May-23	\$ 2,773.76	\$ 7,455.88
	Canadian Urban Transit Assc (CUTA) Annual Conference & Transit Show	Edmonton, Alberta	12-Nov-23	15-Nov-23	\$ 4,682.12	
<b>Francis, Fred</b>	No amounts for 2023				\$ -	\$ -
<b>Gignac, Jo-Anne</b>	No amounts for 2023				\$ -	\$ -
<b>Kaschak, Gary</b>	Congress of New Urbanism (CNU) Conference	Charlotte, NC	31-May-23	03-Jun-23	\$ 3,058.55	\$ 3,058.55
<b>Marignani, Angelo</b>	Ontario Heritage Conference (OHC)	London, ON	15-Jun-23	17-Jun-23	\$ 1,021.00	\$ 1,021.00
<b>McKenzie, Kieran</b>	AMO AGM & Annual Conference	London, ON	20-Aug-23	23-Aug-23	\$ 1,351.15	\$ 6,923.62
	Advanced Land Use Planning Training: A Deeper Dive (AMO Training)	Virtual	07-Nov-23	07-Nov-23	\$ 339.00	
	Canadian Urban Transit Assc (CUTA) Annual Conference & Transit Show	Edmonton, Alberta	12-Nov-23	15-Nov-23	\$ 4,851.87	
	OFIFC Indigenous Community Awareness Training (AMO Registration Fee for Feb 27, 2024)	Virtual	24-Nov-23	24-Nov-23	\$ 381.60	

**SCHEDULE OF COUNCIL AND APPOINTEES EXPENSES FOR 2023**

Councillor	Description	Destination	Date		Amount <sup>1</sup>	Total Expenses <sup>1</sup>
			From	To		
<b>McKenzie, Mark</b>	Ontario Big City Mayor's Conference	Kitchener, ON	19-Apr-23	23-Apr-23	\$ 938.56	\$ 6,327.50
	Foundations in Planning for Elected Officials (AMO Training - 2 sessions)	Virtual	01-May-23	24-Oct-23	\$ 282.50	
	Advanced Land Use Planning Training: A Deeper Dive (AMO Training - 2 sessions)	Virtual	01-May-23	25-Oct-23	\$ 339.00	
	AMO AGM & Annual Conference	London, ON	20-Aug-23	23-Aug-23	\$ 2,144.57	
	Ontario Non-Profit Housing Association (ONPHA) Conference	Toronto, ON	26-Oct-23	28-Oct-23	\$ 2,622.87	
<b>Morrison, James</b>	AMO AGM & Annual Conference	London, ON	20-Aug-23	23-Aug-23	\$ 1,588.05	\$ 6,382.81
	Canadian Urban Transit Assc (CUTA) Annual Conference & Transit Show	Edmonton, Alberta	12-Nov-23	15-Nov-23	\$ 4,794.76	
<b>Sleiman, Aounad "Ed"</b>	No amounts for 2023				\$ -	\$ -

Notes:

1. Amounts listed are Canadian Equivalents.

**SCHEDULE OF COUNCIL AND APPOINTEES EXPENSES FOR 2023**

Appointees	Description	Destination	Date		Amount <sup>1</sup>	Total Expenses <sup>1</sup>
			From	To		
<b>Balsamo, Giuseppe</b> <i>(Committee of Adjustment)</i>	Local Mileage <sup>2</sup>	Windsor, ON	20-Jan-22	15-Dec-22	\$ 270.23	\$ 270.23
<b>Cerasa, Frank</b> <i>(Committee of Adjustment)</i>	Local Mileage	Windsor, ON	1-Feb-23	14-Sep-23	\$ 371.28	\$ 371.28
<b>Ma, William</b> <i>(International Relations Committee)</i>	Ceremonial Opening of the Garden of Twin Cities & International Conference of Twin Cities	Mannheim, Germany	3-May-23	7-May-23	\$ 1,543.49	\$ 1,543.49
<b>Marignani, Angelo (Councillor)</b> <i>(International Relations Committee)</i>	Ceremonial Opening of the Garden of Twin Cities & International Conference of Twin Cities	Mannheim, Germany	3-May-23	7-May-23	\$ 1,838.14	\$ 1,838.14
<b>Sleiman, Mike</b> <i>(Committee of Adjustment)</i>	Local Mileage <sup>2</sup>	Windsor, ON	19-Jan-22	15-Dec-22	\$ 441.64	\$ 441.64
<b>Sleiman, Mike</b> <i>(Committee of Adjustment)</i>	Local Mileage	Windsor, ON	23-Feb-23	21-Dec-23	\$ 299.88	\$ 299.88

Notes:

1. Amounts listed are Canadian Equivalent.
2. Paid in 2023

**SCHEDULE OF APPOINTEES REMUNERATION FOR 2023**

<b>APPOINTEES</b>	<b>WINDSOR POLICE SERVICES BOARD</b>	<b>TUNNEL COMMISSION / BORDERLINK</b>	<b>TOTAL</b>
Chisholm, Sophia	5,784.35	0.00	5,784.35
De Verteuil, Robert Louis	6,500.04	0.00	6,500.04
Dzudz, Nicholas	0.00	2,026.63	2,026.63
Elliott, John	3,250.02	0.00	3,250.02
Ghanam, Denise Clair	157.32	0.00	157.32
<b>TOTAL</b>	<b>\$ 15,691.73</b>	<b>\$ 2,026.63</b>	<b>\$ 17,718.36</b>



**SCHEDULE OF MAYOR, COUNCIL AND APPOINTEES REMUNERATION AND EXPENSES FOR 2023 FROM CITY AGENCIES, BOARDS, COMMISSIONS  
( DIRECT PAYMENTS MADE BY THE LISTED ORGANIZATIONS \* )**

\* This information was provided by the organizations listed below. Amounts were paid by these organizations directly to or on behalf of these individuals.

(1) NAME	(2) POSITION WITHIN ORGANIZATION	REMUNERATION				ALL OTHER EXPENSES			(10)=(6)+(9) TOTAL OF REMUNERATION AND ALL OTHER EXPENSES
		(3) BASE RETAINER / MEETING ATTENDANCE FEES ADHOC INDIVIDUAL MEETING PAYMENTS	(4) BOARD PAYMENTS	(5) TAXABLE BENEFITS	(6)=(3)+(4)+(5) SUBTOTAL OF REMUNERATION	(7) DESCRIPTION	(8) DATES (FROM/ TO)	(9) AMOUNT OF ALL OTHER EXPENSES	
<b>Downtown Windsor Business Improvement Association</b>									
Macleod, Chris	Chair	\$ -			\$ -	Parking Tokens	Nov 30, 2023	\$ 12.50	\$ 12.50
Corbett, Andrew	Vice Chair	\$ -			\$ -	Parking Tokens	May - Oct 2023	\$ 150.00	\$ 150.00
Atkins, Jennie	Treasurer	\$ -			\$ -	Parking Tokens	May - Sept 2023	\$ 37.50	\$ 37.50
Adams, Misty	Director	\$ -			\$ -	Parking Tokens	May - Dec 2023	\$ 100.00	\$ 100.00
Balla, Ron	Director	\$ -			\$ -	Parking Tokens	May - Dec 2023	\$ 87.50	\$ 87.50
Bhatti, Sunny	Director	\$ -			\$ -	Parking Tokens	May - Oct 2023	\$ 50.00	\$ 50.00
Blanchard, Ray	Director	\$ -			\$ -	Parking Tokens	May - Oct 2023	\$ 37.50	\$ 37.50
Holt, Olivia	Director	\$ -			\$ -	Parking Tokens	May - Oct 2023	\$ 62.50	\$ 62.50
<b>Enwin Utilities Ltd</b>									
Fenn, Garnet	Director	\$ 18,440.04			\$ 18,440.04	EDA Summit	May - Nov 2023	\$ 256.64	\$ 18,696.68
Ioanidis, Gregory	Director	\$ 17,990.04			\$ 17,990.04				\$ 17,990.04
Muzzatti, Leo	Director	\$ 15,740.04			\$ 15,740.04				\$ 15,740.04
Orr, Andrea	Director	\$ 17,990.04			\$ 17,990.04				\$ 17,990.04
Tagtag, Abe	Director	\$ 5,172.51			\$ 5,172.51				\$ 5,172.51
<b>Roseland Golf &amp; Curling Club (Note 1)</b>									
Wintemute, Bruce	Board Member	\$ -			\$ -	18 hole golf	Apr-Sept 2023	\$ 936.00	\$ 936.00
<b>Windsor Canada Utilities Ltd (includes ENWIN Energy Ltd)</b>									
Laforet, Kevin	Director	\$ 17,090.04			\$ 17,090.04			\$ -	\$ 17,090.04
Udell, Jerry	Director	\$ 17,990.04			\$ 17,990.04			\$ -	\$ 17,990.04
<b>Windsor Essex Community Housing Corporation (WEHC)</b>									
Costante, Fabio (Councillor)	Board Chair	\$ -			\$ -	Mileage & other board related duties	Jan - Dec 2023	\$ 1,626.05	\$ 1,626.05
Bachetti, Joe (Deputy Mayor)	Vice Chair	\$ -			\$ -	Mileage & other board related duties	Jan - Dec 2023	\$ 1,674.67	\$ 1,674.67
Clemens, Marina	Treasurer	\$ -			\$ -	Mileage & other board related duties	Jan - Dec 2023	\$ 672.00	\$ 672.00
Sullens, Jack	Former Vice Chair	\$ -			\$ -	Mileage & other board related duties	Jan - Dec 2023	\$ 94.92	\$ 94.92
McKenzie, Kieran (Councillor)	Secretary	\$ -			\$ -	Mileage & other board related duties	Jan - Dec 2023	\$ 86.80	\$ 86.80
Anzolin, Rio	Director	\$ -			\$ -	Mileage & other board related duties	Jan - Dec 2023	\$ 208.60	\$ 208.60
Bondy, Sherry (Mayor)	Director	\$ -			\$ -	Mileage & other board related duties	Jan - Dec 2023	\$ 329.14	\$ 329.14
Coltman, Linda	Director	\$ -			\$ -	Mileage & other board related duties	Jan - Dec 2023	\$ 128.24	\$ 128.24
Hay, Katherine	Director	\$ -			\$ -	Mileage & other board related duties	Jan - Dec 2023	\$ 464.14	\$ 464.14
Lucier, Shelley Anne	Director	\$ -			\$ -	Mileage & other board related duties	Jan - Dec 2023	\$ 230.34	\$ 230.34
Paul, Ann	Director	\$ -			\$ -	Mileage & other board related duties	Jan - Dec 2023	\$ 120.00	\$ 120.00

**SCHEDULE OF MAYOR, COUNCIL AND APPOINTEES REMUNERATION AND EXPENSES FOR 2023 FROM CITY AGENCIES, BOARDS, COMMISSIONS  
( DIRECT PAYMENTS MADE BY THE LISTED ORGANIZATIONS \* )**

\* This information was provided by the organizations listed below. Amounts were paid by these organizations directly to or on behalf of these individuals.

(1) NAME	(2) POSITION WITHIN ORGANIZATION	REMUNERATION				ALL OTHER EXPENSES			(10)=(6)+(9) TOTAL OF REMUNERATION AND ALL OTHER EXPENSES
		(3) BASE RETAINER / MEETING ATTENDANCE FEES ADHOC INDIVIDUAL MEETING PAYMENTS	(4) BOARD PAYMENTS	(5) TAXABLE BENEFITS	(6)=(3)+(4)+(5) SUBTOTAL OF REMUNERATION	(7) DESCRIPTION	(8) DATES (FROM/ TO)	(9) AMOUNT OF ALL OTHER EXPENSES	
<b>Windsor Essex County Health Unit (WECHU)</b>									
Agostino, Renaldo (Councillor)	Board Member	\$ -			\$ -	Course Fee & Mileage	Jan - Dec 2023	\$ 328.06	\$ 328.06
Costante, Fabio (Councillor)	Board Member	\$ -			\$ -	Course Fee & Mileage	Jan - Dec 2023	\$ 474.67	\$ 474.67
Francis, Fred (Councillor)	Board Member	\$ -			\$ -	Mileage & other board related duties	Jan - Dec 2023	\$ 14.28	\$ 14.28
Marignani, Angelo (Councillor)	Board Member	\$ -			\$ -	Course Fee & Mileage	Jan - Dec 2023	\$ 323.30	\$ 323.30
<b>Windsor Utilities Commission</b>									
Colucci, Onorio	Commissioner	\$ 5,769.29			\$ 5,769.29			\$ -	\$ 5,769.29
Hawkins, Julian	Commissioner	\$ 356.13			\$ 356.13			\$ -	\$ 356.13
Lawson, Doug	Commissioner	\$ 8,832.00			\$ 8,832.00			\$ -	\$ 8,832.00
Sonego, Mario	Commissioner	\$ 8,832.00			\$ 8,832.00			\$ -	\$ 8,832.00
Sovran, Egidio	Commissioner	\$ 8,832.00			\$ 8,832.00			\$ -	\$ 8,832.00
<b>Your Quick Gateway (Windsor) Inc.</b>									
Ableser, Daniel	Board Member	\$ 1,200.00	\$3,538.32		\$ 4,738.32			\$ -	\$ 4,738.32
Andrews, Keith	Board Member	\$ 1,050.00	\$3,538.32		\$ 4,588.32			\$ -	\$ 4,588.32
Bello, Diletta Casey	Board Member	\$ 750.00	\$3,538.32		\$ 4,288.32			\$ -	\$ 4,288.32
Chisholm, John	Board Member	\$ 1,350.00	\$3,999.84		\$ 5,349.84			\$ -	\$ 5,349.84
Discenza, Renato	Board Member	\$ 1,500.00	\$3,999.84		\$ 5,499.84			\$ -	\$ 5,499.84
Scislowski, Toni	Board Member	\$ 450.00	\$ 615.36		\$ 1,065.36			\$ -	\$ 1,065.36
Virk, Kulveer	Board Member	\$ 1,350.00	\$3,999.84		\$ 5,349.84			\$ -	\$ 5,349.84
<b>Note 1: The following organizations reported zero amounts.</b>									
Ford City BIA		\$ -			\$ -			\$ -	\$ -
Invest Windsor Essex (formerly Windsor-Essex Economic Development Corp)		\$ -			\$ -			\$ -	\$ -
Olde Riverside Town Centre BIA		\$ -			\$ -			\$ -	\$ -
Olde Sandwich Towne BIA		\$ -			\$ -			\$ -	\$ -
Ottawa Street BIA		\$ -			\$ -			\$ -	\$ -
Pillette Village BIA		\$ -			\$ -			\$ -	\$ -
Transit Windsor		\$ -			\$ -			\$ -	\$ -
Via Italia / Erie St. BIA		\$ -			\$ -			\$ -	\$ -
Walkerville BIA		\$ -			\$ -			\$ -	\$ -
Windsor-Detroit Borderlink Limited		\$ -			\$ -			\$ -	\$ -
Windsor Police Services Board		\$ -			\$ -			\$ -	\$ -
Windsor Public Library		\$ -			\$ -			\$ -	\$ -
Wyandotte Town Centre BIA		\$ -			\$ -			\$ -	\$ -

**SCHEDULE OF MAYOR'S BUSINESS AND TRAVEL EXPENSES FOR 2023**

<b>MAYOR DREW DILKENS</b>					
<b>Description</b>	<b>Destination</b>	<b>Date</b>		<b>Amount <sup>1</sup></b>	<b>Total Expenses <sup>1</sup></b>
		<b>From</b>	<b>To</b>		
Government Meetings	Toronto, ON	26-Mar-23	29-Mar-23	\$1,817.13	
Ontario Big City Mayors (OBCM) Meeting	Toronto, ON	15-Jun-23	16-Jun-23	\$1,077.05	
Economic Development	Frankfurt, Germany	26-Jul-23	30-Jul-23	\$8,478.19	
Dieppe Ceremony	Dieppe, France	17-Aug-23	20-Aug-23	\$4,306.45	
AMO AGM & Annual Conference	London, ON	20-Aug-23	23-Aug-23	\$1,658.17	
Meetings-Queens Park & Ont Power Generator	Toronto, ON	24-Sep-23	26-Sep-23	\$1,468.41	
Public Housing Forum	Toronto, ON	26-Nov-23	26-Nov-23	\$333.37	
Housing Supply Action Plan Implementation Team (HSAPIT) Meeting	Toronto, ON	17-Dec-23	18-Dec-23	\$1,078.85	

Notes:

1. Amounts listed are Canadian Equivalent.

**Subject: 2023 Status Report regarding City's response to Cannabis Retail Store Applications provided to AGCO – City Wide**

**Reference:**

Date to Council: March 18, 2024  
Author: Pina Ciotoli  
Executive Assistant  
Office of the CAO  
519-255-6100 x6609  
CAO Office  
Report Date: March 5, 2024  
Clerk's File #: GP/13047

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

**Recommendation:**

THAT the report of the Chief Administrative Officer regarding the City's response to Cannabis Retail Store Applications provided to the Alcohol and Gaming Commission of Ontario (AGCO) for 2023 **BE RECEIVED** for information.

**Executive Summary:**

N/A.

**Background:**

During the Council Meeting on July 27, 2020, discussions ensued regarding Report C 149/2020: Application for a Cannabis Retail Store Authorization at 3514 Walker Road, Unit 2. Councillor Holt gave notice that he intended to introduce the following draft motion for Council's consideration at the August 4, 2020 meeting of Council, pending administrative comment at that meeting:

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

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

Subsequent to the notice of motion, the Mayor and City Council requested additional information from Administration, specifically regarding what the City’s existing approved guidelines were on the matter in comparison to the provincial guidelines.

At the August 24, 2020 Council Meeting, Administration provided City Council with additional information for a Notice of Motion regarding Municipal Guidelines for Cannabis Retail Stores. The following was approved by City Council at that meeting by CR442/2020:

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

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

**Discussion:**

From January 2023 to December 2023, The Office of the CAO received a total of **eight (8)** notifications from iAGCO regarding Cannabis Retail Store Authorization Applications Undergoing Public Notice.

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

The Office of the CAO, in conjunction with the Planning Department, responded to all **eight (8)** notifications based on the Province’s guidelines for cannabis retail store applications.

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

A listing of Cannabis Retail Store Applications for 2023 is attached to this report as Appendix A.

**Risk Analysis:**

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

**Climate Change Risks**

**Climate Change Mitigation:**

N/A

**Climate Change Adaptation:**

N/A

**Financial Matters:**

N/A

**Consultations:**

Zaid Zwayyed, Zoning Coordinator, Planning Department

Kate Tracey, Senior Legal Counsel, Legal & Real Estate

**Conclusion:**

The annual status report is provided to City Council to fulfill an ongoing commitment for submitting comments regarding Cannabis Retail Store Applications to the AGCO on behalf of the municipality. For 2023, the City made no objections to the applications submitted.

**Planning Act Matters:**

N/A

**Approvals:**

Name	Title
Joe Mancina	Chief Administrative Officer

**Notifications:**

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

**Appendices:**

- 1 APPENDIX A - 2023 CANNABIS RETAIL SUBMISSIONS

**2023 Cannabis Retail Store Applications**

(Listed in order City was notified by iAGCO)

	Address	Name	WARD	RESOLUTION
1	233 Wyandotte St E	CannaSavvy Cannabis Co.	3	No objection by Administration
2	2007 Wyandotte St E	Discounted Cannabis	2	No objection by Administration
3	3838 McGregor Blvd	URBNBUD	1	No objection by Administration
4	4118 Walker Rd	The We Store	9	No objection by Administration
5	5929 Wyandotte St E	Discounted Cannabis (Uncle Sam's Cannabis)	6	No objection by Administration
6	1726 Huron Church Rd	Value Buds	10	No objection by Administration
7	5124 Tecumseh Rd E, Unit 1	Grass Roots	8	No objection by Administration
8	3218 Sandwich St	Discounted Cannabis	2	No objection by Administration





**Subject: Sewer Master Plan Implementation Update - City Wide**

**Reference:**

Date to Council: March 18, 2024

Author: Ryan Langlois

Storm/Wastewater Engineer

(519) 255-6100, Ext. 6339

[rlanglois@citywindsor.ca](mailto:rlanglois@citywindsor.ca)

Development - Engineering

Report Date: February 8, 2024

Clerk's File #: SW/12983

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

**Recommendation:**

- I. THAT City Council **RECEIVE** for information this report as an annual update on the advancements made on the Sewer Master Plan Implementation Program.

**Executive Summary:**

N/A

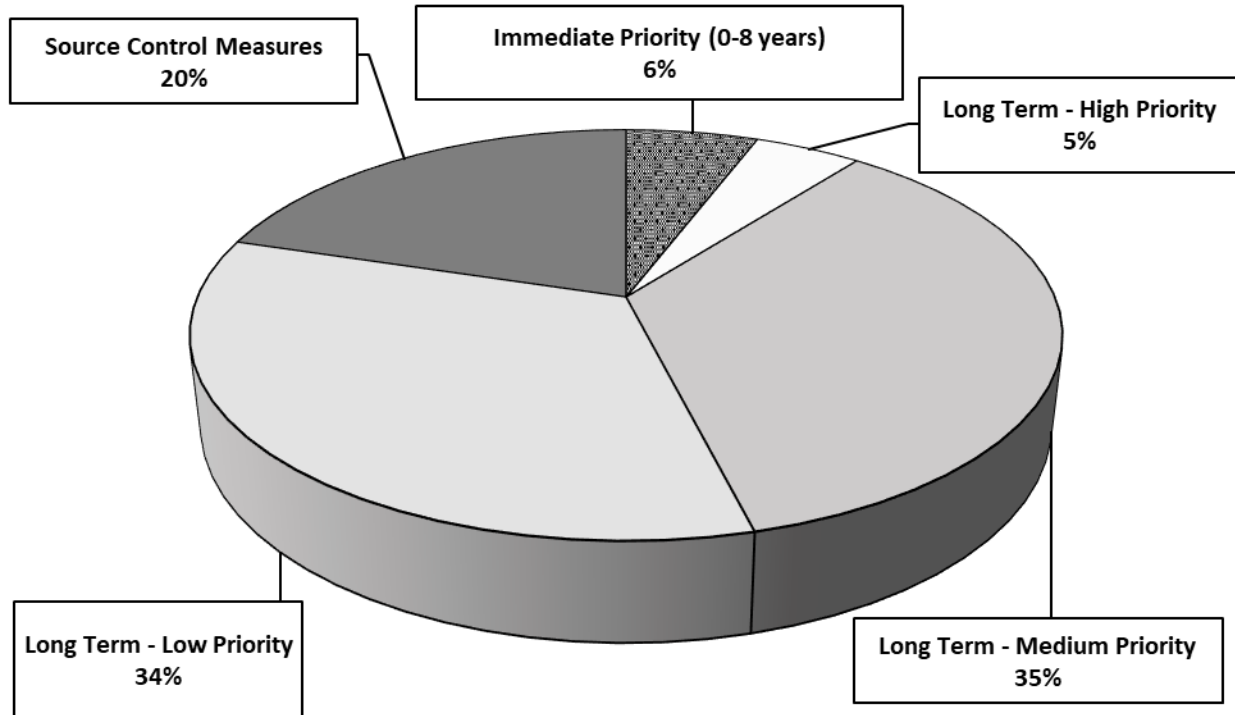
**Background:**

On July 27<sup>th</sup>, 2020, Council endorsed the recommendations set out within the Sewer and Coastal Flood Protection Master Plan (SMP), which included a long-term \$5 billion implementation strategy over 50+ years (CR379/2020). The approved strategy outlined a number of immediate priority projects, including those under the Disaster Mitigation and Adaptation Fund (DMAF 1) Grant Funding Program (CR380/2018) and various other City programs and initiatives with similar targets to reduce basement and surface flooding. The strategy also identified a number of future projects to address the City's long-term needs, and were categorized as high, medium, or low priority.

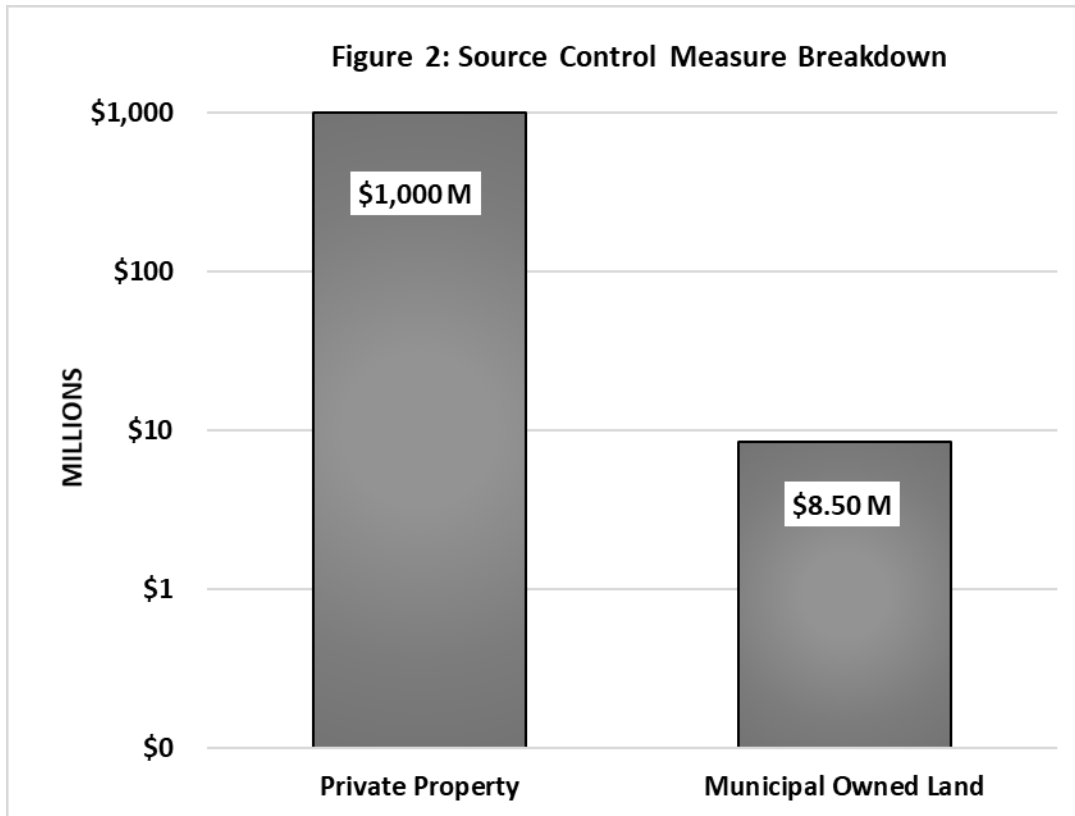
To achieve the SMP flood reduction objectives, private property owners are urged to help protect their properties from flooding and ultimately ease the burden on the City's sewer system. This includes implementation of a number of recommended source control measures to minimize extraneous sewer inflows and ultimately lower the risk of flooding. Source control measures are things that can be done to reduce the amount of stormwater entering the sewer system in the first place (i.e. at the source). These measures were categorized into two categories; Private (e.g., foundation drain and downspout disconnection) and Municipal (e.g., sealing sanitary maintenance holes and backflow prevention).

The City will integrate municipal controls as part of the design and planning for future capital projects and continues to explore policies, procedures, and incentives to motivate private property owners to adopt similar measures.

The figures below detail the estimated costs for each SMP priority within the recommended \$5 billion implementation strategy. A more specific breakdown of the estimated expenses has been included for both private and public source control measures.



**Figure 1: Sewer Master Plan Solutions Financial Cost Breakdown**



In accordance with the recommended SMP strategy, the following was approved by Council as part of the February 22<sup>nd</sup>, 2021 Capital Budget meeting (C5/2021, B13/2021):

- **Implementation Program:** Guiding document to establish the framework and approach for implementation of SMP projects.
- **Implementation Project Charter:** Overview of the Program goals, objectives, scope, guiding principles and project schedule, including a description of the project team structure, executive committee and their roles and responsibilities that define the project environment.
- **Project Priorities:** Priorities identified as part of the Capital Budget process. Priorities to be reviewed annually, with new priorities recommended as necessary, for Council approval. For the purposes of reporting to Council, existing projects are separated into priorities based on the criteria below.
  - **Priority 1 projects** are projects currently underway or projects that are partially or fully-funded within the capital budget in the 5-year funding timeframe.
  - **Priority 2 projects** are projects of high priority within the SMP Program, either not currently funded or noted as planned commitments within a 5-10 year timeframe.

Administration has committed to provide status updates to Council annually on the progress of the SMP implementation program, including any new priorities in a given year. Annual reports were received by Council on December 13, 2021(B32/2021) and April 3, 2023 (B11/2023).

### **Discussion:**

Annually, the SMP Implementation Project (SMPIP) Executive Committee reassesses project priorities based on the identification of immediate and long-term needs, funding opportunities and changes to the system (e.g. intensification due to development). The priority review assesses all projects based on the original SMP classification of high, medium, and low priority flood mitigation solutions. The SMPIP continues to play a key role in decision-making for annual budget planning, updating municipal policies, reviewing potential subsidy programs, and exploring opportunities for future public and private partnerships.

### **Project and Status Update**

As of December 31, 2023, approximately \$301.0M has been allocated to projects falling under the SMPIP and Major Capital Projects that are focused on flood mitigation solutions (collectively referred to as the “SMP Projects”) through various iterations of the Capital Budget and various Council Resolutions. This is inclusive of previously approved funding, pre-commitments, placeholders, and future funding approved in principle. This also includes the approved budget for projects falling under the DMAF 1 Grant Program.

As of December 31, 2023, \$253.5M is available for SMP Projects. The balance of the \$301.0M in allocated funding, \$47.5M, includes placeholders and approved in principle funding from 2024 to 2032.

A summary of the SMP projects, Studies and Pilot Projects, including their priority classification is provided in *Schedules A to C*.

### **2023 Project Summary Update**

In 2023, the City progressed with its Priority 1 projects, including all Council approved pilot programs. Efforts were made throughout the year to identify government grants to financially support the City’s ongoing projects as well as to accelerate other SMP Projects aligned with the SMPIP.

Provided below are notable updates on ongoing projects in 2023, including an update on the DMAF 1 and DMAF 4 Programs:

#### **1. Collaborative Low Impact Development (LID) Pilot Projects:**

This project focuses on the investigation and identification of areas where implementation of LID flood solutions could effectively reduce inflow into the existing sewer system.

The City recently received CAO Approval (CAO 334/2023) to initiate a Collaborative LID Research Study with the University of Windsor, targeting Wards 6, 7, and 9. The study aims to examine areas where LID infrastructure is currently in place and further assess the potential for LID implementation. The Research Study will also evaluate the feasibility of incorporating LIDs for potential future developments within the Sandwich South Master Planning Area. The study's primary objectives include the following:

- Evaluate clay soil infiltration rates through soil testing and groundwater monitoring;
- Analyze the effectiveness of LID's in older areas with underlying clay soils using computer modeling;
- Identify LID measures suitable for future development areas to maintain a water balance similar to pre-development conditions, focusing on infiltration, evaporation, and stormwater runoff;
- Examine the limitations of using LID's in clay soils, particularly considering the soil's capacity to absorb rainfall; and
- Investigate the potential benefits and specific challenges of using LID measures for stormwater management control in local conditions.

Through a University of Windsor led submission for the Natural Sciences & Engineering Research Council of Canada (NSERC) + MITACS Federal and Provincial Research Grant program, the Study is anticipated to receive substantial financial support. The City will be acting as a collaborative partner to provide both cash and in-kind contributions. The Grant Application is to be submitted by the University of Windsor by Spring 2024.

If the NSERC + MITACS Grant is successfully awarded, the Study is set to begin immediately and is projected to be completed by the end of 2026.

## **2. Locate and Mitigate Inflow & Infiltration of Existing Neighbourhoods:**

This project focuses on the investigation into sources of high stormwater inflow and infiltration (I&I) into residential sanitary sewers in neighborhoods with disconnected foundation drains.

The City of Windsor currently has two active I&I projects;

- SMP I&I Program (7219011); and
- SMP/IP Locate and Mitigate I&I of Existing Neighbourhoods (7224004).

These projects, both approved by Council (CR93/2021, B32/2021), are aimed to reduce basement flooding risk by identifying sources of I&I, supporting future mitigation strategies, and developing a plan to prevent storm runoff from entering the City's sanitary sewer system.

The SMP Executive Committee recently approved the partial consolidation of current and pre-committed budgets for the two projects to support a study to facilitate the creation of a comprehensive City-Wide action plan to address the objectives of both projects. The request to consolidate the budget and issue a Request for Proposal for consulting services to complete the study is anticipated to be presented to Council for approval as part of the Q3 2023 Council Variance Report.

### **3. SMP Education and Outreach Initiative:**

As detailed in the 2023 SMP update to Council (C36/2023), a Home Flood Protection Pilot Program (HFPP) was approved to financially incentivize homeowners to evaluate flood protection options for their properties. The HFPP was approved for up to 100 homes.

In 2023, the program was promoted through the distribution of approximately 3,000 door hanger flyers, two media releases (including an AM 800 phone interview), and information published on the City's website.

To date, the third-party company conducting the HFPP assessments have received 50 inquiries throughout the City, completed 13 home inspections, and issued 2 refunds.

In 2024, Administration plans to explore additional marketing strategies for the HFPP, including sending "buck slip" mailers with future City tax bills, additional media releases, and recommendations to extend the program through 2025.

### **4. Disaster Mitigation and Adaptation Fund (DMAF) 1 Program Update:**

Administration continues to work with Infrastructure Canada (INFC) on amending the DMAF 1 Agreement for the revised scope (C 128/2023). Further updates on the DMAF 1 Program are provided in report C28/2024.

### **5. Disaster Mitigation and Adaptation Fund (DMAF) 4 Program Update:**

The City successfully secured funding for the DMAF 4 Program Large-Scale Project Streams for the design and construction of the Retention Treatment Basin (RTB) near the Lou Romano Water Reclamation Plant. Similar to the DMAF 1 program, there are concerns related to inflationary pressures.

Administration continues to explore all funding options and opportunities that may be available as we move towards the commencement of the DMAF 4 project work. Further updates on the DMAF 4 Program are provided in report C 28/2024.

### **Risk Analysis:**

No significant or critical risks are associated with this SMP implementation update to Council. Overall risks to the SMP, to be considered during the prioritization of future projects, are primarily financial and economic in nature. This includes the following:

- Increased cost for future labour and materials beyond typical annual inflation due to disruptions in supply chains and labour market tightening.
- Short-term fiscal and long-term economic impacts due to potential shortages of material and labour, delay in design and construction schedules, and decline of City revenue and unforeseen expenditures in the occurrence of future unforeseen circumstances such as another global pandemic.
- Limited financial grant funding support for future priority projects and overall delay of SMP solutions.
- A shift in past grant opportunities from a Disaster Mitigation and Flooding focus to an Economic Development and Housing focus may limit the funding options available to implement future SMP projects

**Financial Matters:**

The City of Windsor has made significant infrastructure investments to reduce the risk of basement and surface flooding, both within the SMPIP and beyond. Adhering to the SMP Project Charter, project priorities are reviewed annually, taking into account current and future needs and available government funding for both immediate and high-priority projects.

To date, approximately \$253.5M in funding is available for immediate use. This budget amount includes the DMAF 1 Program and other grant sources. This represents about 5.1% of the \$4.9B in works identified in the SMP. As of December 31, 2024, approximately \$60.3M of this funding has been spent, including for Major Capital Projects within the SMP flooding solution priority list and the DMAF 1 program.

Since 2018, approximately \$23.0M has been invested through the Basement Flooding Abatement Program to help residents safeguard against flooding. Approximately \$13.4M of this amount was allocated to the Basement Flooding Protection Subsidy Program.

Below is a summary of the 2023 financial tracking for approved projects under the SMPIP. This summary compares the current approved capital budget to the actual budget spent.

Figure 3: Sewer Master Plan Implementation Financial Update

	Approved Capital Project Budget To-Date	Expenditures as at December 31, 2023	Current Budget Remaining
Implementation Priority Projects	\$52.3	\$11.4	\$40.9
DMAF 1 Projects	\$167.1	\$26.1	\$141.0
Major Capital Projects and Studies	\$34.1	\$22.8	\$11.3
<b>Totals</b>	<b>\$253.5</b>	<b>\$60.3</b>	<b>\$193.2</b>

*Note: DMAF 1 Budget includes \$25.1M of funding outside of the Grant Program to support the Riverside Vista Project*

The funding approved for the Basement Flooding Abatement Program, City Wide Sewer Rehabilitation, and Local Improvement projects will be further utilized to support additional initiatives under the SMPIP through 2024.

### **Long-Term Capital Planning and Asset Management**

The City is continuing to investigate the development of a long-term Capital Management Plan for its roadways and sewer infrastructure. Utilizing the Assetic Software tool by Brightly Software Inc., the Asset Management and Engineering departments are collaboratively integrating all future SMP solutions, along with their respective prioritizations, into this planning tool.

Given that the SMP solutions are evaluated and re-prioritized on an annual basis, it is expected that this software will aid in refining the SMPIP's project prioritization plan. It will also assist in optimizing a cost-benefit ratio for maintenance/rehabilitation efforts and addressing immediate and high-priority flood mitigation projects.

#### **Consultations:**

- Fahd Mikhael – Engineering
- Colleen Middaugh – Corporate Projects
- Sonia Bajaj – Corporate Projects
- Natasha Gabbana – Asset Planning
- Luigi Congi – Asset Planning
- Carrie McCrindle – Financial Planning
- Kathy Buis – Financial Planning

#### **Conclusion:**

The projects that make up the SMPIP are aimed to provide recommended flood mitigation measures to decrease the likelihood of future basement and surface flooding in the City of Windsor. Administration will continue to provide annual program updates, with the focus on prioritizing projects in alignment with the approved SMP Project Charter.

Administration recommends that this report be noted and filed.

#### **Approvals:**

Name	Title
Michael Dennis	Manager of Strategic Budget Development and Control

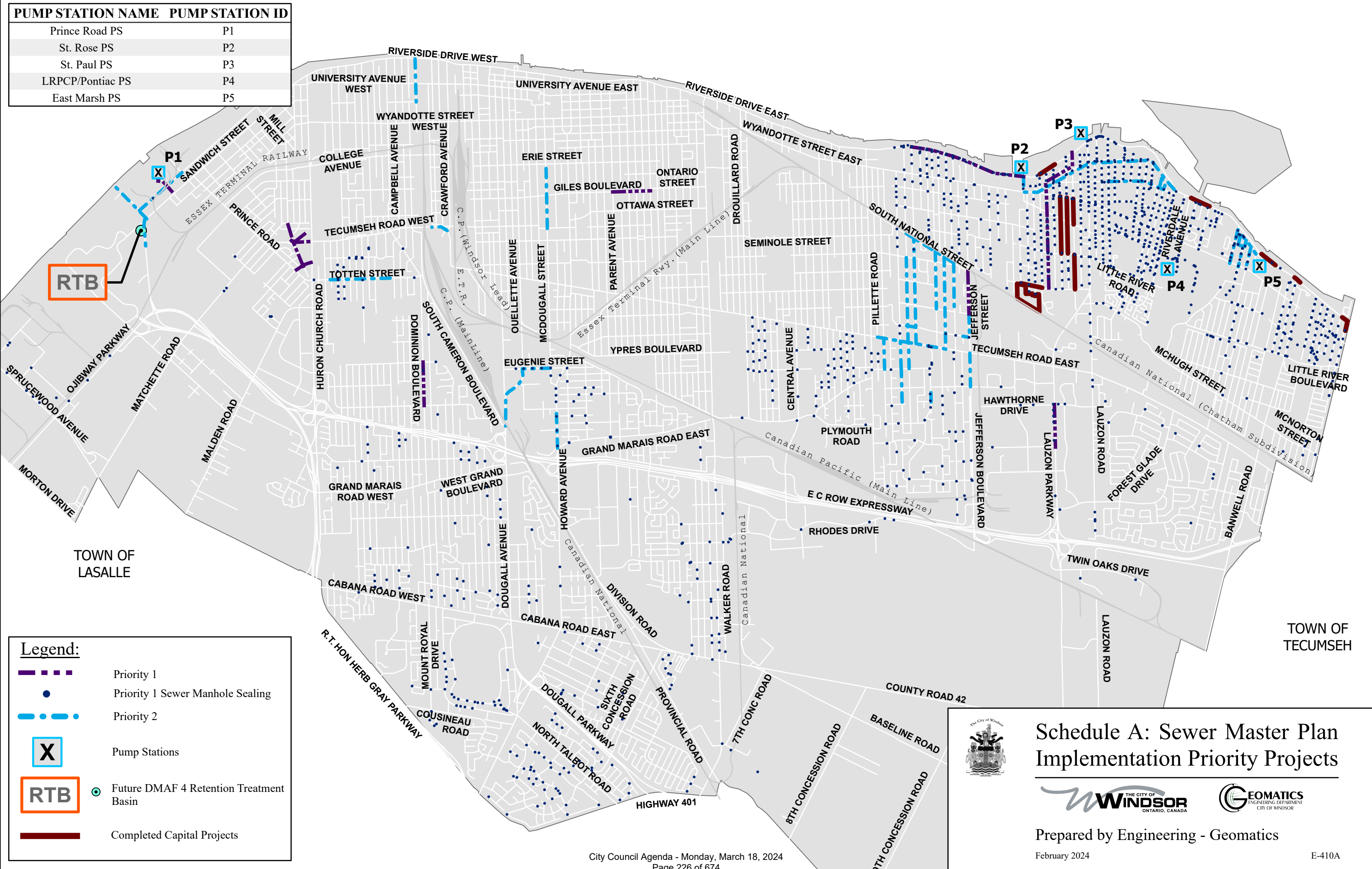


Name	Title
Patrick Winters	Manager of Development
Stacey McGuire	Executive Director of Engineering / Deputy City Engineer
Mark Winterton	Commissioner, Infrastructure Services / City Engineer
Janice Guthrie	Commissioner, Finance / City Treasurer
Joe Mancina	Chief Administrative Officer

**Appendices:**


- 1 Schedule A\_SMP Capital Project Map
- 2 Schedule B\_SMP Pilot Project and Study Map
- 3 Schedule C\_SMP P1 Project Update Table

PUMP STATION NAME	PUMP STATION ID
Prince Road PS	P1
St. Rose PS	P2
St. Paul PS	P3
LRPCP/Pontiac PS	P4
East Marsh PS	P5





**Legend:**

- - - Priority 1
- Priority 1 Sewer Manhole Sealing
- - - Priority 2
- X Pump Stations
- RTB Future DMAF 4 Retention Treatment Basin
- Completed Capital Projects



**Schedule A: Sewer Master Plan  
Implementation Priority Projects**

Prepared by Engineering - Geomatics

February 2024
E-410A



# Schedule B: Sewer Master Plan Implementation Pilot Projects and Studies

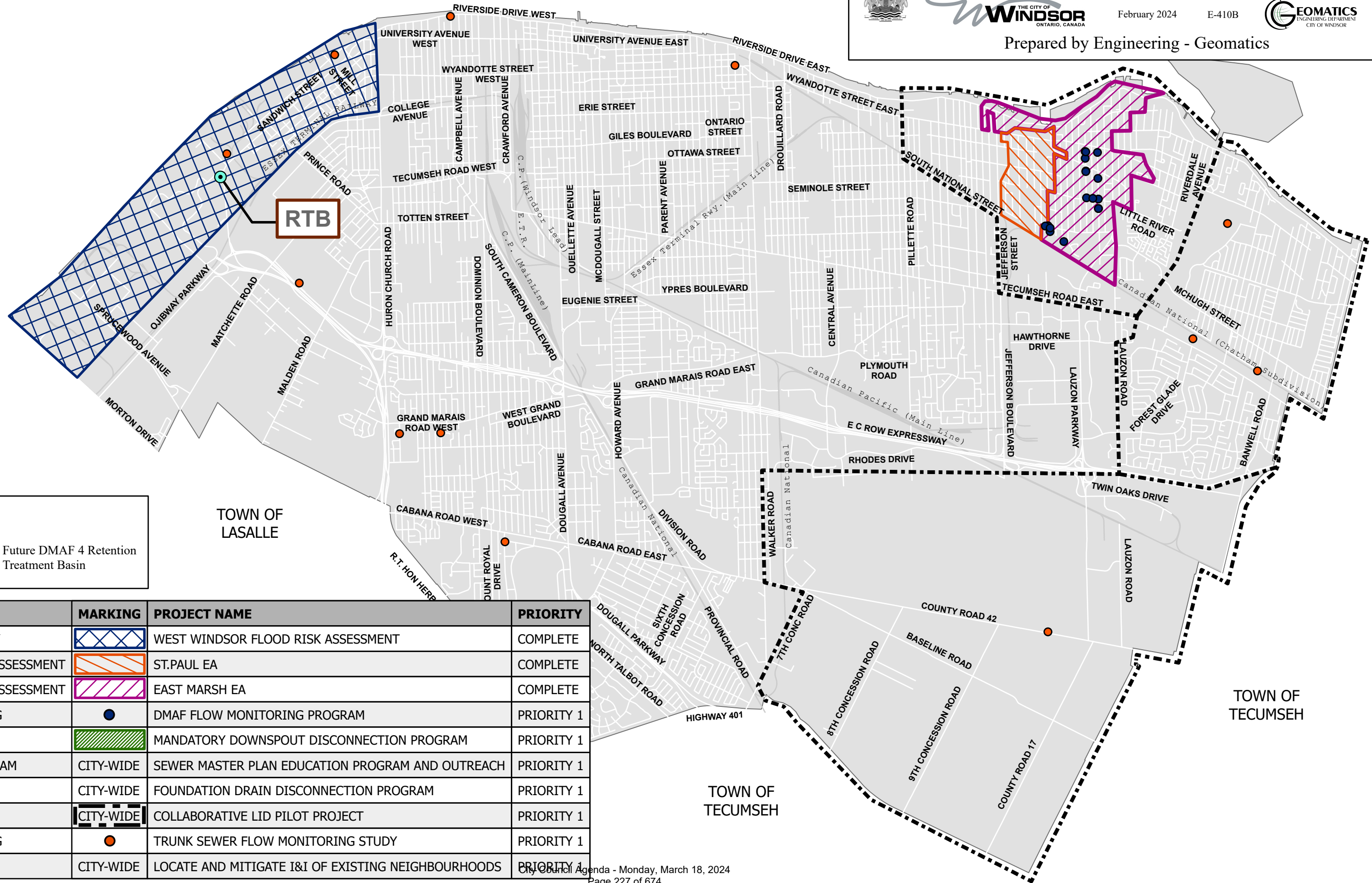
THE CITY OF WINDSOR  
ONTARIO, CANADA

February 2024

E-410B



Prepared by Engineering - Geomatics



**Legend:**

- RTB** (in a box) Future DMAF 4 Retention Treatment Basin

STUDY TYPE	MARKING	PROJECT NAME	PRIORITY
FLOOD RISK STUDY		WEST WINDSOR FLOOD RISK ASSESSMENT	COMPLETE
ENVIRONMENTAL ASSESSMENT		ST. PAUL EA	COMPLETE
ENVIRONMENTAL ASSESSMENT		EAST MARSH EA	COMPLETE
FLOW MONITORING		DMAF FLOW MONITORING PROGRAM	PRIORITY 1
PILOT PROGRAM		MANDATORY DOWNSPOUT DISCONNECTION PROGRAM	PRIORITY 1
EDUCATION PROGRAM	CITY-WIDE	SEWER MASTER PLAN EDUCATION PROGRAM AND OUTREACH	PRIORITY 1
PILOT PROGRAM	CITY-WIDE	FOUNDATION DRAIN DISCONNECTION PROGRAM	PRIORITY 1
PILOT PROGRAM		COLLABORATIVE LID PILOT PROJECT	PRIORITY 1
FLOW MONITORING		TRUNK SEWER FLOW MONITORING STUDY	PRIORITY 1
PILOT PROGRAM	CITY-WIDE	LOCATE AND MITIGATE I&I OF EXISTING NEIGHBOURHOODS	PRIORITY 1

**Schedule C – Sewer Master Plan Approved Project and Status Update**

#	Project Name	Year Approved	Approved Project Type	Planned Project Period (including maintenance)	February 2024 Project Status
1.	Greenhouse Gas Mitigation Assessment & Climate Change Study	2018	Study	2019	Complete
2.	Matthew Brady, Phase 2 (Edgar to Tranby)	2018	Design and Construction	2018 - 2020	Complete
3.	Belle Isle View, Phase 1 (Wyandotte to St Rose)	2018/2019	Design and Construction	2019 - 2021	Complete
4.	Tranby Avenue Reconstruction (Parkview to Isabelle) and Tranby Park SWM	2019	Design and Construction	2019 - 2022	Complete
5.	Belle Isle View, Phase 2 (St Rose to Edgar)	2018/2019	Design and Construction	2020 - 2021	Complete
6.	West Windsor Flood Risk Assessment	2020	Study	2021 - 2023	Complete
7.	St Paul Pump Station Environmental Assessment	2020	Schedule C Environmental Assessment	2020	Completed under SMP Project.
8.	East Marsh Pump Station Environmental Assessment	2020	Schedule C Environmental Assessment	2020	Completed under SMP Project.
9.	* Jefferson Drainage Area Improvements and Sewer Separation Project	2021	Study, Design and Construction	2021 – 2025	Study & Design Complete. Phase 1 Construction in 2024 (Jefferson Blvd, South National to Coronation).
10.	Eastlawn Avenue (Wyandotte to Edgar)	2019	Design and Construction	2021 - 2024	Construction Complete. Under Maintenance Period.
11.	Seal Maintenance Hole Covers	2020	Design and Construction	2020 - 2024 (multi-phased)	Phase 1 Complete. Phase 2 Ongoing.
12.	DMAF Flow Monitoring Program	2019	Monitoring and Reporting	2020 - 2025	Monitoring Ongoing.
13.	Mandatory Downspout Disconnection Pilot Program	2020	Study and Pilot Implementation	2020 - 2024	Monitoring Completed. Reporting and Recommendations - 2024.
14.	Sewer Master Plan Education Program	2020	Program	2020 - Ongoing	Ongoing
15.	Backflow Prevention Measures at Flood Protection Dike Crossings	2021	Design and Construction	2021 - 2024	Completed under SMP Project - Under Maintenance Period.
16.	Foundation Drain Disconnection Pilot Program	2021	Study and Pilot Implementation	2021 - 2030	Area Investigation
17.	Riverside Drive Vista & Barrier Landform, Phase 2A (Ford to St Rose)	2017/2018/2019/2021	Design and Construction	2018 - 2028 (incl. advanced relocation)	Design/Utility Relocation
18.	East Marsh Pumping Station Improvements	2018	Design and Construction	2024 - 2027	Design Complete Construction to commence once amended DMAF 1 Agreement is in place.

**Schedule C – Sewer Master Plan Approved Project and Status Update**

#	Project Name	Year Approved	Approved Project Type	Planned Project Period (including maintenance)	February 2024 Project Status
19.	St. Paul Pumping Station Expansion	2020	Design and Construction	2021 - 2027	Construction Ongoing.
20.	East Marsh Drainage Area Redirection (3 Phases) (Menard, John M, Florence, Clover, Elinor & Clairview)	2018/2019/2021	Design	2019 - 2025 (multi-phased)	Removed from DMAF 1 Program. Shifted to a Priority 2 Project.
21.	Belleperche Storm Trunk Sewer (3 Phases) Phase 1: St. Paul PS through Kiwanis Park to Clairview. Phase 2A: Clairview Corridor (Ganatchio trail), Belleperche to Wyandotte. Phase 2B: Wyandotte to St. Rose. Phase 3: St. Rose Ave to Tranby Ave	2018	Design and Construction	2021 - 2028 (multi-phased)	Design (Phase 1 – 3) Ongoing.  <b>Construction Schedule:</b> Phase 1: Spring 2025 Phase 2A: Spring 2026  Construction for Phase 2B and 3 removed from DMAF 1 Program and shifted to a Priority 2 Project.
22.	** Lauzon Parkway Sewer & Road Rehabilitation (Hawthorne to Cantelon)	2020	Design and Construction	2021 - 2025	Design Ongoing. Construction Spring 2024.
23.	Matthew Brady, Phase 3 (Wyandotte to St Rose)	2018	Design and Construction	2021 - 2025	Construction Complete. Under Maintenance Period.
24.	Parent-McDougall Storm Relief Sewer Works – Giles Blvd. Storm Relief Sewer (Langlois to Gladstone)	2021	Design and Construction	2021 - 2024	Giles Blvd. Construction Complete. Under Maintenance Period.  Relief Sewer upgrades to be design/constructed in the near future.
25.	Prince Rd. Storm Relief System Outlet to Detroit River	2021	Schedule C Environmental Assessment, Design & Construction	2021 - 2026	Design Ongoing.
26.	St. Rose Pumping Station	2021	Schedule C Environmental Assessment, Design & Construction	2023 - 2026	Design Ongoing.
27.	Little River Pollution Control Plant Overflow Improvement	2019	Schedule C Environmental Assessment, Design & Construction	2021 - 2027	Municipal Class Environmental Assessment Complete.  Detail Design to be awarded once amended DMAF 1 Agreement is in place.
28.	Cedarview Storm Trunk Sewer (Watson to Brumpton Park)	2019	Design and Construction	2024 - 2026	Planning Stage.  Removed from DMAF 1 Program and shifted to a Priority 2 Project.

**Schedule C – Sewer Master Plan Approved Project and Status Update**

#	Project Name	Year Approved	Approved Project Type	Planned Project Period (including maintenance)	February 2024 Project Status
29.	Brumpton Park Stormwater Storage	2019	Design and Construction	2024 - 2027	Planning Stage. Removed from DMAF 1 Program and shifted to a Priority 2 Project.
30.	Tecumseh/Dorchester Rd. Sewer Separation	2021	Design and Construction	2022 - 2029	Design Stage.
31.	Felix/Marlborough Sewer Separation	2021	Design and Construction	2029 - 2032+	Design deferred to 2029.
32.	Collaborative LID Pilot Project	2021	Study and Pilot Implementation	2022+	University Collaborative Research Study to commence Spring 2024.
33.	Trunk Sewer Flow Monitoring	2021	Study	2022 - 2028	Year 1 Flow Monitoring Complete. Year 2 Monitoring to commence in Spring 2024.
34.	Locate and Mitigate I&I of Existing Neighbourhoods	2021	Study and Pilot Implementation	2022 - 2027+	Area Investigation Stage. RFP for Consulting Services to be issued Spring 2024.
35.	Dominion Boulevard Phase 2 (Northwood to Ojibway)	2021	Design and Construction	2025	Construction Ongoing.

**Note:** \* Funds for Design and Construction beyond Phase 1 NOT included in approved Budget.

\*\* Placeholders for Construction in 2023 Budget. Recommendation for Construction budget included in 2023 Council Variance Report.

**Subject: Energy Service Agreement at the Windsor Justice Facility with ENWAVE Windsor Holdings LP - City Wide**

**Reference:**

Date to Council: March 18, 2024  
Author: Mark Nazarewich  
Acting Deputy City Solicitor  
519- 255-6100 x 6427  
mnazarewich@citywindsor.ca  
Legal Services, Real Estate & Risk Management  
Report Date: February 26, 2024  
Clerk's File #: MU/14147

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

**Recommendation:**

That Council **AMEND** the third paragraph of Resolution CR295/2021 made on July 5, 2021 by substituting **ENWAVE Windsor Holdings Limited Partnership** for the Windsor Utilities Commission.

That Council further **AMEND** the third paragraph of Resolution CR295/2021 to change the expiry date to **May 5, 2026**.

That the CAO and the City Clerk **BE AUTHORIZED** to execute the service agreement satisfactory in form to the City Solicitor, in financial content to the City Treasurer and in technical content to the Executive Director of Parks & Facilities.

**Executive Summary:**

N/A

**Background:**

On July 5, 2021, by CR295/2021, Council authorized the CAO and City Clerk to sign several energy service agreements (ESAs) with the Windsor Utilities Commission ("WUC") for the purpose of providing hot and chilled water to multiple City of Windsor facilities. Those facilities were:

- The Chimczuk Museum & Art Gallery;
- 350 City Hall Square West; and
- the Windsor Joint Justice Facility (Police HQ and the Ontario Courts of Justice) located at 150 Goyeau Street and 200 Chatham Street East.

At the time of the resolution, WUC was the company providing hot and chilled water to the multiple City facilities identified therein.

The ESAs for the Chimczuk Museum & Art Gallery and 350 City Hall Square were finalized at, or shortly after, the time that CR 295/2021 was made and those agreements were signed on the City's behalf by the CAO and the City Clerk.

However, it took several more months to negotiate the agreement for the provision of hot and chilled water to the Windsor Joint Justice Facility. Infrastructure Ontario shares in paying the utility costs of that facility and is also a party to that agreement. By the time that ESA was negotiated, and before the City's CAO and Clerk signed the agreement on behalf of the City, WUC had transferred its assets to a new company called ENWAVE Windsor Holdings Limited Partnership. That new company provides the hot and chilled water to the several City facilities. CR 295/2021 needs to be amended to authorize the City to enter into the ESA for the Windsor Joint Justice Facility with ENWAVE Windsor Holdings Limited Partnership.

Further the end date for the ESA for the Windsor Justice Facility is May 5, 2026. The agreement includes an option for the Customers (the City and Infrastructure Ontario) to extend.

The ESAs entered into with WUC for the Chimczuk Museum and 350 City Hall Square West have been legally assigned to ENWAVE and it is not necessary to amend the paragraphs of CR 295/2021 related to those agreements.

**Discussion:**

The Windsor Utilities Commissioner sold its assets to ENWAVE Windsor Holdings LP. Administration seeks Council's approval and authorization to enter into an ESA with ENWAVE Windsor Holdings LP for the Windsor Justice Facility.

**Risk Analysis:**

If the recommendation is not approved, the City will be left without an agreement for the supply of hot and chilled water at the Windsor Joint Justice Facility.

**Climate Change Risks**

**Climate Change Mitigation:**

N/A

**Climate Change Adaptation:**

N/A

**Financial Matters:**

N/A



**Consultations:**

None

**Conclusion:**

CR295/2021 authorized the City to enter into an energy services agreement with the Windsor Utilities Commission (“WUC”). Subsequent to that resolution, but before the City’s authorized representatives could sign the ESA related to the Windsor Justice Facility, WUC transferred its assets to ENWAVE Windsor Holdings Limited Partnership (“ENWAVE”). The end date of that ESA is May 6, 2026. Administration is asking that CR295/2021 be amended to reflect the proper name of the entity and the accurate end date in the agreement to provide hot and chilled water to the Windsor Justice facility.

**Approvals:**

<b>Name</b>	<b>Title</b>
Mark Nazarewich	Acting Deputy City Solicitor
Wira Vendrasco	Acting City Solicitor
Dana Paladino	Acting Commissioner, Corporate Services
James Chacko	Executive Director of Parks & Facilities
Ray Mensour	Commissioner, Community Services
Janice Guthrie	Commissioner, Finance and City Treasurer
Joe Mancina	Chief Administrative Officer

**Notifications:**

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

**Appendices:**

- 1 CR 295/2021

**CITY HALL  
WINDSOR, ONTARIO  
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**City Council  
Decision  
Monday, July 05, 2021**

Moved by: Councillor Kaschak  
Seconded by: Councillor McKenzie

Decision Number: CR295/2021

That Council **APPROVE** a renewal of an existing service agreement with the Windsor Utilities Commission, for the purpose of providing hot and chilled water (energy services) to 401 Riverside Drive West (Chimczuk Museum & Art Gallery of Windsor), expiring on September 30, 2030; and,

That Council **APPROVE** entering into a service agreement with the Windsor Utilities Commission, for the purpose of providing hot and chilled water (energy services) to 350 City Hall Square West, expiring on October 31, 2040; and,

That Council **APPROVE** entering into a service agreement with the Windsor Utilities Commission, for the purpose of providing hot and chilled water (energy services) to 150 Goyeau Street and 200 Chatham Street (Windsor Justice Facility), expiring on September 1, 2027; and,

That the CAO and City Clerk **BE AUTHORIZED** to execute all three agreements, satisfactory in form to the City Solicitor, in financial content to City Treasurer, and in technical content to the Commissioner of Parks, Recreation, Culture, and Corporate Facilities.

Carried.

Report Number: C 91/2021  
Clerk's File: MU/14147 8.1

*Anna Ciacelli*  
Deputy City Clerk  
February 27, 2024



## OFFICE OF THE CITY CLERK COUNCIL SERVICES

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### Department Distribution

Tom Graziano	Senior Manager of Facilities
Ray Mensour	Commissioner, Community Services (A)
Shelby Askin Hager	Commissioner, Legal & Legislative Services
Joe Mancina	Commissioner, Corporate Services / Chief Financial Officer / City Treasurer
Alex Vucinic	Purchasing Manager
Jason Reynar	Chief Administrative Officer

### External Distribution

**Subject: Working at Heights Training Program Agreements – City Wide****Reference:**

Date to Council: March 18, 2024

Author: Vincenza Mihalo, Executive Director of Human Resources  
519-255-6515, ext. 6259; vmihalo@citywindsor.ca

Julie Ryckman, Manager, Occupational Health, Safety & Wellness  
519-255-6515 ext. 6408; jryckman@citywindsor.ca

Human Resources

Report Date: March 1, 2024

Clerk's File #: GP/12640

To: Mayor and Members of City Council

**Recommendation:**

**THAT** the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to execute any agreements with the Public Sector Health and Safety Association (“PSHSA”) relating to the Working at Heights training program, satisfactory in form to the City Solicitor, in technical content to the Executive Director of Human Resources, and in financial content to the City Treasurer, as applicable.

**Executive Summary:**

N/A

**Background:**

In 2015 the Ministry of Labour, Immigration, Training and Skills Development, here after the Ministry, and specifically the Chief Prevention Officer, introduced a training standard for Working at Heights training under Ontario Regulation 297/13: Occupational Health and Safety Awareness Training. This training is mandatory for those who require it in their positions, so there is no choice not to have the training provided. Under the Regulation, a training program based on the Ministry's Working at Height Training Standard can only be delivered by a trainer that has been approved by the Ministry's Chief Prevention Officer. In order to begin delivering working at heights training, the Corporation entered into an agreement with the Public Service Health and Safety Association, the PSHSA, to deliver their Working at Heights training program. After completing the Agreement with PSHSA, in 2017, the Corporation of the City of Windsor, and specifically Human Resources, applied for and later received approval from the Ministry to provide Working at Heights training internally and to our staff.

Human Resources began delivery of the PSHSA in March of 2017, providing training to all employees identified by the Health and Safety team as being at risk of falling from a height as defined in Ontario Regulation 213/91. In 2019, the Ministry introduced a refresher training requirement for the Working at Heights program, and Human Resources began delivering this Program as well, in addition to the Full Working at Heights training program. Training materials for both the full and refresher training programs were purchased by the Corporation from the PSHA.

### **Discussion:**

In 2023, the Corporation sought to renew its Agreement with PSHA for the right to deliver their full Working at Heights training program and enter into an Agreement for the terms of delivery of their Working at Heights Refresher training program. The Corporation could contract with an approved Working at Heights training provider to deliver this training to our staff. Having our OHSA's continue to deliver this training offers more flexibility to our departments in terms of the number of sessions, the hours the training occurs and at a lower cost. As such, we are looking for Council to approve these Agreements to allow Human Resources to maintain our partnership with PSHSA in delivery of high quality, Ministry-approved Working at Heights training programs to our staff.

### **Risk Analysis:**

**Resources Risk:** Falls from heights continues to be the highest injury type in Ontario, and related to a number of workplace fatalities each year. A number of jobs performed by Corporate employees will encounter fall hazards in the course of their work. In order to comply with the requirements of the Occupational Health and Safety Act, the Corporation must provide appropriate training to ensure these workers understand the hazards associated with their work and how to perform the work safely and within any applicable prescribed standards. Working at Heights training provides workers with the tools to identify when safe work measures are necessary to prepare appropriately, what equipment to use, how to effectively inspect this equipment, how to plan for an emergency rescue, and how to complete a 100% tie off using the appropriate fall arresting equipment.

If the Corporation chooses not to continue its partnership with the PSHSA thereby facilitating our OHSA's to deliver the Working at Heights full and refresher training programs in-house to City staff, the Corporation can contract with an external approved training company to deliver this training. The cost of having an external training provider deliver this training to our staff exceeds the cost of having our in-house OHSA's deliver it. As well, there is less flexibility for our departments in having an external trainer deliver this training for our staff.

Not offering is POSSIBLE, and considered a high risk.

**Timing Risks:** Deciding not to continue to provide Working at Heights training in-house through an agreement with the PSHSA will limit the flexibility of course offerings for our departments. The Corporation has a number of OHSA's who are trained to deliver this training and work continuously with departmental representative to monitor compliance

and schedule courses at a time and date that enable departments to maintain operational efficiency and ensure mandatory training is completed within the prescribed timeframes.

Not offering Working at Heights training using in-house trainers delivering the PSHSA program reduces our compliance rates as this a mandatory training program, and is considered a high risk.

**Cross Corporation Risks:** As previously noted, having the right to facilitate the PSHSA's Working at Heights full training program and Refresher program delivered by our in-house OHSA's provides a number of our departments with greater flexibility in terms of how many sessions we offer as well as the timing of sessions. In the event that we no longer have the authorization to deliver the PSHSA's program, we would have to contract with an external approved training provider to deliver Working at Heights training to staff in targeted positions.

Not offering Working at Heights training using in-house trainers delivering the PSHSA program reduce our compliance rates as this is a mandatory training program, and is considered a high risk.

### **Climate Change Risks**

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

N/A

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

N/A

### **Financial Matters:**

The proposed Agreements with the PSHSA will be funded by the Health and Safety Budget at a cost of \$1,000 (plus applicable taxes) every two years for the full Working at Heights training program and \$1,000 (plus applicable taxes) the first year and then \$500 annually in the following years for the Refresher program. The cost for materials for this training program, which range from \$3,000 to \$5,000 annually depending on the number of participants, are funded by the Corporate Training Budget within Employment and Consulting Services.

### **Consultations:**

Paula Clausen, Senior Director Health, Safety and Wellness, Government & Public Sectors

Julie Ryckman, Manager of Occupational Health, Safety & Wellness

Kate Tracey, Senior Legal Counsel

**Conclusion:**

The ability to deliver the PSHSA’s Working at Heights training programs facilitated by in-house OHSA’s has enabled the Corporation to maintain compliance with mandatory training requirements under the Occupational Health and Safety Act for workers whose jobs put them at risk of falling from a height. There are a number of departments across the Corporation whose staff require this training and being able to utilize in-house trainers for classes enables Human Resources to provide training sessions for Corporate staff at a time and frequency that meets their operational demands.

**Planning Act Matters:**

N/A

**Approvals:**

<b>Name</b>	<b>Title</b>
Vincenza Mihalo	Executive Director of Human Resources
Kristen Karam	Financial Planning Administrator
Janice Guthrie	Commissioner, Finance & City Treasurer
Wira Vendrasco	City Solicitor
Dana Paladino	Commissioner, Corporate Services (A)
Joe Mancina	Chief Administrative Officer

**Notifications:**

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

**Appendices:**



**Subject: Update of Round 1 of the Arts, Culture and Heritage Fund 2024 – City Wide**

**Reference:**

Date to Council: March 18, 2024  
Author: Christopher Lawrence Menard  
Supervisor, Community Programming – Cultural Affairs  
cmenard@citywindsor.ca  
519-253-2300 x2752

Recreation and Culture  
Report Date: 3/1/2024  
Clerk's File #: AF/14585

To: Mayor and Members of City Council

**Recommendation:**

**THAT** the report from the Supervisor, Community Programming – Cultural Affairs regarding the update on Round 1 of funding of the Arts, Culture and Heritage Fund (ACHF) in 2024 **BE RECEIVED**; and further,

**THAT** City Administration **BE AUTHORIZED** to proceed directly to City Council with future reports being received for information and pertaining to the Arts, Culture and Heritage Fund (ACHF), in order to remove barriers and reduce processing times for this grant program.

**Executive Summary:**

N/A.

**Background:**

A report came forward to the Social Development Health and Culture Standing Committee on April 8, 2015 that received Council support to re-allocate existing Cultural Affairs budget dollars in order to maintain the funding envelope at \$87,200. Adopted by Council at its meeting held May 4, 2015 [M174-2015] the resolution stated: ***THAT the report from the Manager of Cultural Affairs outlining the proposed funding of the Arts Culture and Heritage Fund (ACHF) Grant to a total of \$87,200 BE APPROVED.***

*Carried.*



The 2022 Operating Budget approved by Council on December 13, 2021 included a recommendation that received Council support to increase funding for the Arts, Culture & Heritage Fund (ACHF) by \$30,800 to a total of \$118,000 annually, which represents a 35% increase in funding to the program. The recommendation indicated this increase would: *provide additional support for the growth of the creative community in Windsor. The ACHF provides an opportunity for creatives to experiment and excel, develop new skills, and broaden community arts engagement. The creative initiatives involve multiple artists. Program investments have a direct impact on the creative sector, and ripple effects on our creative economy, making arts, culture and heritage key ingredients to economic growth and diversification. This request is consistent within the Council approved Municipal Cultural Master Plan.*

*Carried.*

The ACHF grant program funding of \$118,000 is included in permanent operating budget of the Culture and Events Department.

To date, since the program launch in 2014, the ACHF program has awarded \$950,000 in grant funding to 436 individual arts, culture and heritage projects in Windsor. This includes investments in 32 community arts-based projects, 75 visual arts projects, 59 literary arts projects, 72 performing arts projects, 113 musical arts projects, 57 film arts projects, and 28 heritage and culture projects. The program provides vital funding to exhibitions, events, workshops, sculptures, books, podcasts, poetry collections, concerts, theatre and dance productions, song writing, music videos, films, festivals, multicultural celebrations, cultural exchanges, historic walking tours, and more.

The Guidelines for the Arts, Culture and Heritage Fund outlined the process for selecting the jurors as follows: *“All applications will be assessed by a jury, working with the Culture staff. The jury will be comprised of a diverse selection of five (5) people that are arts, culture or heritage professionals. Some have direct experience working with arts, culture or heritage organizations or as individual creators. Others have municipal backgrounds with arts, culture and heritage experience. The ACHF will select jurors who:*

- Have a broad spectrum of knowledge and experience of the creative community;
- Have knowledge of the arts, culture and heritage needs of the City of Windsor;
- Will provide fair and objective opinions;
- Can articulate their opinions and work in a group decision-making environment

These jurors diligently completed the evaluation process on all of the applications submitted to the current funding round.

### **Discussion:**

The application form for the Arts, Culture and Heritage Fund was posted on the City of Windsor’s website, and the targeted webpage ([achfwindsor.ca](http://achfwindsor.ca)) which noted the grant opening January 15, 2024 and closing February 9, 2024. All standard program promotion took place utilizing social media, e-blasts and e-newsletters, and sharing by

cultural organizations including social media pages for the City of Windsor, Museum Windsor, and Mayor Drew Dilkens, as well as partner websites and social media pages including Arts Council Windsor & Region, Windsor-Essex Theatre Community, and Windsor Endowment for the Arts. A virtual public information session took place January 24, 2024 with City administration providing details of the program guidelines, eligibility criteria, application, and adjudication process. As with each previous funding round, all applicants completed consultations by phone or email with a member of the Culture & Events staff to confirm applicant and project eligibility in advance of submission, and to receive support through the process. The ACHF application is electronic, with both an online application form and an online process for adjudication.

The jury continues to appreciate the online process as it permits them access to the applicants' support materials by allowing them to click embedded links to artist information, reference letters, organizational documents, websites, videos, sound files and image files, and work samples. Jurors using this system for adjudication, and applicants using this system to apply remain satisfied with the overall functionality of the system.

Each juror received a specific and unique login to allow them access to the online applications. Administration was able to monitor the jury's progress through the evaluation process, and answer questions as needed. The jury convened on February 28, 2024 to discuss the key objectives and priorities of the fund and to adjudicate the applications as a group to arrive at final funding decisions.

There was a long and fulsome conversation amongst the jurors to determine the final decision. At the close of the application round, Administration received forty-six applications – thirty-five from individuals, and eleven from organizations – totalling about \$188,000 in requested funding. If the opportunity to fund all of the requests were available, the total value of the projects would exceed approximately \$490,000 demonstrating how grant funding leverages additional spending on culture and increases spin-off investment in culture within the community. There is \$59,000 available for distribution in the first round of the ACHF in 2024.

The jury was pleased to be able to award grant funding to seventeen projects – twelve grants to individuals, and five grants to organizations in this funding round. Of the applicants in this round, 17 were first-time applicants to the program, and two of those applicants were selected for funding. The jury selected a strong mix of projects across genres including the visual arts, the performing arts, film, music, literary arts and storytelling, podcasts, and some important projects supporting diversity, inclusivity, heritage and the celebration of humanity in our community.

Table 1 below provides a detailed listing of successful applicants along with a description of the project they submitted for funding. Upon completion of their projects, applicants are required to submit to the Culture & Events office, a final report outlining the impact of the project, both financially and within the creative community of Windsor. All final reports require the recipients to quantify the results of their project (the number of visitors, CDs sold, attendance, engagements, etc.). The final report also includes the final budget for the project confirming any revenues realized, copies of promotional

materials, and the criteria they used to measure the success of their project in meeting their goals and how they believe the project affected life of our community.

Additionally, as identified in earlier reports to Council, all of the projects selected are required to identify the City of Windsor as a funder to the project, through the display of the City logo with the accompanying words “Supported by the City of Windsor’s Arts, Culture & Heritage Fund (ACHF) achfwindsor.ca” on all project materials. As requested by members of City Council with previous reports, the successful applicants are featured on our website under “ACHF Success Stories” – with the page updated on an ongoing basis.

ACHF recipients are also invited to display or showcase their finished projects, where appropriate, at specific city events such as culture meetings, the City birthday celebration, and potentially the Mayor’s Arts Awards (an event held in partnership with the Windsor Endowment for the Arts once every two years). Information about the projects is also shared in a City News Release, Culture e-blasts, on social media, and through program update reports to Council.

**Table 1: ACHF 2024 Round 1 Grant Funding Recipients**

NAME	PROJECT	DESCRIPTION	ASK	AWARDED	VARIANCE
Rawad Kansoun	Parallel (working title)	Funding for artist fees, production costs, and rental costs for film.	\$5,000	\$5,000	\$0
Batool Yahya	HeArt from the Streets	Funding for artist fees, venue, supplies and promotion for a visual arts exhibition event.	\$5,000	\$5,000	\$0
Sarah Smitherman	Flowering Plants of Ojibway and Surrounding Areas, Part 2	Funding for artist fees, design and layout, framing and installation, and venue for an arts exhibition; plus corresponding book design.	\$5,000	\$5,000	\$0
Teajai Travis	A Blaze of Story – Season 2.	Funding for artist fees and production costs for a storytelling series and corresponding podcast.	\$5,000	\$5,000	\$0
Kristen Siapas	Jazz in the Park	Funding for artist fees, venue, and promotion for an outdoor jazz performance series.	\$4,960	\$4,960	\$0

Maryam Safardeh	Persian Village Art Group	Funding for artist fees, artisans, and promotion of a multicultural mixed-genre art festival.	\$4,462	\$4,462	\$0
Jamie Greer	The History of Pro Wrestling in Windsor, Ontario	Funding for photo licensing, publishing costs and book launch for a locally written history book.	\$4,000	\$4,000	\$0
Kevin Blondin	THIS is DRAG Showcase Event Series	Funding for artist fees and production costs for a monthly drag showcase.	\$3,900	\$3,900	\$0
Arts Collective Theatre (ACT)	ACT's 10 <sup>th</sup> Anniversary production of RENT	Funding for artist fees, videographer and rental items for a theatre production.	\$3,500	\$3,500	\$0
Valerie Bonasso	Windsor's History: A New Musical	Funding for artist and producer fees for libretto and score composition of an original stage musical.	\$3,350	\$3,350	\$0
Windsor Optimist Youth Band	2024 Band Camp and Spring Concert	Funding for venue, and artist fees for a band camp and community spring concert.	\$3,325	\$3,325	\$0
Gujarati Samaj of Windsor	Ardh Shatabdi Mahotsav	Funding for production costs, venue, materials, and promotion of a multicultural musical production.	\$5,000	\$3,058	\$1,942
John-Paul Bonadonna	Leave Those Kids Alone album	Funding for production, mixing and mastering of an album of original music.	\$3,000	\$3,000	\$0
Jo Taylor	Community Connexions	Funding for artist fees and production costs for choral music series across the community by the Windsor Community Choir.	\$2,725	\$2,725	\$0
Abridged Opera	Sour Angelica	Funding for artist fees for soloist and musicians for an opera celebrating the group's 10 <sup>th</sup> anniversary	\$4,725	\$1,500	\$3,225

Adam Bergamin	Regency Cabaret	Funding for artist fees, costumes, props and accessories for a drag project for seniors.	\$800	\$800	\$0
Greater Windsor Concert Band	GWCB Spring Concert 2024	Funding for concert venue rental for a live concert band/symphonic concert	\$420	\$420	\$0
<b>TOTALS</b>			<b>\$64,167</b>	<b>\$59,000</b>	<b>\$5,167</b>

One of the key components of the ACHF grant program is that funding is offered in two rounds each year, with artists and arts organizations able to apply to both rounds for multi-phase projects that have significant impacts on the community. Each round has an application intake phase that lasts approximately three to four weeks in order to provide adequate time for applicants to submit detailed applications. Following this, applications go to our ACHF jurors, who have approximately two weeks to review applications on their own, and then come together as a group to arrive at final funding decisions.

Traditionally, the projects selected for funding are first presented to the Community Services Standing Committee, and then to City Council as a twice-annual update on the ACHF program. This process presents the following significant challenges:

- City Administration must balance requirements and timelines for report approvals, the once-monthly schedule for Standing Committee, City Council meeting schedule, and need to align all those with ACHF intake and jury evaluation.
- City Administration is not able to announce or release funding until the report has made it to Council and been approved.
- Reports are public once they go to Standing Committee, which gives media the ability to report on ACHF recipients before the approval process has played out.
- If the report must go to Standing Committee, it is possible as much as two months could pass between the ACHF jury making funding decisions, and the applicant receiving the funding for the project.
- In many cases, this delay prevents artists and arts organizations from applying to both rounds in a given year.
- In many cases, this also prevents artists and arts organizations from providing exciting opportunities all year long, by compressing project dates into a tight, potentially unrealistic timeline.

As the ACHF grant program was created in response to a Municipal Cultural Master Plan recommendation that the City create a program to supply arm's length funding to artists and arts organizations, the decisions of the ACHF Jury are final and cannot be appealed. As such, reports to the Community Services Standing Committee and City Council are received for information purposes only.

Council has the opportunity to consider the ACHF grant program every year as part of budget deliberations. The Community Services Standing Committee members have the

ability to request additional updates or reports from City Administration regarding the ACHF grant program at any point in time.

The ability of City Administration to report ACHF updates directly to City Council, bypassing the requirement to first present to the Community Services Standing Committee, would help remove barriers and reduce processing times for a vital program that supports Council's overall investment in the design, development and presentation of local arts, culture and heritage projects in Windsor.

### **Risk Analysis:**

The Municipal Cultural Master Plan originally recommended that an arm's-length commission be established that was a decision-making volunteer body independent of Council consisting of City residents who are familiar with cultural disciplines and cultural organizations in the City. The Task Force that convened to guide this project to fruition expect there to be a transparent application process in order to have the applications adjudicated without prejudice. The Task Force supported a jury process that consisted of members of the community applying or being nominated, and being selected for the knowledge and experience that they share with the community.

### **Climate Change Risks**

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

N/A

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

N/A

### **Financial Matters:**

As part of the 2022 Operating Budget approval (B24/2021), Council approved through Culture, an annual operating budget of \$118,000 (in Chartfield 001-4145-5482-02942-0121141) to distribute two rounds of funding of \$59,000. Individual grants awarded through this program are for a maximum of \$5,000 per grant.

### **Consultations:**

Emilie Dunnigan – Manager, Development Revenue & Financial Administration

### **Conclusion:**

The City of Windsor continues to make significant contributions to the cultural fabric of the community. Council has recognized the importance of investing in arts, culture and heritage in many ways, including: through establishment of the Public Art Fund; expansion of the Arts, Culture & Heritage Fund (ACHF) grant program; and through ownership, programming, and maintenance of key facilities like the Capitol Theatre, Willistead Manor, Mackenzie Hall, and the facility that houses Museum Windsor's Chimczuk Museum and the Art Windsor-Essex (AWE) gallery. Such significant and ongoing investments in the facilities that support creative work and creators in the

community are not often considered when we analyze overall investment in arts, culture and heritage by the municipality. Often, only the ACHF program is measured as a tangible investment.

The ACHF grant funding program continues to grow the arts, culture and heritage sector by providing small and impactful amounts of funding to help make culture happen now. The purpose of this fund – *Investing in the soul of our City by providing financial assistance to locally developed arts, culture and heritage projects that provide exciting, surprising, and meaningful opportunities to strengthen our creative community* – will continue to have an immediate impact on the creative community.

**Planning Act Matters:**

N/A

**Approvals:**

Name	Title
Christopher Menard	Supervisor, Community Programming – Cultural Affairs
Tracy Ou	Financial Planning Administrator, Recreation and Culture
Michelle Staaedegaard	Manager, Culture & Events
Jen Knights	Executive Director, Recreation & Culture
Ray Mensour	Commissioner, Community Services
Janice Guthrie	Commissioner, Finance / City Treasurer
Joe Mancina	Chief Administrative Officer (A)

**Notifications:**

Name	Address	Email

**Appendices:**

- 1 Appendix A - ACHF Guidelines City of Windsor



Arts, Culture & Heritage Fund (ACHF)  
*Investing in the Soul of our City*

# PROGRAM GUIDELINES

Culture Office Department  
of Recreation & Culture  
City of Windsor

Mailing: 2450 McDougall St. Windsor, ON. N8X 3N6  
Physical: Gatehouse at Willistead Park. 1899 Niagara St. Windsor, ON. N8Y 1K3 P:  
519-253-2300 □ E: [culturalaffairs@citywindsor.ca](mailto:culturalaffairs@citywindsor.ca) □ W: [citywindsor.ca](http://citywindsor.ca)



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## BACKGROUND INFORMATION

### **Mission for Culture in Windsor**

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Acting as a catalyst and facilitator, the Culture section will ensure the provision of a range of affordable and accessible opportunities for engagement in cultural activities, services, and facilities to residents while at the same time building up a base of unique cultural attributes and activities for visitors, residents, investors, and businesses.

We work in the arts, culture and heritage sectors... the *creative community*. Culture is alive and thriving in our City, winding its way through every aspect of our daily lives, shaping who we are and what is amazing about our community.

### **The Community Strategic Plan**

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The City's **Community Strategic Plan** calls for a focus on cultural growth. It urges:

- *Capitalizing on our strengths* to promote tourism and hospitality, making the most of our advantages as a key Canadian gateway;
- *Reaching out to the world* to showcase Windsor as an outstanding place to live, work and visit;
- *Celebrating diversity* by recognizing our rich diverse culture and heritage;
- *Honouring heritage* by preserving structures that tell the story of our past;
- *Valuing art* by promoting and supporting the arts and local artists, and ensuring that our citizens have many opportunities to experience a wide variety of expression and performance.

### **The Municipal Cultural Master Plan (MCMP)**

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The City of Windsor's **Municipal Cultural Master Plan**, approved by City Council in May 2010 is a detailed report that maps out sixteen recommendations intended to serve as a goal-centred approach to facilitating the growth of culture in our community.

### **MCMP – Recommendation # 7 – Arm's Length Cultural Funding**

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It is understood that our creative community cannot act alone. It is recommended that an **arm's length cultural funding commission for cultural organizations be established**. This commission would be appointed to allocate funds from an amount set annually to qualifying cultural organizations according to set criteria. Jurors would be City of Windsor residents that have an understanding of cultural disciplines and organizations. Working with the City of Windsor's Cultural Affairs Office, they would facilitate a transparent and accessible application and funding process that would be accountable to Council, the City's creative community, and the City of Windsor as a whole. **In all cases, the funding decisions of this body would be final, and would not be subject to an appeal.**

## GENERAL INFORMATION

These guidelines are intended to help in preparing an application for funding under the **Arts, Culture & Heritage Fund (ACHF)**. Applicants are advised to read this document in its entirety prior to completing/submitting an application.

In order to be considered, applicants must consult with Culture staff prior to submitting a project for funding and before the application deadline. Consultation means a conversation, by e-mail or phone, in which the applicant provides detailed information on their proposed project. **This consultation does not mean a project will be recommended for funding.**

We anticipate receiving more applications than any given funding round can support.

The ACHF online application can be found at [www.achfwindsor.ca](http://www.achfwindsor.ca), and will be available *only during application intake phases*. The application must be completed and submitted – with all required supporting materials – and received no later than 3:00 pm on the application deadline date for each round. **Late applications will not be accepted or assessed.**

Applications must be completed and submitted online. **Hard copies or e-mailed / faxed applications will not be accepted.**

Applicants may submit one application per funding round per fiscal year, for a maximum of two applications to the program per year.

The Culture section encourages applicants to submit projects that will be completed within six (6) months to one (1) year of receipt of funds. As such, **all Final Post-Project Reports must be submitted two (2) weeks after completion of the project.**

The ACHF cannot guarantee funding to all applicants, nor can it ensure that the total amount requested by successful applicants will be granted. The recommendation to fund a part of an applicant's request will depend on its fit with the program priorities, assessment criteria and the overall demand for funds available in the program. The Culture section will officially announce the results by letter or e-mail.

Applications for funding are subject to the *Freedom of Information and Protection of Privacy Act*.

The City, at its expense, reserves the right to audit any submitted financial statements or Project approved for City grants, and upon reasonable request to do so, the grant recipient shall make available at its premises all related books and records to the City of Windsor or its agents.

## ABOUT THE FUND

**MISSION OF THE ARTS, CULTURE & HERITAGE FUND:** The City of Windsor's Arts, Culture & Heritage Fund (ACHF) invests in the soul of our City by providing financial assistance to locally-developed arts, culture and heritage projects that provide exciting, surprising and meaningful opportunities to strengthen our creative community.

### **PROGRAM OBJECTIVES**

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The ACHF provides funding to support Windsor's priority to build a strong and stable creative community that contributes to a prosperous creative economy and to making Windsor an attractive and affordable place to live. The primary objectives of the program are to make strategic investments that:

- Promote innovation and support new, dynamic efforts in the creative community;
- Develop unique cultural resources to enhance the health and vitality of our communities and the quality of life for our people;
- Encourage participants in the creative community to stay and continue to create and work in the City of Windsor;
- Make arts, culture and heritage central to the lives of all our people;
- Increase public awareness and access to the arts, culture and heritage sectors;
- Celebrate diversity by recognizing our rich creative community;
- Value creativity by promoting and supporting arts, culture and heritage.

### **KEY PRIORITIES OF THE ARTS, CULTURE & HERITAGE FUND**

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The ACHF provides financial support to help strengthen and develop Windsor's creative community to achieve economic and creative growth in the City. Preference is given to projects that benefit one or more cultural sectors, and which develop new alliances and creative, innovative approaches. Projects **must address one or more** of the following key priorities:

- Increase Windsor's attractiveness, affordability, and quality of life;
- Support the development of new audiences;
- Increase the supply of skilled cultural workers;
- Nurture creativity and imagination through arts, culture and heritage projects;
- Encourage the inclusion of diverse cultural groups;
- Increase public access to the creative community.

## IMPORTANT DEFINITIONS

### PROJECT

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A special initiative which may be one-time, and may involve:

- New/unconventional collaboration between/across genres, disciplines or sectors;
- Creation of new work;
- Emphasis on new or emerging media, techniques, technologies and practices.

### ART

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Broadly conceived to include all genres within the following disciplines, with activities and expression which explore, interpret, create and celebrate:

- Performance (music, dance, theatre, spoken word, improvisation);
- Visual (two/three dimensional, performance, fine or artisanal craft, site specific or temporary installation);
- Literary (poetry, prose, storytelling);
- Media/New Media (film, video, still photography);
- Design (graphic and technological).

### CULTURE & HERITAGE

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Broadly conceived to include both tangible and intangible characteristics of the following elements, with activities and expression which explore, interpret and celebrate:

- Human diversity including First Nations, ethnicity, different abilities and orientations, gender and age;
- Human and natural history;
- Ecology and environment (as themes for artistic practice or historical interpretation);
- Heritage buildings, sites (including neighbourhoods, gardens, views), collections, archives, documentation, interpretation;
- Storytelling, narratives, traditions and values, artisanal methods.

## ELIGIBLE ORGANIZATIONS

To be eligible for consideration, the applicant must be either an arts, culture or heritage organization that meets **all** of the following criteria:

- Be Windsor-based;
- Not receive concurrent funding from the City of Windsor;
- Be not-for-profit, incorporated as a not-for-profit, or a registered charity;
- Primarily produce and display work, and conduct regular operations in Windsor;
- Have arts, culture or heritage as the main focus;
- Be in 'good-standing' for at least one year at the time of the application;
- Demonstrate fiscal responsibility;
- Be directed by recognized professionals and / or managed by experienced volunteers.

## ELIGIBLE INDIVIDUALS

To be eligible for consideration, the applicant must:

- Be a Windsor resident;
- Primarily produce and display work outside of an organizational framework;
- Be engaged in their arts, culture or heritage activity in the City of Windsor;
- Be a recognized professional (have completed formal/informal training).

## ELIGIBLE PROJECTS

Eligible Projects under the ACHF program may include, but are not limited to:

- Providing opportunities for organizations to engage youth and new creators;
- Arts, culture and heritage tourism initiatives that result in new product development, increased market-readiness and new business opportunities;
- Outreach projects which identify ways to strengthen organizational capacity to reach new markets, regions, cultural minorities and untapped future audiences.

Eligible Projects must:

- Not receive concurrent funding from the City of Windsor for this initiative;
- Be accessible to everyone;
- Be publicized citywide;
- Offer a unique cultural experience;
- Have a separate budget from the organization's annual operating budget;
- Demonstrate support (financial or in-kind) beyond what is provided by the fund.

## INELIGIBLE PROJECTS & EXPENDITURE

Ineligible projects and expenditures for the ACHF include the following:

- Initiatives which receive concurrent financial or in-kind support from City sources;
- Using ACHF funds to provide financial support (re-grant) to other organizations;
- Ongoing operating or administration expenses;
- Feasibility studies;
- Decor, food, or beverage costs;
- Costs relating to fundraising activities or events;
- Retroactive funding for events which have already occurred;
- Construction, renovation, major purchases (capital, property, etc.);
- Deficit reduction;
- Development of proposals for provincial/federal/municipal/private sector grants;
- Marketing and promotional expenditures that are not related to the project;
- Contingency or unexplained miscellaneous costs;
- Supporting activities which are politically partisan or primarily focused on sports, commercial activity (tradeshow, conferences), religion, healthcare, social service, and/or seek to attract a special interest audience;
- Any other expenditure that does not relate to the realization of the project.

Please Note:

- Depending on fulfillment of all criteria, including financial need, recipients of ACHF Project Grants may re-apply for funding of the same initiative in each of two consecutive years, but after three consecutive years of funding are no longer eligible to apply for support of the same initiative. This ensures that the group of organizations and initiatives benefiting from these grants is refreshed on an ongoing basis.
- **Funding is not automatically renewed every year.**

## MAXIMUM FUNDING

Applicants are asked to apply for a reasonable amount of money to complete their proposed projects.

**Project funding under the ACHF program will not exceed \$5,000 per funding round.** Project funding not covered by the ACHF program must be provided by the applicant or through other project revenues.

The ACHF cannot guarantee funding to all applicants, nor can it ensure that the total amount requested by successful applicants will be granted. The recommendation to fund all or part of an applicant's request will depend on its fit with ACHF priorities, assessment criteria and the overall demand for funds in the program.

# APPLICATION PROCESS

In addition to providing important information for the assessment of the grant application, both the financial and statistical parts of the application provide the City of Windsor's Culture section with valuable information enabling them to effectively advocate on behalf of the local creative community on an ongoing basis. Prior to completing the ACHF application, all potential applicants must consult with Cultural Affairs staff (see information on page 4 of these guidelines).

## APPLICATION FORMS

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The online application form is available on the City's website as of midnight on the date the application round opens. The link remains active until the funding round closes. There are separate requirements for Individuals applying and Organizations applying. All requirements are clearly laid out in the Checklist that is part of the online application.

**Please use the Submission Checklist provided at the start of your application form (and page 10 of these guidelines) to ensure a complete submission before you click submit.**

## WHAT TO INCLUDE

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Everything you need is requested on the ACHF online application. Please ensure that your application is complete, signed (name typed), accurate and legible. When you have completed your application, attached your supporting materials, and clicked submit, you will receive an email confirmation that your application has been successfully submitted. This email will include a copy of your application itself. Please retain that for your records. We will not notify you if your application is incomplete, or if supporting materials are missing. Please take the time to ensure you have completed all sections and attached all supporting materials.

## HOW TO SUBMIT

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It is the applicant's responsibility to complete and submit their application on time. The online application is available online for the duration of the funding round. Once the submission deadline passes, the link will be unavailable. Applications that are late, incomplete, have arrived in hard copy form, or have been faxed or sent through email will not be accepted or assessed. The online link is the *only* acceptable submission.

## Supporting Materials

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It is not mandatory to submit supporting materials, aside from those clearly requested; however, they can enhance your application and provide unique insight to the Jury.



## APPLICATION CHECKLIST

All required fields in the online application must be completed. You will be asked to include:

### Project Grants – For Organizations

- Completed Application
- Financial statement attachment
- Project budget attachment
- List of Board of Directors attachment  
-include names, positions, contact
- List of Management/Admin.  
-attachment includes names, positions
- Copy of Incorporation/Charitable  
Status Certificate attachment
- Supporting Materials (links, photos, documents)

### Project Grants – For Individuals

- Complete Application
- Copies of 3 reference letters attachment
- Copy of curriculum vitae attachment
- Project budget attachment
- Supporting Materials attachment

**Please do not forget to answer all question fields on the application completely.**

**Note on Budgets and Artist Fees:** The City of Windsor encourages all applicants to ensure standard artist fees are provided to all artists participating in a project. Please refer to [CARFAC](#), the [Canadian Federation of Musicians](#), etc. to determine standard rates for artists. The City adheres to these fee schedules for all City-led events and initiatives, and encourages artists participating in ACHF to do the same.

**Supporting Materials** can include: web links, manuscripts; slides; audio and video clips; news stories/articles/clippings; audience testimonials; photographs (maximum of three).

Supporting materials should be in the form of PDFs, JPEGs, Word documents, etc.

The personal information collected on the application is collected under the authority of the *Municipal Act, Section 10*. This personal information may be used for the purpose of processing the application form and may become part of the public agenda at a City Council meeting or Committee Meeting. Questions about this collection may be directed to the Manager of Culture & Events, (519) 253-2300 extension 2726, or by mail to: Freedom of Information Coordinator - Office of the City Clerk  
Room 530 – 350 City Hall Square West  
Windsor, Ontario, N9A 6S1, Canada

## APPLICATION ASSESSMENT PROCEDURE

All applicants must consult with Culture staff prior to submitting a project for funding under the ACHF program before the application deadline; **otherwise they will not be considered for funding.**

All applications will be assessed by a jury, working with the Culture staff. The jury will be comprised of a diverse selection of five (5) people that are arts, culture or heritage professionals. Some have direct experience working with arts, culture and heritage organizations or as individual creators. Others have municipal backgrounds with arts, culture and heritage experience. The ACHF will select jurors who:

- Have a broad spectrum of knowledge and experience of the creative community;
- Have knowledge of the arts, culture and heritage needs of the City of Windsor;
- Will provide fair and objective opinions;
- Can articulate their opinions and work in a group decision-making environment.

With the exception of two (2) members carried over from the previous year, a new jury will be convened every year unless it is not possible to do so.

### SELECTION OF JURY

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Community members are encouraged to apply to be a juror for the panel. Application Forms will be posted on the City website, [www.citywindsor.ca](http://www.citywindsor.ca). Please submit a hard copy or scanned copy to the attention of the Culture office, Recreation & Culture, The City of Windsor, 2450 McDougall St. Windsor, ON. N8X 3N6; [culturalaffairs@citywindsor.ca](mailto:culturalaffairs@citywindsor.ca). Applications for jurors will be accepted up to a specified date/time. If you submit an application after that date, it will be added to the applications for the following year, as this is an ongoing process. Juror applications will be evaluated by a panel of City staff with representation from Recreation, Culture, Finance, and Planning.

### ROLE OF JURORS

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Prior to the meeting to assess applications, jurors are required to become familiar with the program, its assessment criteria, and the City's strategic goals. Jurors are required to read all applications, make notes about each, and grade them accordingly. At a group decision-making meeting, all jurors will review the supporting materials together and discuss the applications. Using their knowledge and expertise, they will identify funding priorities, score applications, decide on successful applications, and inform City staff.

### CONFIDENTIALITY

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Jurors must keep application contents and assessment discussions confidential, and must not disclose that they have been selected as jurors. Names of jurors will be released with the grant results at the end of each program year.

## CONFLICT OF INTEREST

The City of Windsor is particularly concerned with potential conflicts of interest.

There are two dimensions of conflict of interest – direct and indirect. There are also two kinds of direct conflict of interest – financial and private.

### **DIRECT CONFLICT OF INTEREST**

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A juror is in direct conflict of interest with a particular application if he or she, or a member of the juror's immediate family (spouse or equivalent, son or daughter, parent, sibling or members of the immediate household), has a financial interest in the success or failure of the application. Staff or board members of an organization, or members of their immediate families, would also be considered in direct conflict.

A juror is in direct conflict of interest with a particular application if he or she has a private interest in the success or failure of the application. Staff or board members of an organization, or member of their immediate family (spouse or equivalent, son or daughter, parent, sibling or member of the immediate household), would be in direct conflict. A private interest also includes affiliations or activities that compromise or unduly influence decision making.

### **INDIRECT CONFLICT OF INTEREST**

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Any reason that makes it difficult for a juror to evaluate an application objectively may create an indirect conflict of interest.

### **MANAGING CONFLICT OF INTEREST**

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The City will not choose jurors who are in direct conflict of interest with any of the applications being assessed.

If a direct conflict of interest becomes apparent, the City will ask the juror to stand down from the Jury panel.

All jurors are asked to sign forms to identify conflicts of interest as a further means of documenting the integrity of the process.

### **THE ROLE OF CITY STAFF**

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At the jury panel meeting, City staff from the Cultural Affairs Office will answer questions and assist jurors with clarification of information on the groups being judged. Their role is to remain objective and facilitate decisions based on the jurors' impartiality.

# JUDGING APPLICATIONS

## **ASSESSMENT CRITERIA FOR APPLICATIONS**

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The following criteria recognize that all applications are examined in the context of the strategic goals and objectives set by the City of Windsor's City Council each year, as well as the ACHF program budget and the number of applications per program round.

Assessment Criteria for ACHF Project Grants will be based on:

- Relevance of the Project;
- Contribution and Impact of the Project;
- Results and Measurements;
- Financial Feasibility of the Project;
- Organizational Capacity.

The jury evaluates organizations applying for grants using the following criteria in the context of each organization's stated mandate, the scale of its operations and the aesthetic or cultural environments in which it works.

### **RELEVANCE OF THE PROJECT**

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- The project strongly supports the vision of the City of Windsor, and is closely aligned with at least one of the ACHF program's key priorities.
- There is a demonstrated need for the project.

### **CONTRIBUTION AND IMPACT OF THE PROJECT**

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Applicants should present a commitment to the advancement of their discipline and to increasing public appreciation and education of the creative community of the City of Windsor. To contribute to the creative community, the organization has:

- Programming and activities that encourage public appreciation and participation;
- Programming that promotes the opportunity for cultural tourism;
- A role in the broader creative community in terms of public awareness;
- Connections with organizations in the broader community.

### **RESULTS & MEASUREMENTS**

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- Project timelines are realistic;
- Project activities are relevant to the project as a whole;
- The evaluation strategy is realistic, well-developed and addresses all outcomes, outputs and measures;
- The project's value for investment is clearly demonstrated.

## JUDGING APPLICATIONS cont.

### **FINANCIAL FEASIBILITY OF THE PROJECT**

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- Project is well within the financial resources of the applicant;
- Project budget is entirely appropriate and cost-efficient;
- Appropriate human resources and materials are allocated to support the project;
- Applicant demonstrates financial stability.

### **ORGANIZATIONAL CAPACITY**

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The Organization serving as lead applicant for the project funding:

- Demonstrates sufficient resources to successfully carry out the project;
- Is managed with a clearly defined governance structure, administration and policies;
- Implements its mandate through ongoing activities and services;
- Has and seeks audiences for its work;
- Knows and can describe its audiences;
- Has marketing plans and systems to communicate with, sustain and build audiences;
- Works to develop an audience that reflects Windsor's demographics, has systems and activities which complement programming to deepen, broaden and diversify its audiences and their involvement in the organization's work;
- Has balanced sources of earned, private and government revenues with plans that generate earned, private, and government revenues

# FINAL JURY FUNDING DECISIONS

## DECISION-MAKING PROCESS

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Jurors review each application in terms of the five (5) assessment categories: Relevance of the Project, Contribution and Impact of the Project, Results and Measurements, Financial Feasibility of the Project, and Organizational Capacity. Each of the five categories has equal weight in the assessment.

Jurors rate each of the five (5) assessment categories on a five (5) point scale:

- Excellent;
- Very good;
- Good;
- Fair;
- Poor.

**An application must reach a standard of “good” in all assessment categories in order to receive funding.**

## FUNDING DECISIONS

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Applicants will receive an email from Culture staff advising on the application result / funding decision approximately one (1) month after the deadline. Alternatively, they may receive a Grant Notification letter in the mail. Applicants should not call or e-mail for this information.

If you have been awarded a conditional grant, the grant cheque will be issued when the conditions have been fulfilled. The grant notification letter will describe any conditions associated with a grant. It is the responsibility of an organization receiving a conditional grant to share this information with its board of directors or governing body.

After grant notification, and upon request, the Culture office will provide organizations with a verbal summary of jurors’ comments and information about the context in which the grant decision was made **if available**. **The ACHF Jury is not required to provide feedback on every application; feedback may not be available.**

**All decisions of the jury are final and cannot be appealed.**

**The City, at its expense, reserves the right to audit any submitted financial statements or Project approved for City grants, and upon reasonable request to do so, the grant recipient shall make available at its premises all related books and records to the City of Windsor or its agents. Grant funding is intended to support the project set forth in the grant application and is not intended to cover living costs.**

# FUNDING CONDITIONS & EXPECTATIONS

## Funding Conditions

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- **All decisions of the jury are final; not subject to a review or appeal;**
- Failure to submit reports (interim or final) will affect future requests for funding;
- Funding recipients must publicly acknowledge support by use of the City of Windsor logo on all forms of communication related to the project;
- Funding is provided on a single / one-time only project basis;
- Funding will not be given to for-profit organizations;
- Funding will not exceed the actual cash expenditure for the project;
- Additional funding for a project may be secured from other levels of government. In cases where funding from other Ontario government sources is included, this funding must be for a component of the project that is separate and distinct from the portion to be supported by the ACHF.

## REPORTING

Successful applicants will provide a Final Post-Project Report within two (2) weeks of the completion of the Project. This report must be submitted to the City of Windsor's Culture Office. The form can be downloaded at the City's website, [www.citywindsor.ca](http://www.citywindsor.ca), (specifically [www.achfwindsor.ca](http://www.achfwindsor.ca)). Receipt of these reports is a pre-condition for consideration of an organization's future grant applications in any category and will be part of the jury resources in future grant application reviews.

If a project is incomplete, it is the responsibility of the grant recipient to contact the Culture Office to discuss the project status. Even in the case of an incomplete project, a Final Post-Project Report will still be required. There are no exceptions to this.

A grant recipient seeking to make significant changes to its initiatives as outlined in an application must consult with Culture staff prior to implementation. If the changes result in the cancellation or a significant delay in the completion of the initiative, the applicant will, after consultation with staff, be required to return to the City all Project Grant funds paid for that year.

**Subject: Exemption to Noise By-law 6716 for Nighttime Construction Work – EC Row Expressway from Banwell Road to Lauzon Parkway – Wards: 7, 8 and 9**

**Reference:**

Date to Council: March 18, 2024

Author: Daniel Durocher

Technologist I

519-255-6560 x 4335

ddurocher@citywindsor.ca

Public Works - Operations

Report Date: February 20, 2024

Clerk's File #: AB2024

To: Mayor and Members of City Council

**Recommendation:**

- l) **That** the following exemption requests to the provisions of the Noise By-law 6716 (as amended), **BE GRANTED**:

**a. Specific exemption request:**

The Public Works Department of the City of Windsor is requesting a noise by-law exemption for the time periods for the operation of construction equipment as dictated by the City of Windsor **By-Law No. 6716** in order to allow construction work during night time hours.

**b. Scope of Exemption:**

The project limits are located in the City of Windsor at EC Row Expressway from Banwell Road to Lauzon Parkway.

**c. Duration of Exemption:**

This Noise By-Law Exemption is requested for the dates commencing on May 6, 2024 and continuous through August 2, 2024.

**Executive Summary:**

N/A

**Background:**

The City's Asset Management plan indicates EC Row Expressway from Banwell Road to Lauzon Parkway is in need of rehabilitation due to the state of disrepair.



The Operations department will be issuing a tender this winter to have EC Row Expressway from Banwell Road to Lauzon Parkway rehabilitated in the spring of 2024. This has been on Operation's agenda for the last 3 to 4 years.

The expected start date of EC Row Expressway from Banwell Road to Lauzon Parkway is largely dependant on the tendering process; the expected start date of EC Row is May 6, 2024 with an expected completion of June 10, 2024.

**Discussion:**

EC Row Expressway is a major expressway that connects the City's east and west sides. This section of EC Row Expressway is significantly deteriorated due to the heavy volumes of traffic and the annual freeze-thaw cycles: thus, requiring pavement reconstruction. The project consists of the following components:

- Removal of the existing surface and base asphalt by milling.
- The placement of base and surface hot mix asphalt by City of Windsor approved methods.

Construction activities for this project will be permitted to be carried out 5 nights a week, between the hours of 8:00pm to 6:00am per night to the extent that the construction operations will allow.

The properties adjacent to the project are primarily residential and manufacturing / industrial. Manufacturing / Industrial properties are normally rendered exempt as per the Noise By-law 6716, however, due to residential properties adjacent to this work as well as the proximity of other residential properties on adjacent streets to the project, Public Works is seeking a Noise By-Law Exemption in order to:

- Minimize the potential safety hazards during construction to the traveling public.
- Minimize the total duration of construction.
- Minimize impact on daily travel in the construction zone.

The proposed night time works will involve the reconstruction of the road pavement within the right-of-way and will involve the use of the following noise producing machinery:

- Construction vehicles such as: dump trucks and material delivery trucks
- Construction equipment such as: Milling machines, vacuum trucks, vehicle sweepers
- Paving units (asphalt pavers) steel drum rollers, pneumatic rubber tire rollers
- Use of power tools such as: air compressors and portable power generators;

The control of construction noise from these projects requires that the Contractors maintain equipment in a good operating condition that prevents unnecessary noise (e.g.

machinery must be kept in good working order, and no excessive idling of equipment will be permitted). A notification area for the by-law exemptions are illustrated in Appendices A and B.

**Risk Analysis:**

Risk Description	Impacted Objective(s)	Risk Level	Mitigating Strategy / Status	Responsibility
Noise will exceed generally acceptable nighttime levels	Consideration of community	Low	To minimize noise nuisance from construction activities to adjacent businesses and private properties, private construction firms working under contract for the City will be required to minimize the idling of construction vehicles, maintain equipment in good working order, and apply standard noise mitigation measures. If construction noise complaints arise during construction, they will be investigated by City staff in an attempt to mitigate the concerns and reach a resolve to the complaint.	City / General Contractor

**Climate Change Risks**

**Climate Change Mitigation:**

N/A

**Climate Change Adaptation:**

N/A

**Financial Matters:**

There is no financial impact to the City in granting the Public Works Department the requested exemption to By-Law 6716.

**Consultations:**

A letter will be delivered to all properties within 150m of the proposed works (see-attached properties in Appendix A).

Public Works Operations – Charles Hartford

**Conclusion:**

Administration supports the Public Works Department’s requested exemptions to the Noise By-law as nighttime work will minimize the duration of the construction works resulting in a return to normal traffic flow as quickly as possible

**Planning Act Matters:**

N/A

**Approvals:**

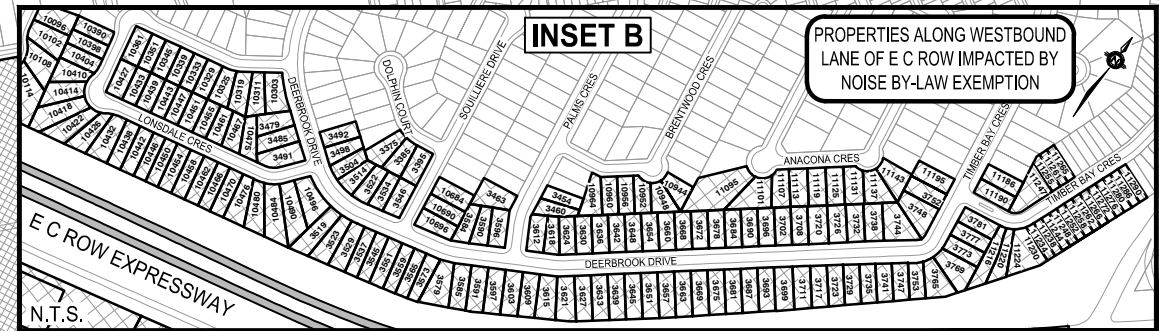
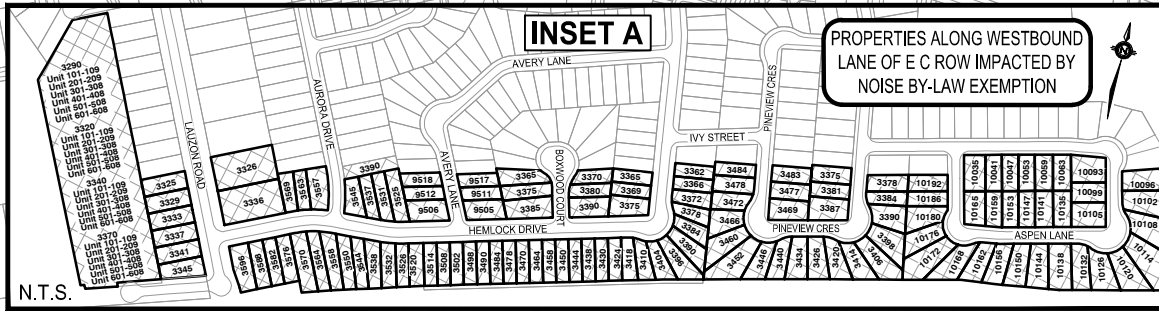
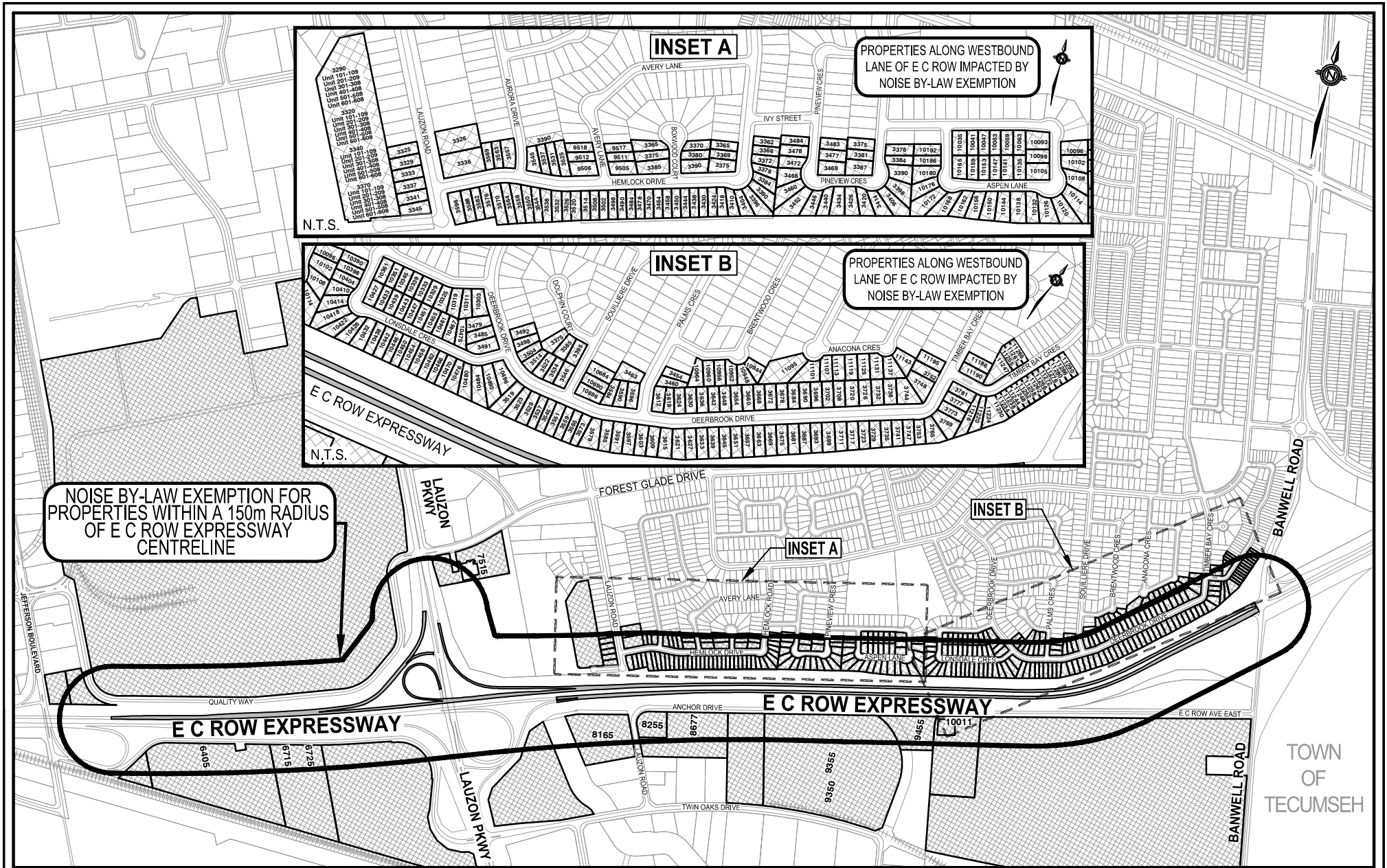
Name	Title
Phong Nguy	Manager, Contracts, Field Services & Maintenance
Shawna Boakes	Executive Director of Operations
Wira Vendrasco	(A) City Solicitor
Mark Winterton	(A) Commissioner, Infrastructure Services
Dana Paladino	(A) Commissioner, Corporate Services
Joe Mancina	Chief Administrative Officer

**Notifications:**

Name	Address	Email

**Appendices:**

- 1 Attachment A – Council drawing C-3797



NOISE BY-LAW EXEMPTION FOR PROPERTIES WITHIN A 150m RADIUS OF E C ROW EXPRESSWAY CENTRELINE

THE CORPORATION OF THE CITY OF WINDSOR - ENGINEERING DEPARTMENT  
**Noise By-Law Exemption for E C Row Expressway lanes from Lauzon Pkwy to Banwell Road**

**LEGEND**

	EXEMPTED FROM NOISE BY-LAW
	MILLING & PAVING LIMITS

 Kirk Tamm, Manager of Engineering	SCALE: 1:15000	DATE: JANUARY 2024	REVISED:	DWG. NO.
	City Council Agenda - Monday, March 18, 2024 Page 266 of 674	CHKD BY: PJU / DD	REVISION NO.:	<b>C-3797</b>

**Subject: Downtown CIP Grant Application - Property Address, Roll Number, and Legal Description Update - 570 Church Street and 576 Church Street**

**Reference:**

Date to Council: March 18, 2024

Author: Laura Strahl

Planner III - Special Projects

lstrahl@citywindsor.ca

519-255-6543 x6396

Planning & Building Services

Report Date: March 1, 2024

Clerk's File #: SPL/10759

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

**Recommendation:**

- I. THAT CR594/2019 **BE AMENDED** by deleting Recommendation I in its entirety, and inserting the following in its place:

- "I. That the request made by Otagho Incorporation (Owner) for the proposed development of a portion of 366 Wyandotte Street West identified by tax roll number 040-080-00425-0000, such portion being legally described as: a) Lot 39, Plan 343 Windsor; Part of Lot 38, Plan 343 Windsor as in R1084722; Windsor, being all of PIN 01193-0424; and b) Lot 40, Plan 343, Windsor; Part of Lot 41, Plan 343 Windsor as in R786172; Windsor, being all of PIN 01193-0423, to participate in the Building/Property Improvement Tax Increment Grant Program **BE APPROVED** for 100% of the municipal portion of the tax increment resulting from the proposed development for five (5) years, provided the improvements to the existing building at 366 Wyandotte Street West, as shown in Appendices B and D, of Report S87/2019 are completed, in accordance with the Downtown Windsor Enhancement Strategy and Community Improvement Plan;"

**Executive Summary:**

N/A

**Owner:** Otagho Incorporation

**Principal Owner:** Donald Otagho

**Background:**

Council approved grants under the Downtown CIP for 570 Church Street (040-080-0400) and 576 Church Street (040-080-0300) on December 2, 2019 (see Appendix A – CR594/2019 and Appendix B – Report S87/2019). The applicant proposed to build an addition to the existing building at 366 Wyandotte Street West (040-080-0100) to create new commercial space. The applicant has now completed the development and is required to enter into an agreement with the City, as outlined in Recommendation II of CR594/2019 (see Appendix A).

The properties previously municipally known 570 Church Street (040-080-0400) and 576 Church Street (040-080-0300) have now merged with 366 Wyandotte Street West (040-080-0100). The newly created property has one address (366 Wyandotte Street West) and one roll number (040-080-00425). The purpose of this report is to amend the address, roll number and property description in the Council Resolution so the agreement can be prepared accurately and registered on title.

**Discussion:**

Schedule C depicts the current property identified as 366 Wyandotte Street West and identifies the portion of the property that was previously municipally known as 570 Church Street and 576 Church Street. The Downtown CIP grant only applies to the portion of the property previously municipally known as 570 Church Street and 576 Church Street. CR594/2019 needs to be amended to reflect the current address (366 Wyandotte Street West), roll number (040-080-00425) and that the CIP grant will only be granted on the portion of such property legally described as follows:

- a) Lot 39, Plan 343 Windsor; Part of Lot 38, Plan 343 Windsor as in R1084722; Windsor, being all of PIN 01193-0424; and
- b) Lot 40, Plan 343, Windsor; Part of Lot 41, Plan 343 Windsor as in R786172; Windsor, being all of PIN 01193-0423

**Risk Analysis:**

There is low risk associated with the approval of the report as the recommendations only propose changed to the address and legal description noted in a previous Council Resolution.

## Climate Change Risks

### Climate Change Mitigation:

N/A

### Climate Change Adaptation:

N/A

### Financial Matters:

The Financial Matters section of Report S87/2019 outlines the Building/Property Improvement Grant approved under CR594/2019.

### Consultations:

The City of Windsor's Downtown Windsor Community Improvement Plan was subject to stakeholder and public consultation as part of the approval process, including public meetings, a statutory public meeting and circulation among internal City staff and the Province.

Planning staff have consulted with the applicant prior to accepting the application for the Downtown CIP grants. Carolyn Nelson, Manager of Property Valuation & Administration, Taxation & Financial Projects and, Kate Tracey, Senior Legal Counsel, Legal & Real Estate were consulted with respect to this report.

### Conclusion:

Staff recommend that CR594/2019 be amended to reflect the current address, roll number and portion of the property that is subject to the Downtown CIP grant.

### Planning Act Matters:

N/A

### Approvals:

Name	Title
Laura Strahl	Senior Planner – Special Projects
Josie Gualtieri	Financial Planning Administrator
Jason Campigotto	Manager of Growth/Deputy City Planner
Thom Hunt	City Planner

Kate Tracey	Senior Legal Counsel
Lorie Gregg	Deputy Treasurer, Taxation, Treasury & Financial Projects
Janice Guthrie	Commissioner, Finance and City Treasurer
Jelena Payne	Commissioner, Economic Development
Joe Mancina	Chief Administrative Officer

**Notifications:**

Name	Address	Email

**Appendices:**

- 1 Appendix A - Council Resolution 594/2019
- 2 Appendix B - Report S87/2019
- 3 Appendix C - Location Map



Phone: (519)255-6211

**CITY HALL  
WINDSOR, ONTARIO  
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WEBSITE: [www.citywindsor.ca](http://www.citywindsor.ca)

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**City Council  
Decision  
Monday, December 02, 2019**

Moved by: Councillor McKenzie  
Seconded by: Councillor Morrison

Decision Number: CR594/2019 DHSC 77

- I. That the request made by Otagho Incorporation (Owner) for the proposed development at 570-576 Church Street identified as tax roll number(s): 040-080-00400, 040-080-00300 to participate in the Building/Property Improvement Tax Increment Grant Program **BE APPROVED** for 100% of the municipal portion of the tax increment resulting from the proposed development for five (5) years, provided the improvements to the existing building at 366 Wyandotte Street West, as shown in Appendices B and D, are completed, in accordance with the Downtown Windsor Enhancement Strategy and Community Improvement Plan;
- II. That Administration **BE DIRECTED** to prepare the agreements between the City and Otagho Incorporation (Owner) to implement the Building/Property Improvement Tax Increment Grant Program in accordance with all applicable policies, requirements, and provisions contained within the Downtown Windsor Enhancement Strategy and 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.
- III. That the CAO and City Clerk **BE AUTHORIZED** to sign the Grant Agreement(s) in content satisfactory to the City Treasurer and City Planner and form to the City Solicitor.
- IV. That Administration **BE REQUESTED** to expedite the review of the application for a building facade improvement grant on the existing building; and,
- V. That this information **BE PROVIDED** when this report moves forward to a Council meeting so that both the CIP and the Facade Improvement Grant can be considered at the same time.

Carried.

Report Number: SCM 304/2019 & S 87/2019  
Clerk's File: SPL/10759 8.6



## OFFICE OF THE CITY CLERK COUNCIL SERVICES

Phone: (519)255-6211

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WEBSITE: [www.citywindsor.ca](http://www.citywindsor.ca)

*Steve Vlachodimos*

Deputy City Clerk/Senior Manager of Council Services

December 13, 2019

### Department Distribution

Laura Diotte	Planner III – Special Projects
Daniel Gaspar	Community Development Planning Assistant
Don Nantais	Financial Planning Admin.
Neil Robertson	Manager of Urban Design
Thom Hunt	City Planner/Executive Director of Planning and Building Services
Wira Vendrasco	Deputy City Solicitor
Shelby Askin Hager	City Solicitor
Janice Guthrie	Deputy Treasurer Taxation and Financial Planning
Joe Mancina	Chief Financial Officer/City Treasurer
Onorio Colucci	Chief Administrative Officer

### External Distribution

Otagho Incorporation	2432 Tranquility Avenue Windsor, ON N8P 1R8	mudiamen99@yahoo.com
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**Subject: Downtown CIP Grant Application made by Otagho  
Incorporation for 570-576 Church Street, Ward 3**

**Reference:**

Date to Council: 8/12/2019  
Author: Laura Diotte, MCIP, RPP  
Planner III - Special Projects  
519-255-6543 ext. 6396  
lbdiotte@citywindsor.ca

And

Daniel Gaspar  
Community Development Planning Assistant  
519-255-6543 ext. 6531  
dgaspar@citywindsor.ca

Planning & Building Services  
Report Date: 5/8/2019  
Clerk's File #: SPL/10759

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

**Recommendation:**

- I. THAT the request made by Otagho Incorporation (Owner) for the proposed development at 570-576 Church Street identified as tax roll number(s): 040-080-00400, 040-080-00300 to participate in the Building/Property Improvement Tax Increment Grant Program **BE APPROVED** for 100% of the municipal portion of the tax increment resulting from the proposed development for five (5) years, provided the improvements to the existing building at 366 Wyandotte Street West, as shown in Appendices B and D, are completed, in accordance with the Downtown Windsor Enhancement Strategy and Community Improvement Plan;
- II. THAT Administration **BE DIRECTED** to prepare the agreements between the City and Otagho Incorporation (Owner) to implement the Building/Property Improvement Tax Increment Grant Program in accordance with all applicable policies, requirements, and provisions contained within the Downtown Windsor Enhancement Strategy and 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.

- III. THAT the CAO and City Clerk **BE AUTHORIZED** to sign the Grant Agreement(s) in content satisfactory to the City Treasurer and City Planner and form to the City Solicitor.

**Executive Summary:**

N/A

**Background:**

The Downtown Windsor Enhancement Strategy and Community Improvement Plan (Downtown CIP) was adopted by City Council on September 29, 2017 and an adopting by-law was passed by City Council on October 16, 2017.

The Downtown CIP provides financial incentives to encourage new residential development, retail investment, facade improvements, and building/property improvements.

Otago Incorporation has applied for the Building/Property Improvement Tax Increment Grant Program under the Downtown CIP for the properties located at 570-576 Church Street (as shown on Appendix A).

The existing properties are currently vacant. The owner proposes a one storey commercial building with parking as an expansion to an existing commercial building at 366 Wyandotte Street West, a neighbouring property also owned by Otago Incorporation. The new building would increase the gross floor area of the existing building by 211m<sup>2</sup>, from the current 197m<sup>2</sup> to a proposed total of 408m<sup>2</sup>.

**Discussion:**

**Building/Property Improvement Tax Increment Grant Program**

This program is intended to provide economic incentive for the development, rehabilitation and redevelopment of properties in Downtown Windsor. The program provides an annual grant equal to 100% of the increase in municipal property taxes for five years, with the possibility of an extension up to a total of ten (10) years, after the project is completed and reassessed. The grant is to help offset the costs of rehabilitating and redeveloping properties, as long as such development results in an increase in assessment and therefore an increase in property taxes.

The proposed improvements to the building will increase the assessed value of the property, and subsequently the municipal taxes. Therefore, the project qualifies for the Building/Property Improvement Tax Increment Grant and the Financial Matters section of this report discusses the estimated grant amount.

The elevation drawings contained in Appendix D show improvements to the existing building at 366 Wyandotte Street West (existing building shown in Appendices E and F). It is recommended that the approval for the grants be contingent on the improvements to the existing building. These improvements are important because they are highly visible from Wyandotte.

## Planning Approvals

The proposed project has been reviewed and approved through the site plan control process in accordance with City of Windsor By-Law 11275 (site plan shown in Appendix B and floor plan shown in Appendix C).

### Risk Analysis:

There is low risk associated with the approval of the subject Downtown CIP grant applications. An agreement between the City and owner will be prepared to ensure the program requirements and provisions of the Downtown Windsor Enhancement Strategy and Community Improvement are met.

### Financial Matters:

#### Building/Property Improvement Tax Increment Grant Program

The program provides an annual grant equal to 100% of the increase in municipal property taxes for five years, with the possibility of an extension up to a total of ten (10) years. The actual base rate, from which the actual grant is calculated, will be determined at the time that the new assessment associated with the eligible works is calculated by MPAC and is adjusted annually for increases in market value.

The development proposed the construction of a one-storey commercial building on currently vacant land. For grant estimation purposes, Administration has estimated the post development value of the property to be \$470,000. The grant that would result from the Building/Property Improvement Tax Increment Grant Program is an estimated \$73,713.10 over five (5) years.

The estimated value of the grant represents 100% of the increase in the municipal portion of property taxes for a period of 5 years. The Downtown CIP stipulates that the grant cannot be more than the eligible costs. The estimated total tax increment grant of \$73,713.10 represents approximately 8.0% of the estimated eligible construction costs (i.e. does not include land costs) for this development.

Estimate Property/Building Improvement Tax Increment Grant Calculation			
570-576 Church Street			
Year of Grant	Pre Development Municipal Taxes	Post Development Municipal Taxes	Estimate Value of Grant
1	\$707.39	\$15,450.01	\$14,742.62
2	\$707.39	\$15,450.01	\$14,742.62
3	\$707.39	\$15,450.01	\$14,742.62

4	\$707.39	\$15,450.01	\$14,742.62
5	\$707.39	\$15,450.01	\$14,742.62
		<b>Total Grant Estimate</b>	<b>\$73,713.10</b>

**Assumptions**

Current Property Value Assessment	\$42,925.00
Current Municipal Tax Rate (Residential/Commercial Vacant)*	Res. : 0.01628394 Comm. Vac. : 0.01655619
Current Municipal Tax Levy	\$707.39
Estimated Eligible Investment Costs	\$921,900.00
Estimate Post Development Property Assessment	\$470,000.00
Municipal Tax Rate Post Development (Commercial)	0.03287237
Estimate Post Development Municipal Taxes	\$15,450.01

*\*570 Church is taxed as residential class, while 576 church is taxed as commercial vacant class*

Because the Grant Program does not cancel taxes, the owner must pay the full amount of property taxes annually and will subsequently receive a grant for the difference between the pre and post-development municipal taxes (i.e. the tax increment). The City will retain the amount of pre-development (base) municipal taxes throughout the 5-year lifespan of the grant program; however will be foregoing any incremental property taxes that could otherwise be used to offset future budget pressures.

**Consultations:**

The Downtown CIP was subject to stakeholder and public consultation as part of the approval process, including public meetings, a statutory public meeting and circulation among internal City staff and the Province.

Planning staff have consulted with the owner prior to accepting the application. Staff from the Planning and Building Division were consulted in the preparation of this report. Additionally, the following staff were consulted in the preparation of this report:

Janice Guthrie, Deputy Treasurer

Carolyn Nelson, Manager of Property Assessment

**Conclusion:**

It is recommended that the application for the Building/Property Improvement Tax Increment Grant be approved.

**Planning Act Matters:**

N/A

**Approvals:**

<b>Name</b>	<b>Title</b>
Laura Diotte	Planner III – Special Projects
Don Nantais	Financial Planning Admin.
Neil Robertson	Manager of Urban Design
Thom Hunt	City Planner/Executive Director of Planning and Building Services
Wira Vendrasco	Deputy City Solicitor
Shelby Askin Hager	City Solicitor
Janice Guthrie	Deputy Treasurer Taxation and Financial Planning
Janice Guthrie for Joe Mancina	Chief Financial Officer/City Treasurer
Onorio Colucci	Chief Administrative Officer

**Notifications:**

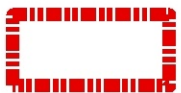
<b>Name</b>	<b>Address</b>	<b>Email</b>
Otagho Incorporation	2432 Tranquility Avenue Windsor, ON N8P 1R8	mudiamen99@yahoo.com

**Appendices:**

- 1 Appendix A - Location Map
- 2 Appendix B - Site Plan
- 3 Appendix C - Floor Plan
- 4 Appendix D - Elevations
- 5 Appendix E - Image from Front
- 6 Appendix F - Image from Corner



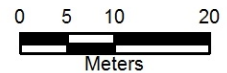
# LOCATION MAP - 570-576 CHURCH STREET



**SUBJECT AREA**



**ADJACENT PROPERTY  
WITH COMMON OWNER**



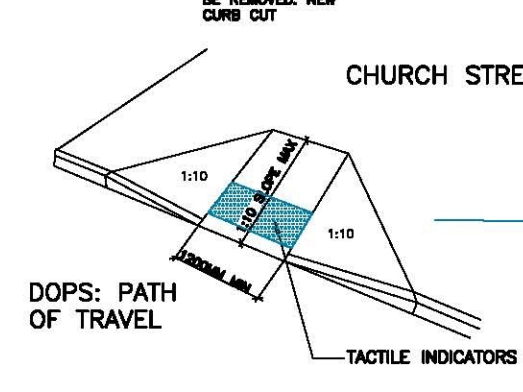
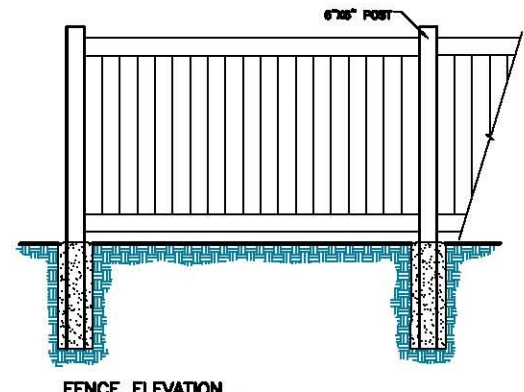
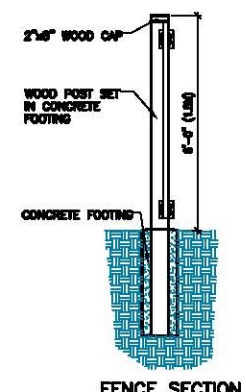
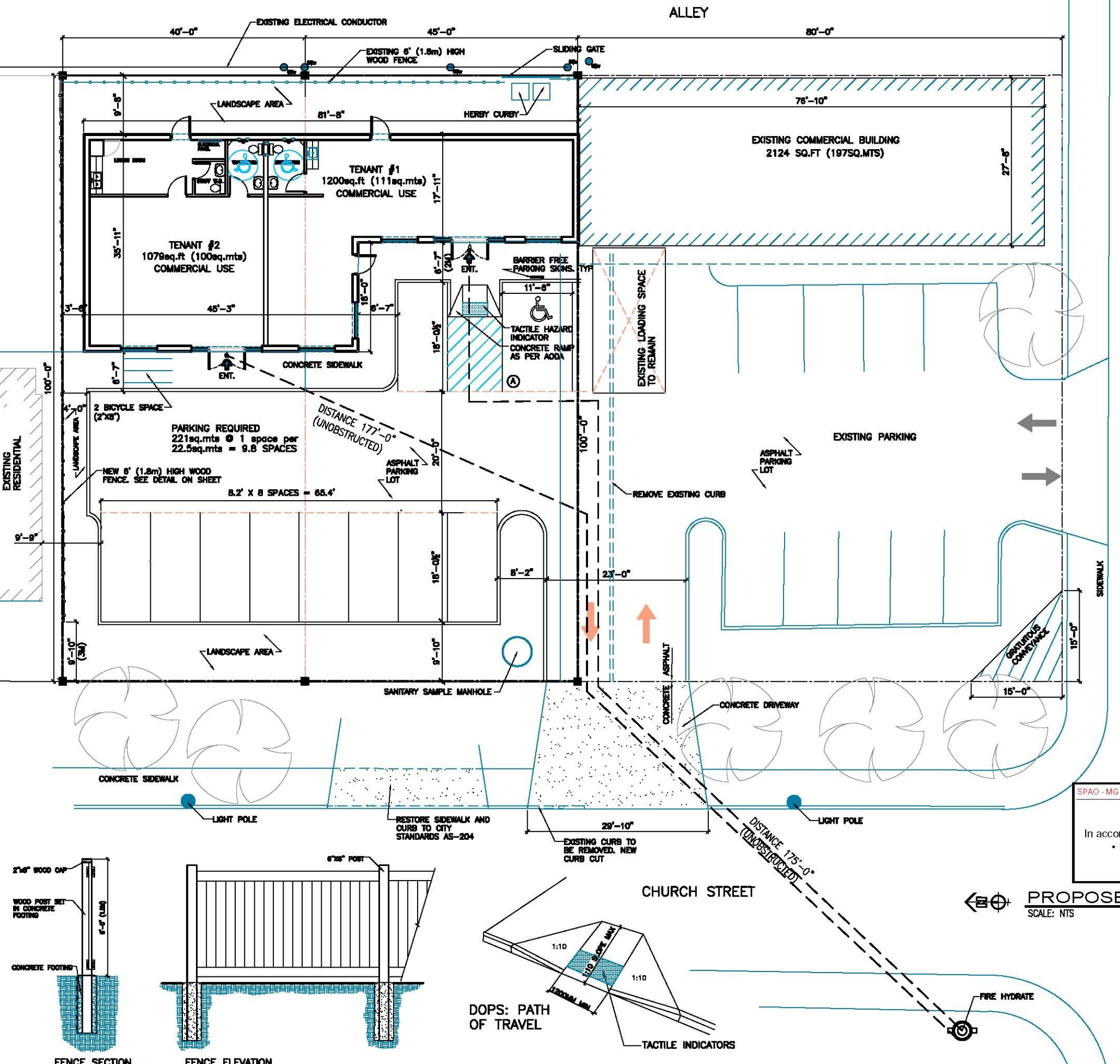


ITEM	ONTARIO BUILDING CODE DATA MATRIX PARTS 3 & 9	ONTARIO BUILDING CODE REFERENCE
1. PROJECT DESCRIPTION	<input type="checkbox"/> ADDITION <input type="checkbox"/> ALTERATION <input type="checkbox"/> CHANGE OF USE <input type="checkbox"/> CONVERSION	PART 3 PART 9
2. MAJOR OCCUPANCY(S)	OFFICES (D) AND MERCANTILE (E)	B.1.1.1.2
3. BUILDING AREA (S.F.)	EXISTING: 743 sq.mts PROPOSED: 789 sq.mts TOTAL: 1527 sq.mts	L.1.1.2.1 L.1.1.2.2 L.1.1.2.3
4. FLOOR AREA	EXISTING: 743 sq.mts PROPOSED: 789 sq.mts TOTAL: 1527 sq.mts	L.1.1.2.1 L.1.1.2.2 L.1.1.2.3
5. HEIGHT OF BUILDING (M)	EXISTING: 4.5M PROPOSED: 4.5M TOTAL: 4.5M	B.1.1.1.1 B.1.1.1.2 B.1.1.1.3
6. HEIGHT OF BUILDING (FT)	EXISTING: 14.8M PROPOSED: 14.8M TOTAL: 14.8M	B.1.1.1.1 B.1.1.1.2 B.1.1.1.3
7. NUMBER OF STOREYS	EXISTING: 1 PROPOSED: 1 TOTAL: 1	B.1.1.1.1 B.1.1.1.2 B.1.1.1.3
8. NUMBER OF STOREYS (FT)	EXISTING: 1 PROPOSED: 1 TOTAL: 1	B.1.1.1.1 B.1.1.1.2 B.1.1.1.3
9. NUMBER OF STOREYS (M)	EXISTING: 1 PROPOSED: 1 TOTAL: 1	B.1.1.1.1 B.1.1.1.2 B.1.1.1.3
10. SPECIAL SEPARATION - CONSTRUCTION OF EXISTING WALLS	WALL: 200mm FLOOR: 100mm ROOF: 100mm CEILING: 100mm PARTITION: 100mm FLOOR: 100mm ROOF: 100mm CEILING: 100mm	B.1.1.1.4

**NOTE:**  
 1. SHOULD ARCHAEOLOGICAL RESOURCES BE FOUND DURING GRADING, CONSTRUCTION OR SOIL REMEDIAL ACTIVITIES, ALL WORK IN THE AREA MUST STOP IMMEDIATELY AND THE CITY'S PLANNING & BUILDING DEPARTMENT, THE CITY'S MANAGER OF CULTURAL AFFAIRS, AND THE ONTARIO MINISTRY OF TOURISM, CULTURE AND SPORT MUST BE NOTIFIED AND CONFIRMATION OF ANY ARCHAEOLOGICAL REQUIREMENTS BEFORE WORK CAN RESUME.  
 2. IN THE EVENT THAT HUMAN REMAINS ARE ENCOUNTERED DURING GRADING, CONSTRUCTION OR SOIL REMEDIAL 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 TOURISM, CULTURE AND SPORT AND THE REGISTRAR AT THE MINISTRY OF CONSUMER SERVICES IF NEEDED, AND NOTIFICATION AND SATISFACTORY CONFIRMATION BE GIVEN BY THE MINISTRY OF TOURISM, CULTURE AND SPORT.

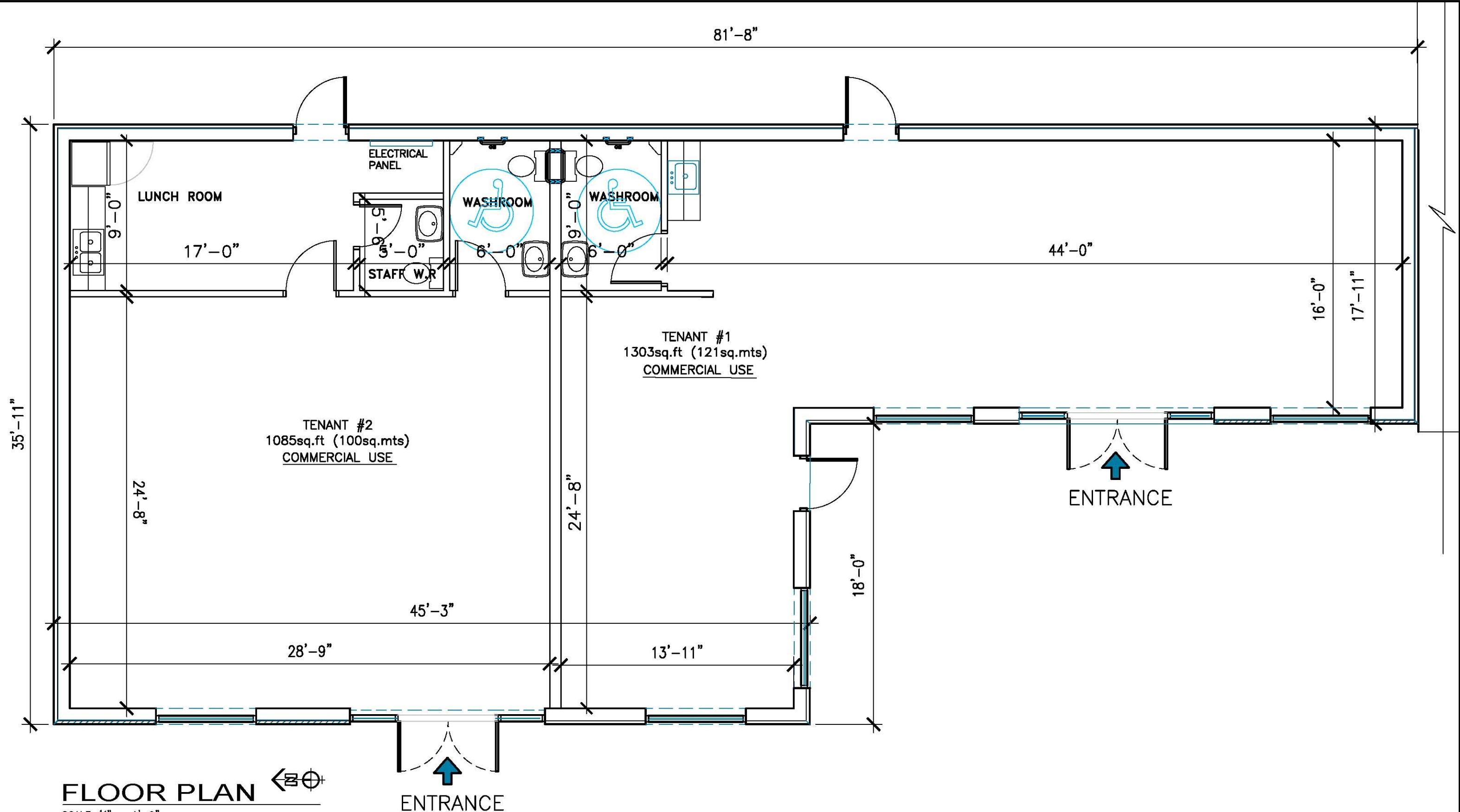
Item	Site Data Matrix	OBC Reference												
1	Project Description: PROPOSED MIXED USE BUILDING <input type="checkbox"/> New <input checked="" type="checkbox"/> Addition <input type="checkbox"/> Alteration <input type="checkbox"/> Change of Use	<input type="checkbox"/> Part 3 <input checked="" type="checkbox"/> Part 9 <input type="checkbox"/> Part 11												
2	Zoning Designation: CD2.2													
3	Existing Land Use: VACANT ON NORTH SIDE / MEDICAL OFFICES ON SOUTH SIDE													
4	Major Occupancy(s): OFFICES(D) AND MERCANTILE(E)													
5	Building Classification: Group (D&E) Division ( ) 3.2.2. ( )													
6	<table border="1"> <tr> <th>Site Area</th> <th>Building Area</th> <th>Gross Area</th> </tr> <tr> <td>Existing: 743 sq.mts</td> <td>Existing: 197 sq.mts</td> <td>Existing: 197 sq.mts</td> </tr> <tr> <td>Proposed: 789 sq.mts</td> <td>Proposed: 211 sq.mts</td> <td>Proposed: 211 sq.mts</td> </tr> <tr> <td>Total: 1527 sq.mts</td> <td>Total: 408 sq.mts</td> <td>Total: 408 sq.mts</td> </tr> </table>	Site Area	Building Area	Gross Area	Existing: 743 sq.mts	Existing: 197 sq.mts	Existing: 197 sq.mts	Proposed: 789 sq.mts	Proposed: 211 sq.mts	Proposed: 211 sq.mts	Total: 1527 sq.mts	Total: 408 sq.mts	Total: 408 sq.mts	
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7	<table border="1"> <tr> <th>Lot Coverage</th> <th>Minimum Lot Width</th> <th>Building Height</th> </tr> <tr> <td>Maximum: 28%</td> <td>Required: N/A</td> <td>Maximum: 14M</td> </tr> <tr> <td>Provided: N/A</td> <td>Provided: N/A</td> <td>Provided: 4.5M</td> </tr> </table>	Lot Coverage	Minimum Lot Width	Building Height	Maximum: 28%	Required: N/A	Maximum: 14M	Provided: N/A	Provided: N/A	Provided: 4.5M				
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8	<table border="1"> <tr> <th>Minimum Front Yard Depth</th> <th>Minimum Rear yard Depth</th> <th>Minimum Side Yard Depth</th> </tr> <tr> <td>Required: N/A</td> <td>Required: N/A</td> <td>Required: N/A</td> </tr> <tr> <td>Provided: N/A</td> <td>Provided: N/A</td> <td>Provided: N/A</td> </tr> </table>	Minimum Front Yard Depth	Minimum Rear yard Depth	Minimum Side Yard Depth	Required: N/A	Required: N/A	Required: N/A	Provided: N/A	Provided: N/A	Provided: N/A				
Minimum Front Yard Depth	Minimum Rear yard Depth	Minimum Side Yard Depth												
Required: N/A	Required: N/A	Required: N/A												
Provided: N/A	Provided: N/A	Provided: N/A												
9	<table border="1"> <tr> <th>Parking</th> <th>Bicycle Spaces</th> <th>Loading Spaces</th> </tr> <tr> <td>Use Classification: Existing: 10 SPACES Proposed: 10 SPACES Required: 18 SPACES Total: 20 SPACES</td> <td>Existing: NIL Proposed: 2 SPACES Required: 2 SPACES Total: 2 SPACES</td> <td>Existing: 1 Proposed: 0 Required: 1 Total: 1</td> </tr> </table>	Parking	Bicycle Spaces	Loading Spaces	Use Classification: Existing: 10 SPACES Proposed: 10 SPACES Required: 18 SPACES Total: 20 SPACES	Existing: NIL Proposed: 2 SPACES Required: 2 SPACES Total: 2 SPACES	Existing: 1 Proposed: 0 Required: 1 Total: 1							
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10	<table border="1"> <tr> <th>Landscaped Area</th> <th>Curbing Length</th> <th>Screening Fence Length</th> </tr> <tr> <td>Existing: 148 sq.mts Proposed: 259 sq.mts Total: 407 sq.mts</td> <td>Existing: 58m Proposed: 80m Total: 138m</td> <td>Existing: 50m Proposed: 27m Total: 77m</td> </tr> </table>	Landscaped Area	Curbing Length	Screening Fence Length	Existing: 148 sq.mts Proposed: 259 sq.mts Total: 407 sq.mts	Existing: 58m Proposed: 80m Total: 138m	Existing: 50m Proposed: 27m Total: 77m							
Landscaped Area	Curbing Length	Screening Fence Length												
Existing: 148 sq.mts Proposed: 259 sq.mts Total: 407 sq.mts	Existing: 58m Proposed: 80m Total: 138m	Existing: 50m Proposed: 27m Total: 77m												

Should archaeological deposits be found during construction activities, all work in the area must stop immediately and the City's Manager of Cultural Affairs and the Ontario Ministry of Tourism, Culture and Sport must be notified, and clearance given by the Ministry.  
 In the event that human remains are encountered during construction, 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 Ontario Ministry of Tourism, Culture and Sport and the Registrar of the Cemeteries Regulation Unit of the Ministry of Consumer Services must then be notified, and clearance be given by the Ministry of Tourism, Culture and Sport.  
 A building shall not be located beneath existing above ground electrical conductors. Where a building is to be constructed in proximity to above ground electrical conductors, horizontal clearances between buildings and conductors shall comply with Subsection 3.1.19. of the Ontario Building Code.




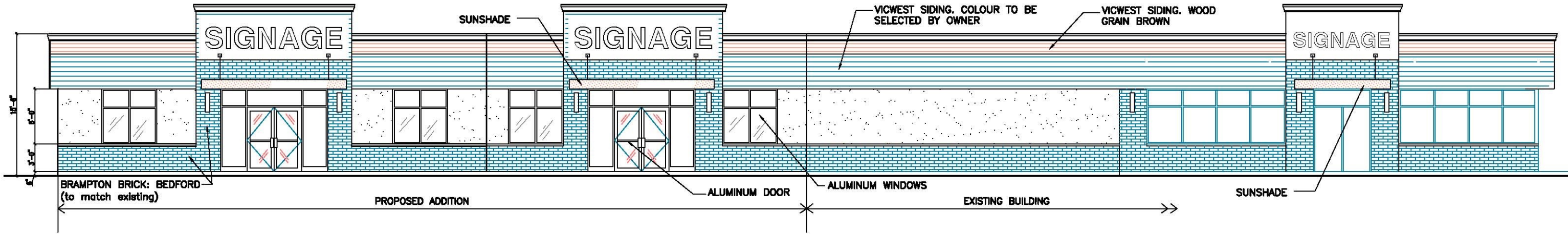
SPAO - MG date: 3/14/2019  
 In accordance with By-Law 11275  
 Ref. File No.: SPC-030/18

**PROPOSED SITE PLAN**  
 SCALE: NTS

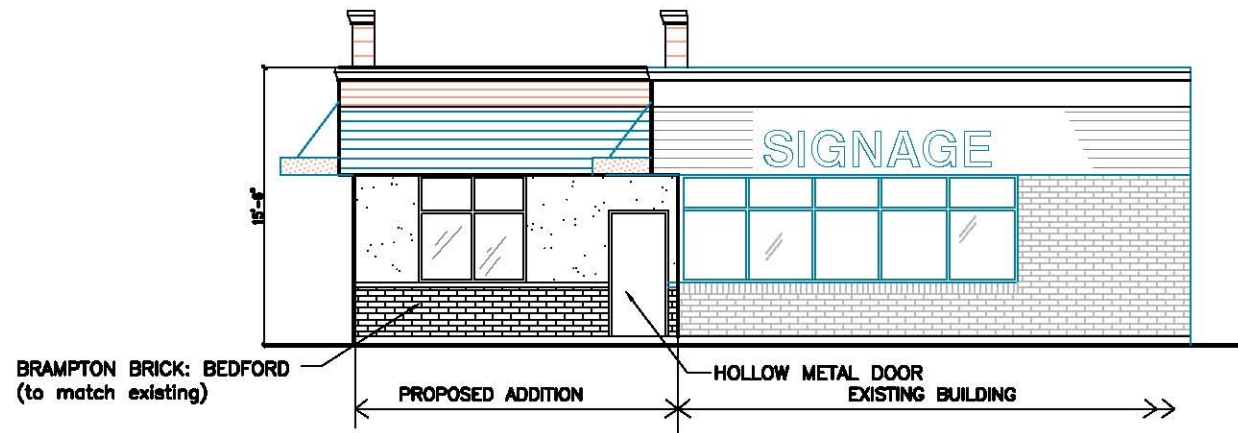


**FLOOR PLAN**   
 SCALE: 1/8" = 1'-0"

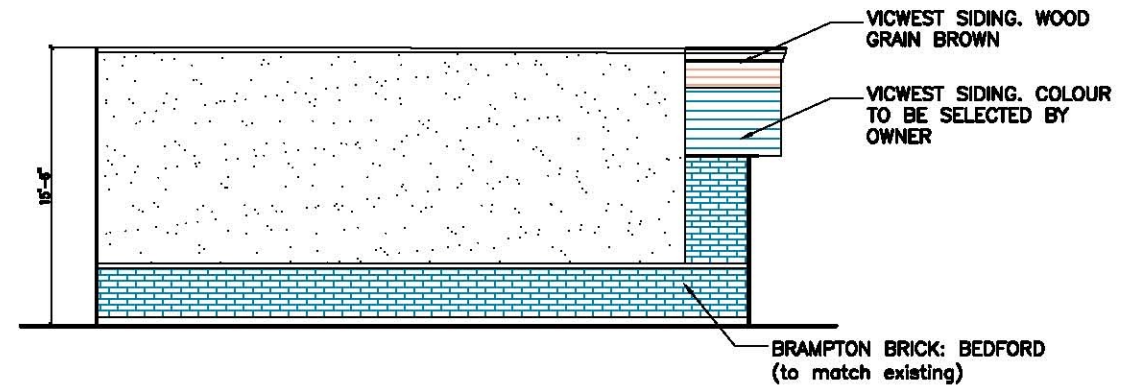
 <b>VIJAY VASANTGADKAR ARCHITECT INC.</b> <small>1814 LESPERANCE ROAD, UNIT 8A, TETERBUSH, ONT. N6W 1Y3        762-0249/905-1855</small>	<b>PROJECT NAME AND LOCATION:</b> <b>PROPOSED COMMERCIAL BUILDING</b> 576 CHURCH STREET, WINDSOR, ONTARIO.		<b>DRAWING</b>		<b>DRAWING NO.</b> <h1>A-1</h1>												
	<table border="1"> <tr><td>4.</td><td></td><td></td></tr> <tr><td>3.</td><td></td><td></td></tr> <tr><td>2.</td><td></td><td></td></tr> <tr><td>1.</td><td>SPC APP</td><td>OCT.19/18</td></tr> <tr><td>No.</td><td>ISSUED FOR</td><td>DATE</td></tr> </table>	4.				3.			2.			1.	SPC APP	OCT.19/18	No.	ISSUED FOR	DATE
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WEST ELEVATION

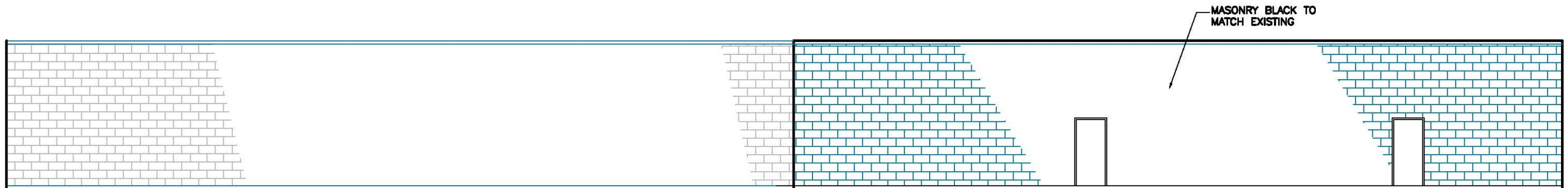


SOUTH ELEVATION



NORTH ELEVATION

SPAO - MG \_\_\_\_\_ date 3/14/2019  
 .....  
 In accordance with By-Law 11275  
 .....  
 Ref. File No.: SPC-030/18



EAST ELEVATION

<p><b>VJAY VASANTGADKAR ARCHITECT INC.</b></p> <p>1614 LESPERANCE ROAD, UNIT B4,        TECUMSEH, ONT N9H 1T5        Tel. (519) 986-1855</p>	<p>PROJECT NAME AND LOCATION:  <b>PROPOSED COMMERCIAL BUILDING</b></p> <p>576 CHURCH STREET,        WINDSOR, ONTARIO.</p>	<p>DRAWING  <b>ELEVATION CODE MATRIX</b></p>	<p>DRAWING NO.  <b>A-2</b></p>
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VISIT OUR PHARMACY OPEN 7 DAYS A WEEK  
CHURCH STREET PHARMACY (BOTHA PHARMACY INC)  
519-258-3333  
WALK-IN-CLINIC  
1. PHARMACY CLINIC  
2. TELLER/PHARMACY  
3. SPACE FOR CLINIC

WALK-IN CLINIC

WALK-IN CLINIC



PARKING  
RESTRICTED  
RESIDENTS  
PERMITS  
ONLY

CHURCH STREET PHARMACY  
519-258-3333

K-IN-CLINIC

K-IN-CLINIC  
519-258-3333

A DICTION  
TREATMENT  
1 TRUENO TH  
MON 1-4  
2 DR PEPPER  
FRI 9-12

MED OFFICE  
750 SQ FT  
For Lease  
519-258-8812  
MICHAEL PUNNETT  
KSP/VPK

CASANOVA

E 107th St

**APPENDIX C**



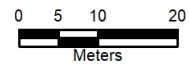
**LOCATION MAP - 366 WYANDOTTE STREET WEST**



**366 WYANDOTTE STREET WEST**



**FORMERLY 570 & 576 CHURCH STREET**



**Subject: Global Policy Update - City Wide**

**Reference:**

Date to Council: March 18, 2024  
Author: Katherine Donaldson  
Corporate Policy Coordinator  
Policy, Gaming, Licensing & By-Law Enforcement  
519-255-6100 ext. 6533  
kdonaldson@citywindsor.ca  
Policy, Gaming, Licensing & By-Law Enforcement  
Report Date: February 1, 2024  
Clerk's File #: GM2024

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

**Recommendation:**

**THAT** Council **APPROVE** the updates to the Corporate Policy Library as outlined in Appendices A through J, attached to the report of the Corporate Policy Coordinator dated February 1, 2024 entitled "Global Policy Update".

**Executive Summary:**

N/A

**Background:**

*The Municipal Act, Section 224* grants Council the authority to develop and evaluate the policies and programs of the municipality that they serve. The Corporation of the City of Windsor has numerous policies, created by each service area specific to their needs. The Corporation defines a "policy" as a "Corporate direction that is formally adopted by a Council resolution which acts as a statement of intent, governing principle or position that directs staff in making consistent decisions."

Council at its June 9, 2014 Meeting adopted CR157/2014 as follows:

"That the report of PricewaterhouseCoopers LLP (PwC) regarding 'Enterprise Policy Management - Final Internal Audit Report' dated April 25, 2014 attached hereto as Appendix B, BE ADOPTED as presented."

In their report, PwC generally stated that management controls for policy management are sufficiently reliable and that overall, there is a guiding framework whereby policies are developed and come into force. This policy

review has been undertaken in accordance with the following section of the Auditor's report.

***Policy Implementation & Issuance***

*The implementation of a review process to review all policies at a minimum of every 5 years including a revision to the policy template to incorporate a field for related review dates.*

The Corporation produces several policies each year, which are then added to the Corporate Policy Library. There is no formal process in place to rescind policies once they become obsolete due to changing factors such as improvements in technology leading to changing practices, or their primary purpose getting rolled into another policy or governing documents such as a master plan.

**Discussion:**

Administration has undertaken a review of policies that were enacted and have not been reviewed within approved timelines. Various departments were given a number of policies in that category to review for accuracy, proper format and clarity. Through this review, it was found that a number of these policies are no longer current and are recommended to be rescinded for various reasons. Other policies were still in effect but in need of reformatting while others were reviewed and needed no changes. All of the departmentally proposed changes are outlined in APPENDIX A. Any Policies with recommended changes have been attached as Appendices B through J.

The Policy Coordinator has reviewed each of these policies and agrees with the direction outlined by the departments. Policy creation and coordination is an ongoing process and administration is committed to ensuring that the Corporate Policy Library is accurate.

**Risk Analysis:**

While Corporate policy governs all areas of the Corporation, there is no risk in ensuring all policies are valid and current. However, without undertaking these periodic reviews, there is a risk that Corporate policies will not reflect the current vision of the City. In not completing these reviews, the Corporation would also be a risk of being in non-compliance with the Auditors' recommendations.

**Climate Change Risks**

**Climate Change Mitigation:**

N/A

**Climate Change Adaptation:**

N/A



**Financial Matters:**

There are no financial implications as a result of this report.

**Consultations:**

- Office of the Commissioner of Community Services
- Office of the Commissioner of Corporate Services
- Office of the Commissioner of Economic Development
- Office of the Commissioner of Infrastructure Services

**Conclusion:**

Council approved Corporate policies are an integral component of municipal governance and as such must be current in terms of both practices and formatting. A comprehensive database exists and ensures each employee is familiar with these important documents. Administration is committed to ensuring this database, and the policies within, are current, practical and meet or exceed Corporate standards.

**Planning Act Matters:**

N/A

**Approvals:**

Name	Title
Katherine Donaldson	Corporate Policy Coordinator
Craig Robertson	Manager of Licensing & Enforcement / Deputy Licence Commissioner
Steve Vlachodimos	City Clerk
Dana Paladino	Commissioner of Corporate Services
Joe Mancina	Chief Administrative Officer

**Notifications:**

Name	Address	Email

**Appendices:**

- APPENDIX A - Overview
- APPENDIX B - Adopt-a-Park Policy or Trail
- APPENDIX C - Concussion Policy
- APPENDIX D - Municipal Alcohol Policy
- APPENDIX E - Riverfront Festival Plaza Booking Policy
- APPENDIX F - Media Policy
- APPENDIX G - Ice Allocation Policy

APPENDIX H - Acceptable Use Policy

APPENDIX I - Pedestrian Generator Sidewalk Policy

APPENDIX J - Cost-Sharing Policy for the Construction of School Bus Bays

## Commissioner of Community Services

Policy	Authority	Original Approval Date
Adopt a Park Policy	CR127/2013	8-Jul-13
Concussion Policy	CR191/2014	5-Aug-14
Landscaping Policy for Public and Quasi-Public Projects	CR342/1982	22-Mar-82
Municipal Alcohol Policy	M512-2015	7-Dec-15
Riverfront Festival Plaza Booking Policy	M167/2013	6-May-13
Ice Allocation Policy	B29-2015	21-Dec-15
Media Policy	M189/2015	1-Jun-15

## Commissioner of Corporate Services

Policy	Authority	Original Approval Date
Acceptable Use Policy	CR554/2017	18-Sep-17
Information Security Policy	CR 210/2007	25-Sep-14

## Commissioner of Economic Development

Policy	Authority	Original Approval Date
Address Assignment and Address Change Policy	CR22/2008	24-Feb-15

Business Improvement Areas Capital Asset Maintenance Funding Policy	CR107/2009	22-Sep-14
Business Improvement Areas-New Capital Asset Funding Allocation Policy	CR107/2009	22-Sep-14
Sidewalk Cafe Policy	CR130/2008	24-Feb-15
Site Plan Control Application Policy	CR757/1980	9-Jun-80

### **Commissioner of Infrastructure Services**

<b>Policy</b>	<b>Authority</b>	<b>Original</b>
Design-Build Contracting Policy	CR 193/2012	27-Aug-12
Display of Overstreet Banners Policy	CR811/1997	14-Jul-97
Downspout Disconnection Policy	CR50/2008	11-Feb-08
Encroachment Policy	M67/2015	17-Feb-15
Parking-Control Changes Policy	M10/1987	29-Jan-87
Parking-Enforcement of By-law 9023 and Cancellation-Reduction of Parking Tickets Policy	CR126/2013	8-Jul-13
Parking-Parking Permit Policy	CR93/2013	6-May-13
Parking - On-Street Accessible Parking Spaces - Residential Policy	CR185/2013, M356/2013	23-Sep-13
Parking-Onstreet Parking Permits for Agencies Policy	CR 418/2004	10-May-04
School Neighbourhood Policy	CR645/2016	17-Oct-16
Cost-Sharing Policy for the Construction of School Bus Bays	CR 383/2009	16-Nov-09
Pedestrian Generator Sidewalk Policy	CR343/2007	10-Sep-07

**Comments From Department**

Minor updates - Updated policy name and sections to include trails. Changed training of volunteers responsibility from Parks Development to Parks Operations. Requirement for post report removed.

Minor updates. Updated the name of the ministry and positional titles for City Staff

Should be deleted - will be included in The City of Windsor Landscape Requirements for Development document.

This Policy received a major overhaul. The current Policy contains a lot of rules and guidelines which make it quite lengthy and difficult to navigate. The guidelines were moved out of the Policy and will be included in a special event user manual. The policy is now only 6 pages, and references the important legislation that must be followed. Has been reviewed by Legal.

Minor Updates to city job titles/departments to remain current

Minor update - updated CLT title to Commissioner

Updates include: (1) made corporate communications only point of contact as per Ray's suggestion and added mention of emergencies and elections, (2) removed "spokesperson list" and inserted CLT/CAO and ED's, (3) made corp comm only contact for staff contacted by media at Ray's request, (4) removed bullet about service disruption (it will be handled through regular approval process now)

**Comments From Department**

Policy has been updated

Policy Reviewed and remains current

**Comments From Department**

Policy is still relevant. Responsibility change from Building department to Planning department.

Funding remains in the budget but as BIA's frequently advocate for Council to take action outside of the policy, it will be reviewed and alternatives brought to Council in the future.

Funding remains in the budget but as BIA's frequently advocate for Council to take action outside of the policy, it will be reviewed and alternatives brought to Council in the future.

Department confirms that this policy is no longer in use and can be rescinded in global report

Recently adopted Provincial legislation – Bills 108 and 109 – significantly impacts the municipal development process. This policy will be reviewed and revised to adhere to the new legislation as details become known.

**Comments From Department**

Policy Reviewed and remains current

Policy Reviewed and remains current

Policy Reviewed and remains current

Encroachment policy goes to Council on January 30th.

The parking related policies will be combined into one general parking policy and brought to Council in a separate report. The target timeline for completing this is May 2024.

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Policy Reviewed and remains current

Policy has been updated

Polcy has been updated

<b>Proposed Direction</b>
Approve Updated Policy
Approve Updated Policy
Rescind Policy
Approve Updated Policy
Approve Updated Policy
Approve Updated Policy
Approve Updated Policy
Approve Updated Policy
<b>Proposed Direction</b>
Approve Updated Policy
Approve Existing Policy
<b>Proposed Direction</b>
Approve Policy as Current

Approve Policy as Current
Approve Policy as Current
Rescind Policy
Approve Existing Policy
<b>Proposed Direction</b>
Approve Existing Policy
Approve Existing Policy
Approve Existing Policy
Approve Existing Policy
Update in Progress as per Departmental Comments
Update in Progress as per Departmental Comments
Update in Progress as per Departmental Comments
Update in Progress as per Departmental Comments
Update in Progress as per Departmental Comments
Approve Existing Policy
Approve Updated Policy
Approve Updated Policy



**THE CORPORATION OF THE CITY OF WINDSOR  
POLICY**

Service Area:	<b>Community Services</b>	Policy No.:	
Department:	<b>Parks &amp; Facilities</b>	Approval Date:	
Division:	Parks	Approved By:	
		Effective Date:	
Subject:	<b>Adopt-a-Park or Trail</b>	Procedure Ref.:	
		Pages:	Replaces:
Prepared By:			Date:

**1. POLICY**

**1.1** To promote a sense of ownership and pride in the City’s parks, trails, green spaces, woodlots (“Parks”), a public service program known as Adopt-a-Park or Trail is established by City Council. This public service program enlists community-minded, environmentally conscious individuals, community and civic organizations, private business and industry (“Organization(s)”) to assist with keeping the City’s Parks inviting and clean through voluntary litter clean-up.

**2. PURPOSE**

**2.1** This policy will outline the purpose, scope and goal of the Adopt-a-Park or Trail program, and identify the roles and responsibilities of various program stakeholders, Organizations and program participants.

**3. SCOPE**

**3.1** This policy applies to all applicants, organizations and volunteers of the Adopt-a-Park or Trail program, as well as those who administer the program on behalf of The Corporation of the City of Windsor (“City” or “Corporation”).

**4. RESPONSIBILITY**

**1. City Council is responsible to:**

- Support the Adopt-a-Park or Trail policy and encourage community involvement wherever possible.

- Authorize the Executive Director of Parks and Facilities or their designate to execute Adopt-a-Park or Trail Agreements on behalf of the Corporation, in form satisfactory to the City Solicitor.

**2. Chief Administrative Officer (CAO) is responsible to:**

- Support the Adopt-a-Park or Trail policy including providing guidance, direction and final authority on any issues that may arise where the Corporate Leadership Team (“CLT”), Executive Director of Parks and Facilities and applicable department(s) were unable to achieve resolution.

**3. The Corporate Leadership Team (CLT), Executive Directors, Managers, and Supervisors are responsible to:**

- Support the policy including providing guidance and direction when required.
- Promote the program wherever possible to community representatives.

**4. The Executive Director of Parks and Facilities is responsible to:**

- Execute all Adopt-a-Park or Trail applications and agreements, in form satisfactory to the City Solicitor.
- Evaluate the effectiveness of the overall program in general.

**5. The Manager of Parks Development is responsible to:**

- Administer the Adopt-a-Park or Trail program, including but not limited to: process any Adopt-a-Park or Trail applications; Arrange for the installation of signage at the adopted Park, identifying the Organization and its participation in the program;
- Comply with all other terms, conditions and responsibilities set out in the Adopt-a-Park or Trail Agreement.
- Review the Adopt-a-Park or Trail policy every three (3) years after or as required.

**6. The Manager of Parks Operations is responsible to:**

- Provide safety training and/or other instruction to authorized group representatives in order for them to be able to sufficiently and effectively inform their volunteers how to safely carry out their duties under the program.

- Ensure that program participants have sufficient program supplies to perform the work as contemplated in this policy
- Monitor the work output of program participants.
- Comply with all other terms, conditions and responsibilities set out in the Adopt-a-Park or Trail Agreement.

**7. Organizations are responsible to:**

- Appoint or select an authorized group representative to attend a safety meeting provided by the City and, in turn, supply safety training to all volunteers participating in the program. All volunteers must adhere to the safety requirements set out by the Corporation.
- Require all volunteers participating in the program to execute an Indemnity and Release Form, which shall be provided to the Corporation prior to commencing clean-up activities.
- Conduct clean-up activities at the adopted City properties at least four (4) times per year, only during daylight hours (one hour after sunrise and one hour before sunset);
- Inform the City of Windsor what day/time the organization plans to attend the City property to perform the clean up so that a no charge permit can be issued.
- Where insurance is available, supply the Corporation with proof of \$2,000,000 in Commercial General Liability coverage listing the Corporation of the City of Windsor as an additional insured, prior to commencing clean-up activities.
- Where insurance is not available, sign a waiver indemnifying the Corporation of the City of Windsor, from any and all losses that may arise from or in connection with the group or individual's negligence or wilful misconduct. In such cases, individuals signing the waiver indemnifying the Corporation must be at least 18 years old.
- Comply with all other terms, conditions and responsibilities set out in the Adopt-a-Park or Trail Agreement.

**8. Program volunteers are responsible to:**

- Perform their clean-up activities in a safe manner.
- Comply with all other terms, conditions and responsibilities set out in the Adopt-a-Park or Trail Agreement.

**5. GOVERNING RULES AND REGULATIONS**

**5.1** The Adopt-a-Park or Trail program allows Organizations and their volunteers to lead by example by participating in clean-up activities

with the goal of beautifying Parks in the community and fostering community pride.

- 5.2** The Organization shall submit a completed Adopt-a-Park or Trail Application Form (“Application”), proof of Commercial General Liability Insurance, and proof of Incorporation to the Manager of Parks Development.
- 5.3** The Adopt-a-Park or Trail Application will clearly identify the Organization’s preferred location.
- 5.4** Upon receipt of an Application, the Application shall be referred to the Manager of Parks Development for consideration.
- 5.5** Should the preferred location already be adopted, the City will provide the Organization an opportunity for an alternate choice and/or recommend an alternate choice.
- 5.6** If more than one Organization applies to adopt the same location and a suitable alternative cannot be agreed to, the Manager of Parks Development shall make the final determination with respect to the adopted property.
- 5.7** The Organization shall be notified in writing within thirty (30) days of submission of the Adopt-a-Park or Trail Application, as to approval of the Application.
- 5.8** If the Adopt-a-Park or Trail Application is approved, the Organization will be required to enter into an Agreement with the City, to the satisfaction of the City Solicitor, prior to engaging in clean-up activities at the adopted property.
- 5.9** The term of the Agreement shall be determined by the City’s representative but for no more than three (3) years.
- 5.10** Renewal of the Agreement at the expiration of the term shall require the submission of a new Adopt-a-Park or Trail Application.
- 5.11** The Corporation of the City of Windsor shall not be liable for any costs and expenses of any nature or kind incurred by the volunteers with respect to any matters contemplated by this policy, and the volunteers agree to provide the Corporation its services for free.
- 5.12** Where insurance is available, Organizations shall furnish the Corporation with a certificate of insurance of a Liability Insurance

Policy covering Public Liability and Property Damage, in a minimum amount of Two Million Dollars (\$2,000,000). Such policy shall contain:

1. A cross-liability clause endorsement;
2. An endorsement certifying that the Corporation is included as an additional insured; and
3. An endorsement to the effect that the policy or policies will not be altered, cancelled, or allowed to lapse without thirty (30) days advance written notice to the Corporation.

**5.13** Where insurance is not available, groups or individuals shall sign a waiver indemnifying the Corporation of the City of Windsor from any and all losses that may arise from or in connection with the group or individual's negligence or wilful misconduct. In such cases, individuals signing the waiver indemnifying the Corporation must be at least 18 years old.

## **6. RECORDS, FORMS AND ATTACHMENTS**

**6.1** The following forms are associated with the Adopt-a-Park or Trail policy:

- Adopt-a-Park or Trail Application Form,
- Indemnity and Release Form,
- Consent Form,
- Adopt-a-Park or Trail Agreement.

**6.2** These forms may be amended by the Corporation as required from time to time.

**6.3** Records will be retained in accordance with the record retention requirements of the *Municipal Freedom of Information and Protection of Privacy Act* and The City of Windsor's Records Retention Disposal By-Law #21-2013.

**THE CORPORATION OF THE CITY OF WINDSOR**

**POLICY**

Service Area:	<b>Community Services</b>	Policy No.:	
Department:	<b>Recreation &amp; Culture</b>	Approval Date:	
Division:	Recreation	Approved By:	
		Effective Date:	
Subject:	<b>Concussion Policy</b>	Procedure Ref.:	
		<i>Pages:</i>	Replaces:
Prepared By:			

**1. POLICY**

1.1 All City of Windsor employees, directly involved in sport and recreation programming will be made aware of common signs and symptoms of a concussion and trained to properly manage a potential concussion incident.

**2. PURPOSE**

2.1 The Ministries of Education, Health and Long Term Care and Tourism, Culture and Sport are working together to increase awareness of head injury prevention, concussion identification and injury management.

2.2 The purpose of this policy is to:

- a) Provide concussion awareness for employees who are directly involved in sports and recreation program instruction, supervision and allocating recreation and sports facilities.
- b) Inform user groups at recreational facilities and sports fields that the City of Windsor has a concussion policy and that resources are available for their information to disseminate to their groups.
- c) Make concussion resource information available within city facilities for participants.

**3. SCOPE**

3.1 The policy applies to employees in municipal recreation facilities and sports venues who are directly involved with recreation programming and/or supervision of participants. Sports organizations allocated seasonal sports facility permits will be provided with information on this policy.

3.2 Application of this policy will be in accordance with applicable provisions within the collective agreements and memoranda between the Corporation and its unions and associations.

3.3 Notwithstanding any other provisions to the contrary in any other policies of the City of Windsor, where there is a conflict between this policy and any other policy the more stringent policy will apply.

- 3.4 Notwithstanding the reporting obligations of any other policy of the City of Windsor, if there is reason to believe that a breach of this policy has occurred, the reporting procedures in this policy shall be followed concurrently with any other reporting obligations.

#### 4. **RESPONSIBILITY**

- 4.1 The CAO will support the Concussion Policy and its implementation.
- 4.2 The Commissioner, Community Services will support the Concussion Policy and mediate any disputes regarding its implementation, should any arise.
- 4.3 The Executive Director of Recreation & Culture is responsible to direct a review of this policy annually.
- 4.4 The Executive Director of Recreation & Culture is responsible for communicating the policy, procedures and any updates or changes to the Managers.
- 4.5 The Executive Director of Recreation and Culture shall carry out the role as decision maker under this policy in good faith and in a timely and expeditious manner.
- 4.6 The managers in the Recreation and Culture Department, shall be responsible for communicating the policy, procedures and any updates or changes to the Supervisors.
- 4.7 The Executive Director of Recreation and Culture, the managers and supervisors in the Recreation and Culture Department will be responsible for implementing the policy and providing suggestions in revising the procedures as required.
- 4.8 The managers and supervisors of each recreational facility and sports venue shall ensure that all employees who are directly involved with recreation programming and/or supervise participants are made aware of this policy. This will include informing all sport organizations that are allocated seasonal sports facility permits.
- 4.9 Each applicable employee is expected to sign-off on receipt of this policy and to adhere to the policy.

#### 5. **GOVERNING RULES AND REGULATIONS**

- 5.1 Employees shall recognize and be accountable for their responsibilities in the exercise of their duties.
- 5.2 Procedures will be developed to assist staff when dealing with a suspected concussion.
- 5.3 All employees involved directly in recreation and sports programming, instruction, supervision and allocation in recreation facilities will be provided with information on concussion awareness. This information includes but is not limited to identification of a concussion, common signs and symptoms of a concussion and response actions to a possible concussion.
- 5.4 The 'Conditions of Use' section on all City of Windsor Department of Recreation and Culture rental permits will state that The City of Windsor has

a concussion policy and that information regarding concussions is available upon request.

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### *Concussion Policy*

Page 2 of 3

Information may be provided to participants in sport and recreation facilities. Information may include concussion signs and symptoms as well as what to do if a concussion is suspected.

**5.5** A concussion is a clinical diagnosis made by a medical doctor. It is critical that someone with a suspected concussion be examined by a medical doctor or nurse practitioner.

Definition: As presented in the Concussion Guidelines Manual from the Ministry of Tourism, Culture and Sport

A Concussion:

- Is a brain injury that causes changes in how the brain functions, leading to symptoms that can be physical (e.g. headache, dizziness), cognitive (e.g. difficulty concentrating or remembering), emotional/behavioural (e.g. depression, irritability) and/or related to sleep (drowsiness, difficulty falling asleep);
- May be caused by either a direct blow to the head, face or neck, or a blow to the body that transmits a force to the head that causes the brain to move rapidly within the skull;
- Can occur even if there has been no loss of consciousness (in fact most concussions occur without a loss of consciousness); and
- Cannot be normally seen on x-rays, standard CT scans or MRI's.

## **6. RECORDS, FORMS AND ATTACHMENTS**

**6.1** In the event that an employee(s) become aware of a suspected concussion, an accident/incident report will be completed by the employee(s) and submitted to their supervisor. These forms are governed by The City of Windsor's retention policy.

**6.2** The Executive Director of Recreation and Culture may create forms and procedures as necessary for the orderly and consistent application of this policy.

## **7. RELATED POLICIES**

This policy incorporates by reference the following City of Windsor Policies/Procedures:

3.2.1 Corporate Health & Safety

3.2.2 Recreation Department's Emergency/Medical protocols

This policy incorporates by reference all applicable provincial and federal legislation and specifically, without limitation, the following statutes:

**3.7.1** *Municipal Act, 2001, S.O. 2001, c. 25*

**3.7.2** *Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56*



DRAFT

# THE CORPORATION OF THE CITY OF WINDSOR POLICY

Service Area:	<b>Community Services</b>	Policy No.:	
Department:	<b>Recreation &amp; Culture</b>	Approval Date:	
Division:	Special Events	Approved By:	
		Effective Date:	
Subject:	<b>Municipal Alcohol Policy</b>	Procedure Ref.:	
<b>Review Date:</b>		<i>Pages:</i>	Replaces:
Prepared By:	Michelle Staaedegaard		Date:

## 1. POLICY

1.1. It is the policy of The Corporation of the City of Windsor (“City”) that, when alcohol is to be sold, served or consumed at events held on City property or at locations or events under the City’s control, these activities are carried out in a safe and responsible manner and in accordance with all local and provincial guidelines.

## 2. PURPOSE

2.1. The Municipal Alcohol Policy (“Policy”) is required to:

- 2.1.1. Provide direction for the sale, serving and consumption of alcohol on City property or at locations or events under the City’s control.
- 2.1.2. Provide appropriate and reasonable procedures and education to individuals or groups wishing to hold events in municipal recreation facilities in order to encourage and enforce responsible drinking practices and adherence to the Liquor License and Control Act.
- 2.1.3. Reduce problems associated with excessive consumption and to reduce liability.
- 2.1.4. Provide a balance of opportunities for wet and dry functions and facilities in order to ensure that adults, youth and families, either consumers or abstainers, will be adequately serviced and protected.
- 2.1.5. Honour the decision of abstainers not to drink alcohol and to encourage their participation by ensuring the provision of alternative, non-alcoholic drinks.
- 2.1.6. Be proactive in the reduction of incidents including injury and death through the implementation of a municipal alcohol policy.
- 2.1.7. Develop a municipal alcohol policy that is easy to read and understand in order to maximize its use and compliance.
- 2.1.8. Ensure all requirements of the Alcohol Gaming and Commission of Ontario (“AGCO”) and Liquor License and Control Act are met and adhered to.

### **3. SCOPE**

**3.1.** The Municipal Alcohol Policy applies to all City staff, volunteers, community partners who either manage or have control over City property, rental clients and organizers of events on City property, at which alcohol will be sold, served or consumed.

**3.2.** This Policy applies to the sale, serving and consumption of alcohol on City property or at locations (collectively referred to as “City Property”), whether or not a facility is operating under a liquor licence issued by the AGCO, a Special Occasion Permit, a liquor licence with Catering Endorsement, or any other approval that has been issued by the AGCO. City Property includes the following;

- All City-owned properties including outdoor (parks) and indoor (community centres) facilities
- All properties leased by the City
- City Highways including the travelled portion of the Highway (roadway), boulevards, sidewalks or other areas of the Highway,
- Properties controlled by local boards over which City Council may require general policies be followed,
- Events held by the City at partner or third-party premises, and,
- City Properties under a Public-Private Partnership Agreement, as determined on a case by case basis by the Executive Director, Recreation and Culture or designate.

### **4. RESPONSIBILITY**

4.1 The Chief Administrative Officer and Commissioners are responsible to;

4.1.1 Support this Policy and ensure compliance and adherence by all City Departments

4.2 The Executive Director of Recreation & Culture is responsible to;

4.2.1 Ensure all staff are familiar with the Policy and its guidelines

4.3 Department Manager(s) are responsible to;

4.3.1 Permit the use of City Property for an event at which alcohol will be sold, served or consumed, in accordance with this Policy and applicable by-laws.

4.3.2 Require immediate correction and or termination of an event on behalf of the City of Windsor for reasons outlined in this Policy. This may include the right to revoke a permit to hold an event or prohibit the sale, serving or consumption of alcohol at an event on City Property, as more specifically

set out in the rental or facilities permit or agreement for the event on City Property.

**4.4 Event Owner** - All 3<sup>rd</sup> party organizations (Event Owners) who are holding an event where alcohol is being sold, served or consumed at a City property or at a location under the City's control is responsible to;

4.4.1 Complete and sign documentation required by the City to confirm that the event Owner has received, read, understood, and has undertaken the steps to comply with this Policy and the governing rules and regulations within their permit, rules and regulations set in this policy and regulations set forth by the AGCO.

## **5. GOVERNING RULES AND REGULATIONS**

The consumption of alcohol is prohibited in all public places such as parks, arenas, and community centres unless a Special Occasion Permit or licence for the facility has been obtained.

For all events at which alcohol will be sold, served or consumed on City Property, the event owner must ensure that the following General Conditions are met:

- 5.1 The Event Owner must obtain a permit for the use of the property or facility at which the event is to take place from the City Department having operational jurisdiction over the property or facility, or having responsibility for the event if it is occurring on third party property.
- 5.2 The Event Owner must provide, at their own cost, information required by the responsible City Department in support of its application for such permit. The permit must specify the date, duration, nature, purpose and expected attendance at the event, as well as any other details of the event that may be required by the City Department to determine if the event meets the requirements of this Policy and for the proper management by the City of its property.
- 5.3 The sale, serving and consumption of alcohol may take place only on property the City identified in Section 3.2 of this policy and under the conditions outlined in this Policy.
- 5.4 In order to hold an event with alcohol on City Property, the Event Owner must obtain a Special Occasion Permit (SOP) or have a Catering Endorsement for the event from the AGCO, or other approval issued by the AGCO, and must, at all times during the event, comply with applicable regulations, processes and best practices of the AGCO, including those relating to Smart Serve Guidelines.
- 5.5 The Event Owner must obtain and maintain for the duration of the event appropriate insurance in the form of Commercial General Liability Insurance that includes liquor liability coverage subject to limits of not less than Two Million Dollars (\$2,000,000) inclusive per occurrence, or as otherwise prescribed by the Executive Director of Recreation & Culture, having operational jurisdiction over the property or facility at which the event is taking place with the concurrence of the City Solicitor, and such insurance must name the City as additional insured.
- 5.6 The Event Owner must comply with the Event Owner Responsibilities as outlined in section 4.4 of this Policy.

- 5.7 During events at which alcohol is to be sold, served or consumed, a bilingual sign with wording including the following information shall be displayed in a prominent location immediately within each licensed area where alcohol is to be sold, served, consumed or distributed in any manner:
- servers are prohibited from serving alcohol to:
  - participants under 19 years of age
  - intoxicated persons,
  - anyone who appears to be at the point of intoxication, and
  - ask your server about safe transportation options
- 5.8 Glass containers (bottles, glassware or carafes) are not permitted in the above locations, with the exception of within bar service areas.
- 5.9 The Event Owner must ensure that the original special occasion permit (SOP), or liquor licence with a Catering Endorsement, or any other approval obtained from the AGCO, is posted in a conspicuous location in the licensed/server area or must keep it in a place where it is readily available for inspection, for the duration of the event.
- 5.10 The event must comply with all applicable federal and provincial laws and regulations, and applicable municipal by-laws.

## DEFINITIONS

**AGCO:** Alcohol and Gaming Commission Ontario

**Event Owner:** Any person(s) 19 years of age or over who applied to obtain and has been granted permission to hold an event involving the sale or consumption of alcohol on premises as defined in this Policy.

**SOP:** A special occasion permit issued by the AGCO as required under the Liquor Licence Act, that is needed any time alcohol is offered for sale, served or consumed anywhere other than in a licensed establishment or a private place. SOP's are for occasional, special events only and not for personal profit or running an ongoing business.

**Highway:** Includes a common and public highway, street, avenue, parkway, driveway, square, bridge, viaduct, or trestle under the jurisdiction of the City, any part of which is intended for, or used by, the general public for the passage of vehicles and includes the area between the lateral property lines thereof

**Roadway:** That part of the Highway that is improved, designed or ordinarily used for vehicular traffic, but does not include the shoulder, and, where a highway includes two or more separate roadways, the term "roadway" refers to any one roadway separately and not to all the roadways collectively

**Sidewalk:** Those parts of the Highway set aside by the City for the use of pedestrians

## 6 RECORDS, FORMS AND ATTACHMENTS

- 6.1 Appendix A – Relevant Contact Numbers  
6.2 City of Windsor Special Events Manual  
6.3 City of Windsor Special Events Procedure

**THE CORPORATION OF THE CITY OF WINDSOR  
POLICY**

Service Area:	<b>Community Services</b>	Policy No.:	
Department:	<b>Recreation and Culture</b>	Approval Date:	<b>May 6, 2013</b>
Division:	Special Events	Approved By:	<b>M167-2013</b>
		Effective Date:	<b>May 6, 2013</b>
Subject:	<b>Riverfront Festival Plaza Booking Policy</b>	Procedure Ref.:	Special Events Manual
		Pages:	Replaces:
Prepared By:	M. Staadegaard		Date:

**1. POLICY**

1.1 The Riverfront Festival Plaza is the premier host location in the community for Special Events. The Corporation of the City of Windsor will manage Special Events at the Riverfront Festival Plaza according to established City Council priorities to maximize the benefits to the community. The City of Windsor recognizes that Special Events contribute to a sense of place and quality of life for residents and visitors. Special Events enhance tourism, culture, recreation and education while contributing significantly to the economy of the city.

**2. PURPOSE**

2.1 The policy will provide for a diverse range of activities and opportunities at the Riverfront Festival Plaza while maintaining fair and flexible access to the riverfront.

**3. SCOPE**

3.1 This policy covers all individuals and organizations requesting the use of the Riverfront Festival Plaza for a Special Event.

**4. RESPONSIBILITY**

4.1 City Council is responsible to:

- 4.1.1 Approve the Riverfront Festival Plaza booking policy and any amendments as may be presented from time to time
- 4.1.2 Approve any Special Events seeking to completely restrict access to the river front for a period of time.
- 4.1.3 Approve the User Fee Schedule annually as part of the budget process.

4.2 The Chief Administrative Officer is responsible to:

- 4.2.1 Subject to 4.1.4, approve requests for Recurring Events for use of Festival Plaza, pursuant to Delegation of Authority By-law 208-2008,

section 1.10, as it may be amended from time to time  
4.3 The Commissioner, Community Services is responsible to:

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- 4.3.1 Direct a review of the policy at least once every term of Council to ensure its alignment with established Council priorities.
- 4.4 The Executive Director of Recreation and Culture is responsible to:
  - 4.4.1 Undertake a review of the policy every term of Council.
  - 4.4.2 Approve the Special Events Manual annually
  - 4.4.3 Direct implementation of the policy, procedures and application process
  - 4.4.4 Make recommendations to City Council or the CAO, as applicable, relative to Special Events
  - 4.4.5 Approve the site plan for each Special Event in consultation with affected City departments and the Special Events Resource Team to maintain the safety of all attendees and generate the maximum financial return
- 4.5 The Manager of Culture and Events is responsible to:
  - 4.5.1 Determine the deadlines to receive applications requesting use of Festival Plaza and incorporate into the Special Events Manual
  - 4.5.2 Provide oversight to the annual review of the Special Event Manual
  - 4.5.3 Provide oversight to the evaluation of requests for Special Events at Festival Plaza
  - 4.5.4 Make recommendations to the Executive Director regarding all of the above
- 4.6 The Supervisor, Special Events is responsible to:
  - 4.6.1 Coordinate the annual review and update of operational guidelines and procedures
  - 4.6.2 Coordinate the assessment of requests for use of Festival Plaza with affected departments and the Special Event Resource Team (SERT)
  - 4.6.3 Ensure that all paperwork required by City of Windsor departments is completed by the Event Organizer and received by the appropriate department according to established timelines
  - 4.6.4 Serve as liaison between the Special Event organizer and the Special Events Resource Team.
  - 4.6.5 In consultation with the Special Event organizer and SERT, make recommendations regarding the site plan to the Executive Director
  - 4.6.6 Maintain any records produced
- 4.7 The Special Events Resource Team will:
  - 4.7.1 Act in an advisory capacity regarding the execution of Special Events at Riverfront Festival Plaza
  - 4.7.2 Advise of any changes in their governing legislation (Fire code, Alcohol and Gaming Commission of Ontario regulations, etc.) that may affect the application process, requirements and procedures
  - 4.7.3 Provide input into annual operations review
  - 4.7.4 Work with Special Event organizers to execute the Special Event.
- 4.8 Special Event Organizers will:
  - 4.8.1 Submit requests for the use of Festival Plaza and Stage in writing and accompanied by a non-refundable deposit identified in the Schedule of Fees approved annually by City Council.
  - 4.8.2 Ensure all required documentation i.e. insurance requirements, proof of legal name, is submitted to the City within established



- timeframes as identified in the Special Events Manual.
- 4.8.3** Be responsible for any additional fees resulting from the requirement to adjust the site plan of the Plaza for the safety and security of patrons.

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## **5. GOVERNING RULES AND REGULATIONS**

5.1 Use of Riverfront Festival Plaza will be in accordance with the following rules and regulations:

- 5.1.1 East-west traffic flow will be maintained in some manner for all Special Events unless City Council directs otherwise
- 5.1.2 When modifications to Festival Plaza are required for a Special Event, Administration will act according to direction previously approved by City Council. All requests for Special Events at Riverfront Festival Plaza and Stage must be received in writing by the Recreation and Culture division according to established timelines and be accompanied by a non-refundable deposit
- 5.1.3 Special Events approved by City Council and hosted by the City of Windsor will be given priority consideration for use of the space. In the event that a Council approved event displaces a previously booked event, Administration will make every effort to accommodate the displaced event in an alternate location or on an alternate date
- 5.1.4 Requests by Recurring Events in Good Standing, submitted with the required non-refundable deposit, will receive priority booking
- 5.1.5 Where Recurring Events request a date change, the Recurring Event will be given a new date, subject to availability, in priority to other Special Events which are not Recurring Events in Good Standing
- 5.1.6 Subject to the assessment noted in Section 4.6.2., requests for Special Events which are not Recurring Events, but the organization is in Good Standing, will be considered according to Section 1.1 – the strategic priorities of City Council and the impact on the economy of the community. After such evaluation, if two or more events are considered equal, the date shall be awarded based on the order in which the request was received by the Recreation and Culture department. Requestors must have the required documentation in order and be in Good Standing
- 5.1.7 Verbal requests for Special Events at Riverfront Festival Plaza and Stage will not be considered

### **5.2 Definitions:**

- 5.2.1 Special Event – an event that has a greater impact on Festival Plaza than casual use; or has more than 300 people in attendance; or may impact traffic flow; or includes amplified sound; or may require municipal services
- 5.2.2 Recurring Event – a Special Event returning to Festival Plaza after 1 year, providing such notice is given in writing and required deposit paid
- 5.2.3 Good Standing – a Special Event will be considered to be in good standing provided there are no outstanding monies owing to the Corporation; any complaints against the Special Event (or organizer) have been addressed; no outstanding or ongoing litigation related to the Special Event or the host/organizer of any Special Event; and all requested documents and fees have been

- received by the Corporation within established deadlines
- 5.2.4** Special Events Resource Team (SERT) – representatives of Windsor Police Services, Windsor Fire & Rescue, Windsor Port Authority, Public Works – Traffic, Operations, County of Essex – Operations, By-law Enforcement, Caesars Windsor, Windsor Essex County Health Unit, Alcohol and Gaming Commission of Ontario, 311, Inspections,

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Engineering, Risk Management, Maintenance and other resources as required from time to time

**5.3 Related policies and legislation:**

- 5.3.1 User Fee and Pricing Policy (CR408/2006)
- 5.3.2 Festivals & Special Events Insurance Matrix Policy (CR468/2007)
- 5.3.3 Waiver of Fees Policy (M219/2012)
- 5.3.4 Central Riverfront Implementation Plan (CR910/2000)
- 5.3.5 Parks By-law 200-2002
- 5.3.6 Noise By-law 6716
- 5.3.7 Municipal Alcohol Policy (CR41/1998)
- 5.3.8 Delegation of Authority By-law 208-2008
- 5.3.9 Alcohol and Gaming Commission of Ontario Regulations

**6. RECORDS, FORMS AND ATTACHMENTS**

- 6.1 Documents produced will be retained according to Records Retention By-Law #21- 2013
- 6.2 Forms and documents related to this policy include the Riverfront Festival Plaza Booking Procedures and Special Events Application Form and the Festival and Event Operations Manual.

**THE CORPORATION OF THE CITY OF WINDSOR**

**POLICY**

Service Area:	<b>Community Services</b>	Policy No.:	
Department:	<b>Customer Service and Communications</b>	Approval Date:	
Division:	Communications	Approved By:	
		Effective Date:	
Subject:	<b>Media Policy</b>	Procedure Ref.:	
Review Date:		<i>Pages:</i>	
Prepared By:			

**1. POLICY**

- 1.1 The City of Windsor is committed to communication with, and through, the media in an open and transparent manner. The City will, whenever possible, initiate media contact and respond to media inquiries through designated spokespersons to ensure consistent and accurate messaging.
- 1.2 The City will engage in a proactive communications program that uses a variety of formats to accommodate the diverse needs of the community.
- 1.3 The City will afford media calls a high priority.

**2. PURPOSE**

- 2.1 This policy is intended to protect and promote the image of the City of Windsor, while ensuring accurate, timely, consistent, and professional messaging.
- 2.2 The policy is designed to clearly designate corporate spokespersons and provide employees with an understanding of the policies and procedures surrounding public statements and media relations.

**3. SCOPE**

- 3.1 The policy applies to all City of Windsor staff and any individual retained by the Corporation who is acting on the city’s behalf.
- 3.2 This policy does not apply to the Mayor, Councillors and Council appointees to agencies, boards, commissions and committees as they are governed by the Code of Conduct for Members of Council and Local Boards.

**3.3** The policy does not apply to the organizations listed below (see bullets).

- Windsor Police
- Enwin
- Invest WindsorEssex
- Tourism Windsor-Essex-Pelee Island
- Windsor Utilities Commission

**3.4** In the event of an emergency, the communications protocol as outlined in the City of Windsor's Emergency Response Plan will supersede this policy.

#### **4. RESPONSIBILITY**

**4.1** The Chief Administrative Officer is responsible to:

**4.1.1** Direct compliance with this policy

**4.1.2** Be chief staff spokesperson and may speak on behalf of the municipality regarding all functions of the organization.

**4.2** The Chief Administrative Officer and The Corporate Leadership Team and Executive Directors are responsible to:

**4.2.1** Speak to issues in their areas of responsibility and/or designate unit spokespersons and authorize subject matter experts to respond to media inquiries, in an effort to be as timely and helpful as possible.

**4.3** The Corporate Leadership Team or their designates are responsible to:

**4.3.1** Speak on behalf of their areas of accountability and responsibility.

**4.4** The Senior Manager of Communications and Customer Service, with support from the Marketing & Communications Officers, is responsible for:

**4.4.1** Monitoring the policy and accompanying procedure

**4.4.2** Providing training to city departments, and suggesting revisions for Council's consideration.

**4.5** When media contact covers issues of a political or potentially controversial nature, employees are responsible to direct media inquiries to Corporate Communications. This is especially important during times of heightened public interest, such as emergency events or elections.

**4.5.1** Where inquiries are specific to Windsor Fire events or investigations, the media should be directed to the Chief Fire Prevention Officer or designate, with the Executive Director and Corporate Communications copied.

**4.6** The Corporate Communications unit is responsible for tracking and archiving media exposure.

## **5. GOVERNING RULES AND REGULATIONS**

- 5.1** The Chief Administrative Officer, Corporate Leadership Team and Executive Directors are the primary spokespersons for the Corporation and responsible for delegating media responses as needed.
- 5.2** Spokespersons are to remain neutral and factual. Spokespersons only speak to their area of expertise. No spokesperson is to interpret or offer opinion on Council's decision.
- 5.3** Authorized spokespersons provide factual information on programs, activities and initiatives that relate specifically to their business area.
- 5.4** In the absence of subject matter experts, and in an effort to be as accessible as possible, Marketing and Communications Officers may speak to the media where they have appropriate subject knowledge.
- 5.5** City staff contacted by the media are to direct the media to Corporate Communications, to help ensure the most appropriate spokesperson for the issue is found and that coverage is tracked for future reference.
- 5.5.1** Where inquiries are specific to Windsor Fire events or investigations, the media should be directed to the Chief Fire Prevention Officer or designate, with the Executive Director and Corporate Communications copied.
- 5.6** All media exposure should be shared with communications, preferably in advance of airing or printing, to help with tracking.
- 5.7** Media training will be made available to all corporate spokespersons through Corporate Communications.
- 5.8** Authorized spokespersons commenting on City business, regardless of medium, must identify themselves as City of Windsor employees.
- 5.9** Use of City property/equipment/assets/logos/intellectual property for purposes unrelated to the business of the City is forbidden.
- 5.10** To help maximize media exposure, departments or individuals planning to contact the media will seek input and approval from the Chief Administrative Officer, or Corporate Leadership Team or designate whichever is most appropriate. Only Corporate Leadership Team approval is required in circumstances where the contact is of a routine nature including the following:
- Media releases for Council Meetings (issued regularly by Clerk's Office)

- Special meetings of Council (issued regularly by Clerk's Office)
- Cancellation of Council Meetings (issued regularly by Clerk's Office)
- Change of meeting location (issued regularly by Clerk's Office)
- Adding agenda items (issued regularly by Clerk's Office)
- Public Service Announcements, e.g. leisure and recreation events and classes (issued by Parks and/or Recreation)
- Notice of tax mailings (issued regularly by Finance, in consultation with Corporate Communications)
- Notice of holiday service closures/delays (standard format written in consultation with Clerk's, 311, Solid Waste, Recreation, Library, Community Museum and Transit)
- Road closures (issued through Engineering and/or Operations)
- Snow removal releases (issued by Corporate Communications)
- Annual Recreation special events, such as Arbor Week plantings, pool openings, March Break, etc. (issued by Parks and/or Recreation)

**5.11** Notice to Corporate Communications is always required for tracking purposes.

**5.12** Departments that become aware of issues that may result in media scrutiny are to advise Corporate Communications and the Chief Administrative Officer, with notice to the appropriate Executive Director and CLT member.

**5.13** Mayor, City Council and the Chief Administrative Officer must be made aware of new initiatives prior to release to the media.

**5.14** Other applicable policies and legislation include: Acceptable Use, Code of Ethics & Conflict of Interest, Respectful Workplace, City of Windsor Council-Staff Protocol, Fraud, *MFIPPA*, Emergency Plan, and *Copyright Act*. Where two policies or legislation govern the action, the most stringent policy or legislation will apply.

**5.15** Contravention of this media policy and related policies may result in disciplinary action.

**5.16** This policy shall be reviewed every three years from the date it becomes effective, or sooner at the direction of the Chief Administrative Officer.

## **6. RECORDS, FORMS AND ATTACHMENTS**



- 6.1** Records are the responsibility of Corporate Communications and will be kept in accordance with the Records Retention Bylaw #21-2013 as amended from time to time.
- 6.2** Procedures for dealing with media and examples of communications templates are available on the Communications Dashboard Page.

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**THE CORPORATION OF THE CITY OF WINDSOR**  
Policy

Service Area:	Community Services	Policy No.:	
Department:	<b>Recreation and Culture</b>	Approval Date:	
Division:	Recreation	Approved By:	
		Effective Date:	
Subject:	<b>Ice Allocation Policy</b>	Procedure Ref.:	Yes
Review Date:		Pages:	
Prepared By:			

**1. POLICY**

**1.1** This policy is to ensure the fair distribution of ice time amongst users of the City of Windsor Arenas.

**2. PURPOSE**

**2.1** The goal of the policy is to establish a process for the development of the guidelines and formulas that would determine the priority and amount of prime ice hours each group would receive for a season.

**3. SCOPE**

**3.1** This policy applies to all City of Windsor Arena ice users.

**3.2** This policy will not apply to prime ice hours under the following circumstances:

- Agreements which have prime ice hour commitments (i.e. Windsor Spitfires, Windsor Express, University of Windsor, etc...)
- Council approved Major Events which have prime ice hour commitments (i.e. FINA, CARHA, etc...)

**4. RESPONSIBILITY**

**4.1** The CAO will support the Ice Allocation Policy and its implementation

**4.2** The Commissioner, Community Services will support the Ice Allocation Policy and mediate any disputes regarding its implementation, should any arise

4.3 The Executive Director of Recreation and Culture:

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- 4.3.1 Is responsible to direct a review of this policy annually.
- 4.3.2 Shall carry out the role as decision maker under this policy in good faith and in a timely and expeditious manner.

#### 4.4 Manager of Arenas

- 4.4.1 Is responsible for meeting with the Ice Allocation Association Members semi annually to review, clarify and update the Ice Allocation rules
- 4.4.2 On an annual basis in August, the Manager ensures the Ice Allocation process occurs and ice time is allocated to each association for the upcoming season. Following the meeting, the manager ensures that the final permits are sent to all users.
- 4.4.3 Will be responsible for implementing the policy and providing suggestions in revising the guidelines as required

4.5 The Manager of Arenas and Supervisors of each Arena shall ensure that all employees who are directly involved with ice bookings are aware of this policy

4.6 Each applicable employee is expected to adhere to the policy

## 5. **GOVERNING RULES AND REGULATIONS**

### **5.1 ICE ALLOCATION MEMBERS**

The City of Windsor's Ice Allocation Association Members are comprised of City of Windsor Manager of Arenas and a representative from each group of ice users that rent a minimum of 5 hours of ice per week. The groups that chose to be part of the Ice Allocation Members in conjunction with the City of Windsor developed the Ice Allocation Guidelines which govern this policy.

### **5.2 ICE ALLOCATION FORMULA**

The primary rule in ice allocation is that each group will receive the ice times they had the previous year given their registration numbers or number of teams does not decrease. To ensure fairness a formula factor was developed and agreed upon by the Ice Allocation Association Members for each type of ice users (i.e. House league, Travel, Non- Competitive Skater, Power Skater, etc...) that determines the minimum amount of ice time that should be allotted to each user group.

## 6. **RECORDS, FORMS AND ATTACHMENTS**

- 6.1** Ice permits will be filed and retained by the Arenas Division.
- 6.2** Ice Allocation Guidelines

# THE CORPORATION OF THE CITY OF WINDSOR POLICY

<b>Service Area:</b>		<b>Policy #:</b>	
<b>Department:</b>	Information Technology	<b>Approval Date:</b>	
<b>Division:</b>		<b>Approved By:</b>	
		<b>Effective Date:</b>	
		<b>Procedure Ref.</b>	
<b>Subject:</b>	ACCEPTABLE USE POLICY		
<b>Review Date:</b>		<b>Pages:</b>	

## 1. POLICY

- 1.1 The Acceptable Use Policy identifies roles, responsibilities, and requirements for the appropriate use of Corporate Technology Resources.
- 1.2 Authorized Users are granted permission to use data, systems, and technologies that belong to the Corporation in accordance with the Acceptable Use Policy.
- 1.3 Failure to conform to the requirements of This Policy may result in disciplinary action up to and including termination, legal action, and/or possible criminal proceedings.

## 2. PURPOSE

- 2.1 The goal of This Policy is to protect The Corporation of the City of Windsor from legal liability and to reduce the risk of damage, loss, or theft to Corporate Technology Resources. The following additional goals are specific to the technologies listed:
  - 2.1.1 **Corporate Data:** To protect the integrity of Corporate electronic data, and to safeguard it from unauthorized access, damage, loss, theft, or unauthorized disclosure.
  - 2.1.2 **Software Licensing/Copyright:** To ensure legal compliance with licensing agreements for software and copyright laws for electronic data files, and to ensure that legal compliance with proper process is approved throughout the Corporation.
  - 2.1.3 **Corporate Hardware:** To ensure that Corporate Hardware and Corporate Communication Systems are used for business purposes, and to eliminate damage, loss, and theft of the Hardware / Communication Systems.

**2.1.4 Passwords/Certificates:** To protect and safeguard Corporate resources, and to uniquely identify a User.

**2.1.5 Multi-factor Authentication (MFA):** To enhance user security by enabling a means of strong authentication for users by requiring additional user verification methods

**2.1.6 Internet Access:** To ensure proper usage and availability of the Internet, and to protect Corporate resources from external Internet threats.

**2.1.7 Digital Communication:** To define responsibilities with regard to privacy and appropriate use of digital communication tools (such as Corporate email, Microsoft Teams, SMS texting, etc).

**2.1.8 Corporate Telephones and Telephone Systems:** To define responsibilities with regard to the appropriate use of Corporate Telephones and Telephone systems.

### 3. SCOPE

**3.1** This Policy applies to the following Users of Technology Resources owned, leased, hosted by a 3<sup>rd</sup> party technology entity or licensed to the Corporation:

- Employees
- Management
- The Mayor and City Council
- Members of agencies, boards, and commissions that use Corporate Technology Resources
- Any individual retained by the Corporation who uses the Corporation's Technology Resources

### 4. RESPONSIBILITY

**4.1** The following parties, as identified in Section 3.1 and described under Section 5.2 of This Policy are responsible for the various aspects of This Policy:

- Users
- Management
- Security Administrator
- System Administrators

- Technology Group Leaders
- Executive Director of Information Technology

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**4.2** The general responsibilities of each of the parties identified in Section 4.1 is detailed with duties pertaining to specific technologies defined in Section 5:

**4.2.1** Each **User** has the following responsibilities:

**4.2.1.1** Understand, accept, and abide by This Policy including its Governing Rules and Regulations and associated procedures.

**4.2.1.2** Use the Corporate Technology Resources for business purposes that benefit the Corporation and are directly applicable to his/her job.

**4.2.1.3** Ensure use of the Corporate Technology Resources conforms to This Policy and any other Corporate policies, codes of conduct, Corporate health and safety standards, and any related legislation.

**4.2.1.4** Know that suspected infractions of This Policy may be reported to his/her immediate supervisor or to the Concerned Citizen/Concerned Employee Hotline.

**4.2.1.5** Know that any person who witnesses, or is the recipient of Child Pornography, on any Corporate Technology Resource, is legally bound by the *Child and Family Services Act*, to report it to his/her immediate supervisor or the Concerned Citizen/Concerned Employee Hotline.

**4.2.1.6** Know that the identity of an individual who reports a suspected infraction concerning Child Pornography is protected under the *Child and Family Services Act*.

**4.2.2** **Management** has the following responsibilities:

**4.2.2.1** Abide by the responsibilities of a User.

**4.2.2.2** Ensure staff are aware of and have attended training for This Policy.

**4.2.2.3** Ensure any changes or amendments to This Policy are adequately communicated to and understood by supervised staff.

**4.2.2.4** Authorize the access of supervised staff to Technology Resources that falls under their responsibility.

**4.2.2.5** Ensure that any policy exception requests or Technology Resource access changes for supervised staff members follow the Corporate technology procedures.

**4.2.2.6** Report any suspected infraction of This Policy to the Executive Director of Information Technology.

**4.2.2.7** Notify the Executive Director of Human Resources immediately, and the appropriate Executive Director, if applicable, if any disciplinary



action is intended or suspected as a result of an infraction of This Policy.

**4.2.2.8** Track their employees' infractions of This Policy as well as the resulting corrective actions, recommendations, and referrals.

**4.2.2.9** Work with Information Technology when acquiring any technology for the Corporation, as per the Corporation's Purchasing By-law and Information Technology's Project Management Policy.

**4.2.3** The **Security Administrator** has the following responsibilities:

**4.2.3.1** Abide by the responsibilities of a User.

**4.2.3.2** Review, recommend, and implement changes to This Policy and its associated procedures.

**4.2.3.3** Audit the Technology Resources to ensure compliance with established policies and procedures, and work with the Executive Director of Information Technology to accommodate Audit requirements.

**4.2.3.4** Act as a liaison with Management and System Administrators throughout the Corporation regarding security-related issues occurring with information and Technology Resources.

**4.2.3.5** Investigate any reported infractions of This Policy. In the case of suspected criminal activity the investigation will be the responsibility of law enforcement.

**4.2.4** **System Administrators** have the following responsibilities:

**4.2.4.1** Abide by the responsibilities of a User.

**4.2.4.2** Implement This Policy and its associated procedures on the Technology Resources they are authorized to administer.

**4.2.4.3** Audit Technology Resources for compliance to This Policy and its associated procedures.

**4.2.4.4** Track and approve requests for adds/removes/changes and policy exceptions for Technology Resources they administer.

**4.2.5** **Technology Group Leaders** have the following responsibilities:

**4.2.5.1** Abide by the responsibilities of a User.

**4.2.5.2** Be up-to-date with Information Technology policies, standards, and procedures.

**4.2.5.3** Provide local assistance to staff for designated responsibilities defined in the Information Technology procedures.

**4.2.5.4** Liaise with Information Technology with regard to Corporate technology issues for their area of responsibility.

**4.2.6 The Executive Director of Information Technology** and his/her appointed designate(s) have the following responsibilities:

**4.2.6.1** Establish procedures and standards related to This Policy to ensure the Corporation's technology systems are running in an efficient and optimal manner (e.g. setting system maintenance schedules, and data archiving).

**4.2.6.2** Provide Users access to all Information Technology policies and procedures.

**4.2.6.3** Provide education and address any concerns the User may have as to his/her responsibilities under This Policy.

**4.2.6.4** Access the Corporation's Technology Resources for the purposes of Auditing, investigations, conducting e-discovery, performance analysis, backup, filtering, and work continuity.

**4.2.6.5** Conduct monitoring, reproduction of deleted data, review of current and archived data, and User activity of the Corporation's Technology Resources according to established policies and procedures.

**4.2.6.6** Establish related procedures for the acquisition and justification of Hardware, software, and Technology Resources.

**4.2.6.7** Issue Corporate-wide digital communication notices pertaining to system maintenance and technology-related bulletins (e.g. virus alerts).

**4.2.6.8** Be responsible for records produced pertaining to and including This Policy, and do the following:

**4.2.6.8.1** Maintain standards and policies for Corporate technology acquisition and use within the Corporation, with advice from City departments, as per Purchasing By-law 93-2012.

**4.2.6.8.2** Review This Policy at least once during each term of City Council.

**4.2.6.8.3** Develop and maintain Corporate approval forms relating to the request for access, acquisition, relocation, and removal of Corporate Technology Resources.

**4.2.6.8.4** Track the requests for access, acquisition, relocation, and removal of Corporate Technology Resources to ensure accurate and up-to-date inventory records and security requirements.

**4.2.6.9** Recommend adequate security measures for Technology Resources.

**4.2.6.10** Be responsible in the case of a suspected criminal activity violation to report it to, and take direction from, the City Solicitor.

## **5. GOVERNING RULES AND REGULATIONS**

**5.1** The processes required to attain the policy goals, including jurisdiction and control requirements, include the following:

**5.1.1 User Duties:** Users shall do the following for the Technology Resources noted below:

### **5.1.1.1 Corporate Data:**

**5.1.1.1.1** Ensure the Corporate data for which he/she is responsible is accurate and up-to-date and that he/she does not knowingly enter invalid data.

**5.1.1.1.2** Ensure he/she does not use, copy, or distribute Corporate data for any purpose other than for the business purposes of the Corporation.

**5.1.1.1.3** Know the disclosure level for Corporate data according to Corporate policy and legislative acts as listed under Section 6.

**5.1.1.1.4** Ensure that the data for which he/she is responsible is stored in the assigned secure location. This includes the requirement to not store Corporate data, even temporarily, on devices or with services that are not sanctioned by the Corporation's Information Technology Department. In extenuating circumstances, employees may use personal or non-Corporate devices or services to store Corporate data as long as the following conditions are met:

- The employee has obtained the approval of his/her manager prior to storing the data on the personal or non-Corporate device or service;
- A copy of the data is stored in the appropriate Corporate system, ensuring that the Corporation's information is protected; and

- The data is immediately deleted from the personal or non-Corporate device or service as soon as possible after dealing with the extenuating circumstance.

Employees should know that they could be held responsible if Corporate information should be lost or exposed due to the use of their personal or non-Corporate devices or services.

- 5.1.1.1.5** Know that User access controls, created by Users or otherwise, to resource secure locations are for the benefit of the Corporation and not to be considered private by the User.
- 5.1.1.1.6** Contact the Corporation's Information Technology Department to arrange for the back-up of Corporate data that is not currently stored on the Corporate network.
- 5.1.1.1.7** Archive data in a suitable and secure location and/or removable media if the maintenance schedule for the system in which the data currently resides is shorter than the requirements of the Corporation's Records Retention By-law Number 21-2013.
- 5.1.1.1.8** Remove personal data and non-essential duplicate data from Corporate Technology Resources to conserve storage and ensure systems run optimally.

**5.1.1.2 Software Licensing/Copyright:**

- 5.1.1.2.1** Shall not download, copy, or install any software for which the Corporation does not have a software license agreement and Information Technology approval was not obtained.
- 5.1.1.2.2** Shall not download, copy, or install any electronic data files, e.g. music, movies, or e-books, that violate copyright laws, or violate any existing software licensing agreements.
- 5.1.1.2.3** Notify Information Technology if he/she notices any illegal software or electronic data files on any Corporate resource.
- 5.1.1.2.4** Coordinate with Information Technology to download, copy, or install approved software or electronic data files.

**5.1.1.3 Corporate Hardware:**

- 5.1.1.3.1** Use Corporate Hardware and Corporate Communication Systems for the Corporation's business purposes.

- 5.1.1.3.2** Shall not move Corporate Hardware or Corporate Communication Systems that are designated to be stationary (e.g. PCs, desk Phones, printers) without consent from Information Technology.
- 5.1.1.3.3** Ensure that his/her Corporate Hardware, including laptops, handhelds, smartphones, are protected and secure from theft, loss, or damage.
- 5.1.1.3.4** Ensure his/her Corporate Hardware is screen locked, i.e. Password-protected, when leaving the system unattended.
- 5.1.1.3.5** Know that mobile Corporate Hardware, i.e. laptops, handhelds, tablets, smartphones, etc., are considered Corporate Technology Resources and issued for work purposes even though they may periodically be used as stand alone devices.
- 5.1.1.3.6** Return all his/her assigned Corporate Hardware to his/her supervisor upon termination of employment or when job duties no longer require use of the Hardware.
- 5.1.1.3.7** Know that only Information Technology staff are authorized to alter, modify or dismantle Corporate Hardware or Corporate Communication Systems.

**5.1.1.4 Passwords/Certificates:**

- 5.1.1.4.1** Keep Passwords private and secure. Users are fully responsible for all activities invoked through their User-id and Password.
- 5.1.1.4.2** Know that an assigned User-id and Password does not constitute User privacy, but is for the purpose of User authentication and authorization and does not preclude Corporate access.
- 5.1.1.4.3** Change Passwords whenever they are suspected of no longer being private and secure.
- 5.1.1.4.4** Use Information Technology's Password procedure for the resetting or assigning of new Passwords.
- 5.1.1.4.5** Provide additional user verification methods for use with the self-service password reset service outlined in the Information Technology's Password procedure.
- 5.1.1.4.6** Ensure that the Password complexity selected is at an acceptable security level.

**5.1.1.4.7** Assigned certificates should be treated as Passwords and kept private and secure.

**5.1.1.5 Multi-factor authentication:**

**5.1.1.5.1** Users will be required to enroll a device to serve as an authentication method as part of the multi-factor authentication requirement.

**5.1.1.5.2** Users must contact Information Technology to report suspicious activity or a compromised account.

**5.1.1.5.3** Use Information Technology's Multi-factor authentication procedure for enrolling or changing multifactor authentication methods

**5.1.1.6 Internet Access:** Ensure proper usage of the Internet. Proper usage includes, but is not limited to, the following:

**5.1.1.6.1** Networking with colleagues, the private sector, industry, and professional associations.

**5.1.1.6.2** Researching and sharing authorized information.

**5.1.1.6.3** Monitoring the latest news and trends as it pertains to the User's job function.

**5.1.1.6.4** Conducting Corporate business.

**5.1.1.7 Digital Communication:**

**5.1.1.7.1** Know that digital messages are considered Corporate data, and that Users should have no expectation of privacy in their digital messages sent or received.

**5.1.1.7.2** Maintain the confidentiality of electronic mail messages except where disclosure is required by law or in accordance with Corporate policy.

**5.1.1.7.3** Use digital communication for the Corporation's business purposes.

**5.1.1.7.4** Use his/her Corporate digital communication accounts when conducting the Corporation's business; this includes while working outside the workplace. In extenuating circumstances, employees may use their personal or other non-Corporate digital communication accounts as long as the following conditions are met:

- A copy of the digital communication is sent to their Corporate digital communication account, ensuring that the Corporation's information is stored in a protected Corporate system;
- The digital message is immediately deleted from their personal or non-Corporate e-mail account as soon as possible after dealing with the extenuating circumstance; and
- The amount of confidential information collected, accessed, used, or disclosed is limited to the least amount necessary to deal with the extenuating circumstance.

Employees should know that they could be held responsible if Corporate information should be lost or exposed due to the use of their personal or non-Corporate digital communications accounts.

**5.1.1.7.5** Know that any department other than the Mayor's Office, Chief Administrative Officer's Office, or Corporate Communications shall obtain permission to send Corporate-wide digital communications prior to sending.

**5.1.1.8 Corporate Telephones and Telephone Systems:**

**5.1.1.8.1** Use Corporate Telephones and voice mail for Corporate business purposes. Reasonable personal calls are permitted if they fall within the duration and time periods acceptable to an individual's supervisor and do not violate any other sections of This Policy, or any other Corporate policy. Personal Telephone use is not permitted if there is a cost to the Corporation (e.g. long distance, toll numbers, unreasonable time lost, etc.); however, it is recognized that there may be a rare occasion where a personal long distance call is necessary. If a personal long distance call is required, permission must be obtained from the individual's supervisor prior to making the call.

**5.1.1.8.2** Know and follow the voice mail procedures for the voice mail system(s) on his/her Corporate Telephone(s).

**5.1.1.8.3** Maintain the confidentiality of voice mail messages except where disclosure is required by law or in accordance with Corporate policy.

**5.1.1.8.4** Report unusual occurrences with his/her voice mail, such as frequent hang-ups, off work-hour activity, and suspicion of Password tampering.

**5.1.1.8.5** Know that Telephone calls and voice mail messages may be monitored and as such, there should be no expectation of privacy.

**5.1.1.8.6** For those employees who have access to televisions, it is unacceptable for employees to view sexually explicit programming or programming that contains material of a discriminatory or harassing nature.

**5.1.2 Management Duties:** In addition to abiding by User duties, Management also shall do the following for the Technology Resources noted below:

**5.1.2.1 Corporate Data:**

**5.1.2.1.1** Review their staff requests to use personal or non-Corporate devices or services for transmitting and/or storing Corporate data. Management should know that they could be held responsible if Corporate information should be lost or exposed due to their staff's use of personal or non-Corporate devices or services.

**5.1.2.1.2** Grant and revoke access rights for departmental data and applications.

**5.1.2.1.3** Submit their employees' permission requests for Corporate electronic data (i.e. for the granting, revoking, and maintaining of same).

**5.1.2.1.4** Notify Information Technology if a User requires temporary access rights to Corporate electronic data.

**5.1.2.1.5** Ensure that their staff who enter data into Corporate systems have received the appropriate training and are aware of the rules for entering data into those systems.

**5.1.2.2 Corporate Hardware:**

**5.1.2.2.1** Submit a request to Information Technology if Hardware or software needs to be moved, added, or replaced.

**5.1.2.2.2** Notify Information Technology immediately if departmental staff members have added, removed, or moved equipment so Corporate inventory records may be kept up-to-date.

**5.1.2.2.3** Obtain Corporate Hardware from supervised employees when the employee has been terminated or the Hardware is no longer required for his/her job function.



**5.1.2.2.4** Work with Information Technology to protect and secure Corporate Hardware that is accessible by the public.

**5.1.3 Policy Violations:** Any individual who willfully or purposefully does not abide by the sections pertaining to him/her is considered to be in violation of This Policy. Additionally, using any Corporate technology for the following purposes is considered a violation of This Policy:

**5.1.3.1** Compromising the security of Corporate Technology Resources.

**5.1.3.2** Soliciting for personal business reasons, promoting personal causes or associations, or advertising the sale of any item. The Corporate bulletin boards (electronic or otherwise) are available for these purposes, but any postings shall conform to This Policy and any other Corporate policies.

**5.1.3.3** Using Internet Access or digital communications to visit sites, download, solicit, or disseminate materials that are offensive and/or threatening, pornographic in nature, contain hate propaganda, or other disparagement towards others based on their race, ethnicity, sex, sexual orientation, age, disability, and religious or political beliefs.

**5.1.3.4** Concealing or misrepresenting, or so attempting to do, the origin of any communication of a malicious nature initiated by the sender or forwarded.

**5.1.3.5** Using system resources for the storage of non-business related data or information (e.g. personal photos, desktop wallpaper, games, music).

**5.1.3.6** Degrading system performance such as reducing available bandwidth for others through non-business use of Internet and network resources.

**5.1.3.7** Representing oneself as someone else through the use or misuse of technology.

**5.1.3.8** Participating in frivolous communications.

**5.1.3.9** Violation of any of the Corporation's policies, By-laws, employee codes and standards of conduct, such as, but not limited to the Standards of Employee Department, Workplace Violence Prevention Policy, and the Respectful Workplace Policy.

**5.1.3.10** Violations of any provincial or federal legislation or regulations.

**5.1.4 Corporate Authority:** The following describes the methods available to the Corporation for regulating compliance of This Policy:

**5.1.4.1** The Corporation reserves the right to use technology systems, activity logs, performance analysers, data recovery and archival tools, monitoring and filtering tools, and visual confirmation as a means of tracking and documenting violations of This Policy.

**5.1.4.2** The Corporation reserves the right to view and access data on Corporate systems even if they are marked or flagged as “personal”. This includes, but not limited to the use of forensic tools to retrieve deleted information, or access information from Corporate systems that cannot be readily seen, e.g. log files.

**5.1.4.3** The Corporation reserves the right to delete or archive, personal or non-essential data or files on Corporate resources.

**5.1.4.4** Appropriate disciplinary action will be taken in accordance with the severity and frequency of the violation to This Policy. This discipline could include removing access to the Technology Resource, a verbal or written warning, a suspension, termination of employment, and/or billing the employee for misuse of the technology.

**5.1.4.5** The Corporation reserves the right to enlist law enforcement officers or bring legal action against a violator according to the severity of the breach of compliance with the policy.

**5.1.4.6** The Corporation will exercise discretion on instances where the policy violation was unsolicited by the User.

**5.1.5 Policy Exceptions, Clarifications, and Formal Challenges:** A User making a policy exception request shall follow proper process by making the request to his/her immediate supervisor. Likewise, a User may request a clarification of This Policy or its related procedures at any time and shall follow proper process by making the request to his/her immediate supervisor. If necessary, the supervisor will bring the request forward.

**5.1.6 Personal Use of Corporate Technology:** Notwithstanding the foregoing regulations, limited personal use may be permitted where such use does not:

- increase costs
- reduce productivity
- impact network performance
- interfere with work duties
- limit accessibility of shared Corporate technology
- violate This Policy
- impact negatively on the Corporation’s reputation

Data or information created or stored using the Corporation’s electronic media is not private and may be monitored or tracked by the Corporation at any time without notice. If a confidential means of sending and receiving

personal communications and storing of personal files are required, use a personal device unconnected to any Corporate Technology Resource.

## 5.2 Definitions:

**5.2.1 “Audit”** means to engage a Technology Resource in e-discovery for the purposes of legal requirements; ensure continuity of work processes; to improve business processes and manage productivity; and to prevent misconduct and ensure compliance with the law.

**5.2.2 “Child Pornography”** is defined as stated in the *Child and Family Services Act* of Ontario.

**5.2.3 “Communication Systems”** include, but are not limited to, the following:

- E-mail
- Phones (including cell Phones)
- Voice mail
- Faxes
- Internet communication services (such as instant messaging, SMS, blogs, forums, social-networking, etc.)

**5.2.4 “Corporate”** means of or pertaining to the Corporation.

**5.2.5 “Corporation”** refers to The Corporation of the City of Windsor.

**5.2.6 “Hardware”** includes, but is not limited, to the following:

- Desktop computers
- Laptops
- Notebooks
- Handheld computers (including personal information devices)
- Printers
- Modems
- Cables
- CD's (i.e. compact disks)
- Floppy disks (i.e. floppies)
- Electronic devices connected to Corporate assets
- Peripherals
- Wireless devices

**5.2.7 “Internet Access”** includes Instant Messenger and other Internet services.

**5.2.8 “Legally Owned Software”** is software for which proof of legal ownership can be produced. If the proof cannot be produced, then it is considered to be illegal. Any of the following can serve as proof of ownership:

- The original license for the software package.

- A purchase order for the software package.
- A cheque request for the software package.
- An original disk/cd with a serial number for the software package.
- Proof of purchase from the vendor.
- Vendor documentation for freeware/free downloads.

**5.2.9 “Management”** is defined as non-union staff members with direct reports.

**5.2.10 “Password”** includes Personal Identification Numbers, pass phrases, and two-factor authentication devices. A digital **certificate** is another mechanism that can identify a specific User or device.

**5.2.11 “Multi-factor authentication”** requires a verification method in addition to your primary authentication method (i.e., something you know, such as a password, passphrase, or personal identification number) to access devices and accounts. Two or more authentication factors are required to verify user identity.

These additional factors (or verification methods) include:

- Something you have, such as a smartphone, token, or smartcard
- Something you are, such as a biometric like a fingerprint

Two-factor authentication is a specific type of multi-factor authentication that requires two factors for user verification.

**5.2.12 “Phones”** and **“Telephones”** includes cell Phones, desk Phones, and fax machines.

**5.2.13 “Security Administrator”** is the designated staff person who is responsible for the security of information and information technology. In some situations, this function may be combined with the System Administrator.

**5.2.14 “System Administrator”** is the designated staff person who is responsible for the day-to-day operation of system and network resources.

**5.2.15 “Technology Group Leader”** is the designated staff person who will assist assigned work area staff with technology policy and procedure issues and questions, as well as act as a liaison with Information Technology to ensure technology procedures are being followed. This function is performed by the Managers of Administration for the department; however, depending on the departmental structure, this role could be filled by different staff (e.g. Phone book editors, Internet/Intranet web content editors).

**5.2.16 “Technology Resources”** include, but are not limited to, data, software, Hardware, telecommunications, and networking.

**5.2.17 “This Policy”** is defined as the Acceptable Use Policy and its associated procedures.

**5.2.18 “User”** is defined as an employee, student, intern, volunteer, councillor, Mayor or board member of the City of Windsor or its agencies who uses Corporate Technology Resources, whether explicitly or implicitly, by signing on or using a system.

**5.2.19 “Userid”** is a unique individual identification protected by a Password, or other secure authentication method, to gain access to Corporate and departmental systems, resources and applications, for example voice mail.

## **6. RECORDS AND REFERENCES**

**6.1** Documents generated as a result of This Policy will be maintained in accordance with the Corporation’s Records Retention By-Law 21-2013.

**6.2** The following Information Technology procedures and forms are related to This Policy and are located on the Corporate Intranet:

- Exception Request procedure
- User Add/Change/Delete Access procedure
- Hardware, Software, or System Acquisition and Justification procedure.
- Relocation and/or Removal of Corporate Hardware, Software, Data, or Systems procedure.
- Telephone and Telephone System procedures
- Password procedure
- Multi-factor authentication procedure
- Archiving of Corporate Data and E-mail procedure
- Out-of-Office procedure for Voice Mail and E-mail

**6.3 Referenced Policies:** The Acceptable Use Policy is intended to support and augment the following policies and legislation, or their latest revision, dealing with similar or related issues:

- Code of Ethics and Conflict of Interest for Staff and Volunteers Policy
- Concerned Employee Policy
- Records Retention By-law
- Code of Conduct for Members of Council and Boards and Committees
- Cellular Devices Policy
- Fraud and Misuse of Assets Policy
- Social Media Policy
- Standards of Employee Department

- Workplace Violence Policy
- Respectful Workplace Policy
- Project Management Methodology Policy
- The Province of Ontario's Municipal Freedom of Information and Protection of Privacy Act (MFIPPA).
- The Federal Controlling the Assault of Non-Solicited Pornography and Marketing Act of 2003 (CanSPAM).
- The Federal Personal Information Protection and Electronic Documents Act (PIPEDA).
- Purchasing By-law
- Child and Family Services Act (C.11).
- Criminal Code (Canada).

If a conflict should arise between policies in the areas of interpretation, application, or responsibility, the policy with the more stringent or restrictive interpretation shall apply.

## THE CORPORATION OF THE CITY OF WINDSOR POLICY

Service Area:	<b>Office of the Commissioner of Infrastructure Services</b>	Policy No.:	
Department:	<b>Engineering</b>	Approval Date:	
Division:	Design	Approved By:	
		Effective Date:	
Subject:	<b>Pedestrian Generator Sidewalk Policy</b>	Procedure Ref.:	Pedestrian Generator Sidewalk Procedure
<b>Review Date:</b>		<i>Pages:</i>	Replaces: CR343/2007
Prepared By:	Pierfrancesco Ruggeri / Paul Mourad		Date:

### 1. POLICY

**1.1** This policy affirms Council's intention to construct Pedestrian Generator Sidewalks and related pedestrian facilities on local roads and school approach streets in areas, as determined by:

- 1.1.1** The provisions of the Official Plan, specifically Sections 7.2 and 7.2.3;
- 1.1.2** The Active Transportation Master Plan;
- 1.1.3** Recommendations from area residents, Councillors, School Boards or other pedestrian generating entities;
- 1.1.4** The Pedestrian Generator Sidewalk Evaluation Form;
- 1.1.5** Budgetary allocations.

**1.2** A Pedestrian Generator Sidewalk and related pedestrian facilities may be warranted where any of the following conditions exist:

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

### 2. PURPOSE

**2.1** This policy is intended to:

- 2.1.1** Increase pedestrian safety by creating separation from vehicles;
- 2.1.2** Expand opportunities for sustainable transportation;

- 2.1.3 Improve the health and welfare of City residents; and
- 2.1.4 Implement the Pedestrian Network Policies identified in the City of Windsor Official Plan and the Active Transportation Master Plan.

### **3. SCOPE**

- 3.1 This policy applies to the construction of all new sidewalks and related pedestrian facilities other than those:
  - 3.1.1 To be constructed as a Local Improvement under the Municipal Act, 2001, Ontario Regulation 586/06, or superseding provincial legislation;
  - 3.1.2 To be constructed under the terms of a development or servicing agreement under the Planning Act;
  - 3.1.3 To be constructed on a public highway with an arterial or collector road designation and which does not serve as a school approach street;
  - 3.1.4 To be constructed on a public highway designated as a Transit Windsor route.
- 3.2 Where appropriate, benefiting organizations (excluding School Boards) may be asked to contribute a portion of the cost of the sidewalk.

### **4. IMPLEMENTATION**

- 4.1 The following Implementation Procedure should be followed to ensure a Pedestrian Generator Sidewalk is warranted and can be constructed in the area:
  - 4.1.1 A potential sidewalk is proposed, recommended or identified;
  - 4.1.2 Administration will evaluate the potential sidewalk using the Pedestrian Generator Sidewalk Evaluation Form and investigate possible alternatives and impacts;
  - 4.1.3 The potential sidewalk will be discussed internally to determine viability in accordance with this policy, initial budget implications and timing if necessary;
  - 4.1.4 If approved internally, Administration will request input from all pedestrian generator operators as well as the Windsor Police Service;
  - 4.1.5 Administration will prepare an Environment, Transportation and Public Safety Standing Committee Report and notify affected residents a minimum of 2 weeks before the meeting date;
  - 4.1.6 Should the Standing Committee move the report to Council, notifications will be provided to the pedestrian generator operators and residents that have responded to project communications;
  - 4.1.7 If Council approval is received, Administration will begin the process



of designing and constructing the sidewalk.

**5. RESPONSIBILITY**

**5.1** The Chief Administrative Officer is responsible for ensuring that the Corporation of the City of Windsor has a Pedestrian Generator Sidewalk Policy, that the policy and procedures are updated periodically to keep pace with best practices as they evolve, and that they are implemented in an efficient and effective manner.

**5.2** The City Engineer is responsible for:

**5.2.1** The implementation procedure;

**5.2.2** Coordination of future revisions;

**5.2.3** Providing a recommendation to Council as to whether or not construction of any sidewalk should proceed under this policy.

**6. GOVERNING RULES AND REGULATIONS**

**6.1** The City Engineer must determine the existence of the following conditions as outlined in the associated procedure prior to recommending sidewalk construction:

**6.1.1** Pedestrian generator(s) in the vicinity of the proposed sidewalk;

**6.1.2** Provision of dedicated pedestrian facilities;

**6.1.3** Lack of acceptable pedestrian/vehicular separation;

**6.1.4** General neighborhood need;

**6.1.5** Connection to other pedestrian facilities;

**6.1.6** Other factors of benefit to pedestrian travel.

**7. RECORDS, FORMS, AND ATTACHMENTS**

**7.1** Records created as a result of this policy will be retained in accordance with the Records Retention By-law 21-2013.

**7.2** Attachment: Pedestrian Generator Sidewalk Evaluation Form

**THE CORPORATION OF THE CITY OF WINDSOR  
POLICY**

Service Area:	<b>Office of the Commissioner of Infrastructure Services</b>	Policy No.:	
Department:	<b>Engineering</b>	Approval Date:	
Division:	Design	Approved By:	
		Effective Date:	
Subject:	<b>Cost-Sharing Policy for the Construction of School Bus Bays</b>	Procedure Ref.:	Cost-Sharing Construction of School Bus Bays
<b>Review Date:</b>		<i>Pages:</i>	Replaces: CR383/2009
Prepared By:	Pierfrancesco Ruggeri / Paul Mourad		Date:

**1. POLICY**

**1.1** This policy establishes the cost-sharing process between the Corporation of the City of Windsor and benefiting School Board for the construction of new school bus bays, identified as a priority by all publicly funded School Boards in the City of Windsor, subject to the availability of sufficient funds.

**2. PURPOSE**

The goal of this policy is to:

- 2.1** Increase student safety during bus drop-off/pick-up by creating a separation from roadway vehicles;
- 2.2** Reduce roadway congestion and enhance safety by removing buses from the travelled portion of the roadway.

**3. SCOPE**

This policy applies to the cost-sharing process between the Corporation of the City of Windsor and benefiting School Board for the construction of new school bus bays:

- 3.1** In accordance with applicable City of Windsor design standards (AS-540, etc.);
- 3.2** To be constructed on the public right-of-way, or on private school property;
- 3.3** Subject to the availability of sufficient funds.

**4. RESPONSIBILITY**

**4.1** The Chief Administrative Officer is responsible for ensuring that the Corporation of the City of Windsor has a school bus bay cost-sharing policy, that the policy and procedures are updated periodically to keep pace with best

practices as they evolve, and that they are implemented in an efficient and effective manner.

- 4.2** The City Engineer is responsible for the implementation of the school bus bay policy, coordination of any future revisions, maintaining appropriate records, and providing a recommendation to Council as to whether or not construction of any bus bay should proceed under this policy.

## **5. GOVERNING RULES AND REGULATIONS**

- 5.1** The City Engineer must determine the existence of the following conditions prior to recommending school bus bay construction:

**5.1.1** Wherein a School Zone Bus Bay, on the public right-of-way, has been identified as a priority by the benefiting School Board, that 50% of the actual construction cost be paid by the benefiting School Board and the remaining cost (including design and contract administration costs) be paid by the City, as per a cost-sharing agreement;

**5.1.2** Wherein a School Zone Bus Bay, on private property, has been identified as a priority by the benefiting School Board, that 60% of the actual construction cost be paid by the benefiting School Board and the remaining cost (including design and contract administration costs) be paid by the City as per a cost-sharing agreement;

**5.1.3** Wherever a school bus bay has been identified as a priority, construction of the bus bay will be at the decision of the City Engineer, subject to available funding;

**5.1.4** Wherein a school already has a bus bay on the public right-of-way, or where a school is being built, or expanded, City subsidy of the bus bay, whether on the right-of-way or private property, will not be considered;

**5.1.5** The City's financial contribution is limited to the City's Bus Bay Standard (AS-540) and any additional construction scope beyond this City Standard is to be paid for by the benefitting School Board as identified in the cost-sharing agreement;

**5.1.6** That funding of the Bus Bay Program be funded from approved budgetary allocations.

## **6. RECORDS, FORMS, AND ATTACHMENTS**

- 6.1** Records created as a result of this policy will be retained in accordance with the Records Retention By-law 21-2013.

- 6.2** Attachment: City Standard AS-540: Typical Concrete Bus Bay Detail



**Subject: Temporary Exhibition Look Again! Outside! Extension and Expansion - City Wide**

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

Decision Number: **CSSC 233**

THAT the request from the Art Gallery of Windsor (AGW, currently operating as Art Windsor-Essex AWE) to extend the *Look Again! Outside!* temporary exhibition of up to thirty-one (31) reproduction paintings in frames in the spring of 2024 for a period of up to ONE YEAR **BE APPROVED**; and further,

THAT the request from the AGW to relocate two (2) of these reproduction paintings in frames currently displayed in various locations in Sandwich Town to Paterson Park until the end of 2024 **BE APPROVED**; and further,

THAT the City Solicitor, or designate **BE AUTHORIZED** to prepare a Consent to Enter Agreement for the Art Gallery of Windsor to allow its employees, agents and contractors (collectively "**AGW**") to enter Paterson Park (the "**Consent Lands**") for the purpose of installing and maintaining the reproduction paintings (the "**Works**") to be relocated to the Consent Lands approved as to form and content by the City Solicitor, and in content by the Executive Director, Recreation and Culture, and the Executive Director, Parks and Facilities including the following terms:

- (i) The term of the agreement shall be for a period of up to one (1) year, commencing in the spring of 2024;
- (ii) The cost for the Consent to Enter Agreement will be granted for nominal consideration of \$1.00;
- (iii) AGW will be responsible for ensuring there is no damage to the Consent Lands and, upon termination of the Consent to Enter Agreement, any disturbance of the Consent Lands resulting from AGW's carrying out of its Works will be restored by AGW at its own cost to the satisfaction of the Executive Director, Parks and Facilities;
- (iv) AGW will be required to provide the City with indemnification and require proof of insurance with the following minimal coverage, satisfactory to the City: \$5,000,000 Commercial General Liability coverage, with "The Corporation of the City of Windsor" listed as an additional insured and cross-liability coverage and 30 days' notice of cancellation. The coverage must not exclude the Consent Lands and must specifically acknowledge the Consent Lands are included on the

proof of insurance. The City reserves the right to amend, restate and/or supplement the above requirements as determined by the City's Risk and Insurance Department from time to time.

THAT Administration **BE AUTHORIZED** to work with AGW to determine an appropriate area for the relocation of two (2) other existing framed reproduction paintings to new Sandwich Town locations until the end of 2024; and further,

THAT City Council **AUTHORIZE** the waiver of fees of up to \$8,525.00 for the permit to extend the total thirty-one (31) temporary art displays, as well as the refundable indemnity fee; and further,

THAT the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign an agreement with the AGW for the installation of the artworks in the City Right-of-Way, including the Consent Lands, for a period of up to ONE YEAR beginning in the spring of 2024, approved as to form and content by the City Solicitor, or designate and in technical content by the Manager of Right-of-Way, in financial content to the City Treasurer, and in content by the Executive Director, Recreation and Culture, and the Executive Director, Parks and Facilities.  
Carried.

Report Number: S 27/2024  
Clerk's File #: SR/13926

**Clerk's Note:**

1. The recommendation of the Community Services Standing Committee and Administration are the same.
2. Please refer to Item 8.2 from the Community Services Standing Committee held on March 6, 2024.
3. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20240306/-1/9472>

**Subject: Temporary Exhibition Look Again! Outside! Extension and Expansion - City Wide**

**Reference:**

Date to Council: March 6, 2024  
Author: Michelle Staadegaard  
Manager, Culture & Events  
mstaadegaard@citywindsor.ca  
519 253-2300 ext. 2726

Salina Larocque  
Cultural Development Coordinator  
slarocque@citywindsor.ca  
519 253-2300 ext. 2746

Recreation and Culture  
Report Date: February 16, 2024  
Clerk's File #: SR/13926

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

**Recommendation:**

**THAT** the request from the Art Gallery of Windsor (AGW, currently operating as Art Windsor-Essex AWE) to extend the *Look Again! Outside!* temporary exhibition of up to thirty-one (31) reproduction paintings in frames in the spring of 2024 for a period of up to ONE YEAR **BE APPROVED**; and further,

**THAT** the request from the AGW to relocate two (2) of these reproduction paintings in frames currently displayed in various locations in Sandwich Town to Paterson Park until the end of 2024 **BE APPROVED**; and further,

**THAT** the City Solicitor, or designate **BE AUTHORIZED** to prepare a Consent to Enter Agreement for the Art Gallery of Windsor to allow its employees, agents and contractors (collectively "**AGW**") to enter Paterson Park (the "**Consent Lands**") for the purpose of installing and maintaining the reproduction paintings (the "**Works**") to be relocated to the Consent Lands approved as to form and content by the City Solicitor, and in content by the Executive Director, Recreation and Culture, and the Executive Director, Parks and Facilities including the following terms:

- (i) The term of the agreement shall be for a period of up to one (1) year, commencing in the spring of 2024;

- (ii) The cost for the Consent to Enter Agreement will be granted for nominal consideration of \$1.00;
- (iii) AGW will be responsible for ensuring there is no damage to the Consent Lands and, upon termination of the Consent to Enter Agreement, any disturbance of the Consent Lands resulting from AGW's carrying out of its Works will be restored by AGW at its own cost to the satisfaction of the Executive Director, Parks and Facilities;
- (iv) AGW will be required to provide the City with indemnification and require proof of insurance with the following minimal coverage, satisfactory to the City: \$5,000,000 Commercial General Liability coverage, with "The Corporation of the City of Windsor" listed as an additional insured and cross-liability coverage and 30 days' notice of cancellation. The coverage must not exclude the Consent Lands and must specifically acknowledge the Consent Lands are included on the proof of insurance. The City reserves the right to amend, restate and/or supplement the above requirements as determined by the City's Risk and Insurance Department from time to time.

**THAT** Administration **BE AUTHORIZED** to work with AGW to determine an appropriate area for the relocation of two (2) other existing framed reproduction paintings to new Sandwich Town locations until the end of 2024; and further,

**THAT** City Council **AUTHORIZE** the waiver of fees of up to \$8,525.00 for the permit to extend the total thirty-one (31) temporary art displays, as well as the refundable indemnity fee; and further,

**THAT** the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign an agreement with the AGW for the installation of the artworks in the City Right-of-Way, including the Consent Lands, for a period of up to ONE YEAR beginning in the spring of 2024, approved as to form and content by the City Solicitor, or designate and in technical content by the Manager of Right-of-Way, in financial content to the City Treasurer, and in content by the Executive Director, Recreation and Culture, and the Executive Director, Parks and Facilities.

### **Executive Summary:**

N/A

### **Background:**

On September 11, 2020, The AGW submitted a request to install eight (8) temporary reproduction artworks in frames in Windsor's downtown core. This was approved by Council on November 9, 2020 (CR545/2020).

In 2021, the AGW launched *Look Again! Outside!* in downtown Windsor, placing reproductions of artworks from the AGW collection directly in the community. These reproduction artworks in frames were placed within the Right-of-Way and permit fees were waived in support of the initiative. By all accounts, the project was a success.

On September 15, 2022, the AGW submitted a request to expand the temporary art exhibition into all Business Improvement Areas (BIAs) across Windsor to further

enhance cultural vibrancy throughout neighbourhoods across the community. This brought the total number of artworks displayed in the project to thirty-one (31). With some of the reproduction artworks being displayed in the Sandwich Heritage Conservation District, the request went through the Development & Heritage Standing Committee, and received the committee's endorsement. This request was approved by Council on December 12, 2022 (C 207/2022).

On January 12, 2024, the AGW submitted a request via email to extend the display period on all thirty-one (31) pieces for one additional year – until the end of 2024, and to update some of the existing installations with new artworks to keep the installations fresh.

### **Discussion:**

The Art Gallery of Windsor (AGW) is a non-profit art gallery focused on presenting the visual arts of Canada. The AGW was formed on October 1, 1943, and incorporated on June 8, 1944, with the mandate of serving the Southwestern Ontario region and the international border community of Windsor, Ontario, Canada and Detroit, Michigan, USA. In the years since then, the gallery has become a pillar cultural institution situated in a premium and purpose-built downtown riverfront location in Windsor overlooking the Detroit River and downtown skyline. The AGW shares this City-owned building with Museum Windsor's Chimczuk Museum. The AGW has a long and well-respected position within the cultural community.

Over the years, AGW has actively engaged in projects and initiatives to transform into a community-centered gallery for the 21<sup>st</sup> century. As part of their strategic plan, they are striving to make the works in their collection relevant, accessible, and compelling to diverse and evolving audiences. *Look Again! Outside!* brings artworks out of the vault and into the streets and neighbourhoods. These reproductions are installed in selected sites for a period of at least one year. Installation and removal are handled by the AGW.

Since the project launched in Windsor, there have been successful iterations and editions of *Look Again! Outside!* at St. Clair College's main campus in Windsor, as well as in neighbouring Amherstburg with support from community donors and partners.

For the Windsor edition of this project, the AGW approached the City of Windsor and all BIAs to ensure a smooth planning and installation process. All parties remain enthusiastic in their support of this innovative project. The AGW continues to work closely with each partner noted below to ensure all locations are and remain suitable:

- Via Italia BIA: Brandi Myles, BIA Coordinator Filip Rocco, BIA President; BIA Board members
- Olde Riverside BIA: Chris Ryan, BIA President; BIA Board members
- Pillette Village BIA: Bridget Schuerman, BIA Executive Director; BIA Board members
- Ottawa Street BIA: Mike Osborne, BIA Coordinator; Ettore Bonnato, BIA President; BIA Board members



- Walkerville BIA: Shannon Gilbert, BIA Chair; BIA Board members
- Ford City BIA: Kaitlyn Karns, BIA Coordinator; Shane Potvin, BIA President; BIA Board members
- Wyandotte Town Centre BIA: Dana Horowitz, BIA Member
- Sandwich Town BIA: Thomas Coke, BIA Coordinator; Mary Ann Cuderman, BIA President; BIA Board members

For this project and its City of Windsor locations, the following requirements, established through previous approvals, remain in place:

- Permits are required for each installation.
- Each installation will be located within the Right-of-Way or within the approved location within the consent lands.
- Installations will be located on sidewalks or pre-existing cement pads, using the guidelines provided by the Manager of Right-of-Way.
- The AGW will be flexible on the locations in order to respect sightlines for traffic and pedestrian traffic moving through the spaces.
- The AGW project lead is required to coordinate with the City's Planning and Building Department for coordination with decorative streetscape elements within BIAs, and to consider relevant policies and guidelines (e.g. in Heritage Conservation District, Heritage and Community Improvement Program areas).
- The City's Culture & Events staff serve as liaisons between the AGW and the City's Planning and Building Department, Heritage Planner, and members of the Parks department to ensure the installations continue to meet requirements, and to assist the AGW in responding to any evolving requirements for installations sites.
- Any request for expansion of the number of artworks or extension of the display timeframe must be submitted to Administration for consideration by Council.

In response to the AGW's most recent request to extend the project timeframe, and in consultation with the City's Planning and Building Department, as well as the Heritage Planner, it was agreed that four (4) of the current installations in Sandwich Town will need to be removed or relocated in order to accommodate upcoming infrastructure work on roads and sewers likely to begin in the spring of 2024 and run through 2025. The AGW asked to relocate the pieces, rather than remove them, and submitted proposed locations in Sandwich Town for the relocation. That proposal document is included as Appendix A. Paterson Park has been deemed a suitable location for two (2) of these reproduction artworks. The AGW will work with City Administration, including the Planning and Building Department, Right-of-Way and the Heritage Planner to determine the best suitable Sandwich Town location for the other two (2) reproduction artworks.

As Paterson Park is a City-owned park, a right-of-way permit cannot be used for the installation of the two (2) reproduction artworks within the park. Should the recommendations be approved, the City will enter into a Consent to Enter Agreement with the AGW, to ensure the AGW can access the Consent Lands to complete its Works. The AGW will be responsible for repairing any damage to the Consent Lands that may result from their Works, at its own cost and to the satisfaction of the Executive Director, Parks and Facilities.

The AGW has requested that fees be waived for the current one-year duration of the project – until the end of 2024.

### **Risk Analysis:**

**Community Impact Risks:** The creative community of Windsor has welcomed the temporary art exhibitions that have been placed into the downtown core and throughout neighbourhoods across the city in the past. These community members view the installations as further evidence of the support that Council is directing towards the arts, culture, and heritage community in Windsor.

**Risks relative to Paterson Park:** Risk Management indicates that the City's risk increases when allowing third parties to access City owned land. In order to manage this risk, the AGW will be required to indemnify the City in the event of a loss and will be required to provide proof of liability insurance coverage for incidents arising from its use of the Consent Lands.

**Other Risks:** The Public Art Policy supports temporary art installations with the City of Windsor. The AGW provided an insurance certificate to the City of Windsor at the start of the exhibition that is satisfactory to our Risk Management department. The AGW will maintain that certificate of insurance in good standing throughout the duration of the exhibition. The AGW will also be responsible for all copyright costs, reproduction costs, framing and framing costs, installation costs, as well as all costs associated with the repair, maintenance, and removal of the exhibition at the end of the project. The installation/exhibit must at all times meet with the approval of the City of Windsor.

### **Climate Change Risks**

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

N/A

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

N/A

### **Financial Matters:**

#### ***Permit Fees:***

The permit fee to install one (1) sign (framed reproduction artwork) within the right-of-way is \$275.00. The request to install all thirty-one (31) framed reproduction artworks

will result in a total waiver of fee request of \$8,525.00. Administration also recommends that, consistent with the prior 2021 and 2022 agreements, the refundable indemnity fee of \$2,000 for all locations be waived. There are no direct costs to the City to enter into the Consent to Enter Agreement relative to Paterson Park and the operating budget impact of waiving the fees is limited to the loss of permit revenues.

As discussed in the original report to Council on December 12, 2022, (C 207/2022), the request for the waiver of fees does not specifically meet the City's policy requirements in two key areas: first, the condition that the AGW is not a registered charity as recognized by Canada Revenue Agency; and second, that the timing of the request being made does not fall within the 90-day requirement for requests of waiver of fees.

However, the organization has a history of delivering effective exhibitions and programming that are impactful and supportive of the creative community in Windsor. In addition, the City's Public Art Policy supports the temporary exhibition of art within our public spaces, and the social and community benefits outweigh the nominal cost of the waiver of fees. As such, Administration once again supports the provision of the waiver of fees once again in this circumstance.

***Consent Agreement:***

The cost to grant the one-year Consent to Enter Agreement is a nominal consideration of \$1.00.

In addition, AGW is responsible for ensuring that there is no damage to the Consent Lands and that any disturbance to the Consent Lands will be restored by AGW at its own expense, to the satisfaction of the Executive Director, Parks and Facilities.

Accordingly, the approval of the Consent Agreement has no financial impact to the operating budget of the Culture and Event department.

***Right of Way***

At the completion of the agreement AWE shall remove and restore locations at their expense within 60 days notice from the City.

All work to City standard and to the satisfaction of the Commissioner of Infrastructure Services.

***Consultations:***

- Kevin Alexander, City Planner, Special Projects
- Kristina Tang, Heritage Planner
- Stefan Fediuk, City Planner, Landscape Architect
- Karen Kong, Permit Clerk, Right of Way
- Adam Pillon, Manager, Right of Way
- Dave Nicholls, Manager, Parks Operations
- Aaron Farough, Senior Legal Counsel, Legal & Real Estate
- Alex Vucinic, Manager, Purchasing and Risk Management
- Denise Wright, Manager of Real Estate Services

## Conclusion:

Through continuation of this successful and impactful Art Gallery of Windsor project, a public art installation, with thirty-one (31) individual displays will remain available for the community to enjoy twenty-four hours a day, seven days a week in neighbourhoods across the city. This is an excellent complement to the City of Windsor's existing collection of contemporary public art. The City of Windsor, through Council, has made a significant contribution to the cultural fabric of the community and continues working to develop cultural hubs throughout the BIAs. This initiative also encourages residents and visitors to take advantage of the opportunity to get outside and explore, which is of significant benefit to the collective well-being, both physical and mental, of all community members. This temporary public art installation will also continue to support and enhance opportunities within the creative community, and beyond to celebrate Windsor's rich arts, culture and heritage assets, stories, and experiences.

## Planning Act Matters:

N/A

## Approvals:

Name	Title
Salina Larocque	Cultural Development Coordinator
Tracy Ou	FPA – Recreation & Culture
Michelle Staadegaard	Manager, Culture & Events
Jen Knights	Executive Director, Recreation and Culture
James Chacko	Executive Director, Parks and Facilities
Ray Mensour	Commissioner of Community Services
Wira Vendrasco	City Solicitor (Acting)
Dana Paladino	Commissioner of Corporate Services (Acting)
Mark Winterton	Commissioner of Infrastructure Services (Acting)
Tony Ardovini	On behalf of Commissioner of Finance & City Treasurer
Ray Mensour for Joe Mancina	Chief Administrative Officer

**Notifications:**

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

**Appendices:**

- 1 Appendix A - Look Again! Outside! Sandwich Town Proposed Relocations from the AGW



# *Look Again! Outside*

## Sandwich Re-location Proposed Sites

Feb 2024



# *Look Again! Outside: Sandwich Proposed Relocations.*

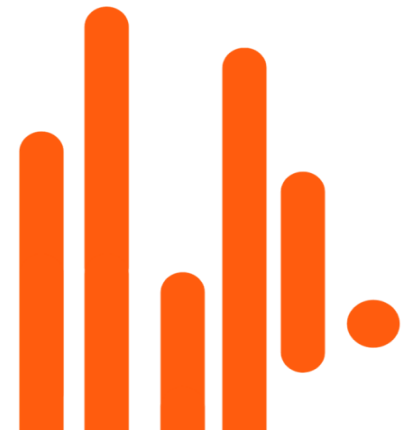
In consultation with the Sandwich BIA and community partners, AWE proposes moving four installations from areas soon to be under construction to Paterson Park. AWE seeks to renew permissions for the existing location in Mill Park.

Installations in Sandwich blend with existing and planned street furniture and have been well-received by the community. Relocating reproductions will encourage residents and visitors to gather in the park, helping the neighbourhood to retain its vital pedestrian life during the construction. Maintaining installations in Sandwich will support the BIA goals of attracting visitors. AWE has planned programming with the BIA and other community partners for 2024/2025 in the area.

AWE is happy to collaborate with city staff and leadership on identifying locations that meet all stakeholder needs and ensure the continued safe enjoyment of public spaces.



AWE received a Community Benefits grant for *Look Again! Outside* in Sandwich, and through that support hired local resident Reginald S. Tolson as Co-Curator to select the works and locations. Reginald selected work that he feels represents the “Past, present and future” of the neighbourhood.



# Reproductions to Relocate



**A. Daphne Odjig, *Vision*, (from the Jerusalem Series),** not dated, ca. 1976, Serigraph on Arches paper, 156/250, 74.5 cm x 55.5 cm  
Gift of Philip Gevik, 2017, 2017.023



**B. Frederick Verner, *View of Sandwich*,** December 1879 1879 watercolour over graphite on paper Gift of W.T. Grant in memory of his wife Janet B. Grant, 1980 size C, drawer C 10 5 1/2 x 18 7/8 1980.017



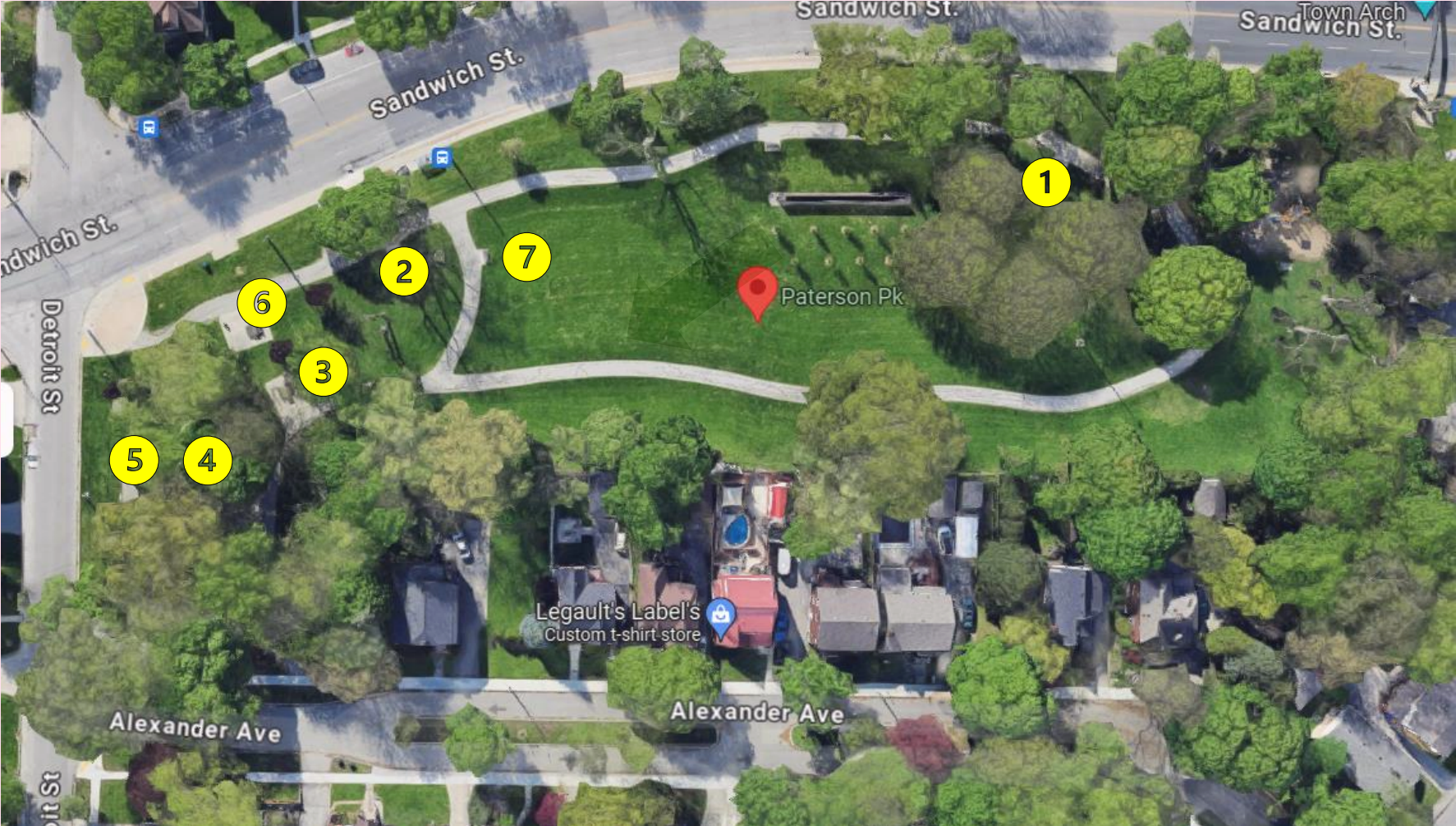
**C. Kenneth Saltmarche, *Untitled* (panel for the Cleary Auditorium),** 1959-1960, oil and gold leaf on masonite, 122.0 cm x 244.0 cm  
Gift of the Cleary International Centre, 1993, 1993.024



**D. Eleanor Bond, *Study after Protective Communities in an Aging City*,** 1998-2000, oil on board, 41.0 cm x 57.0 cm  
Gift of the artist, 2001, 2001.009



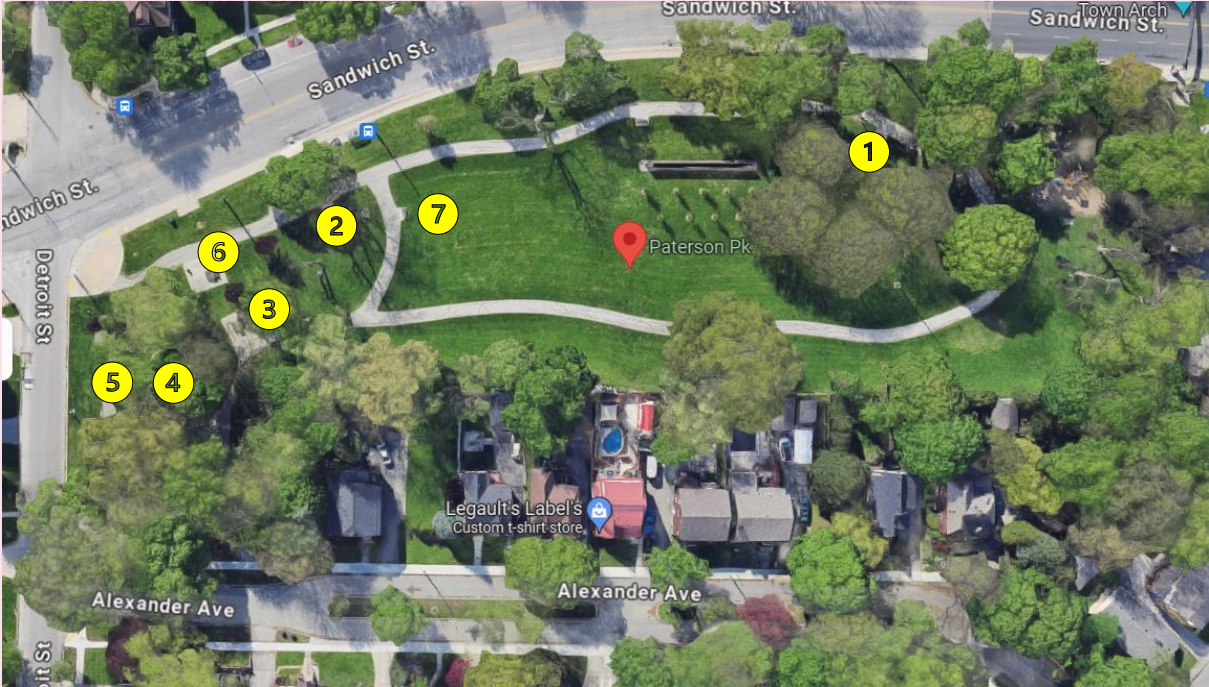
# Proposed Sites for Relocation: Paterson Park



Together with the local BIA, AWE has identified seven possible locations for relocating the four installations that need to be moved to accommodate planned construction.

We are happy to work with City of Windsor staff to select the best locations from this list or identify other suitable locations within the park to relocate installations.

# Location #1: Bench on path near playground

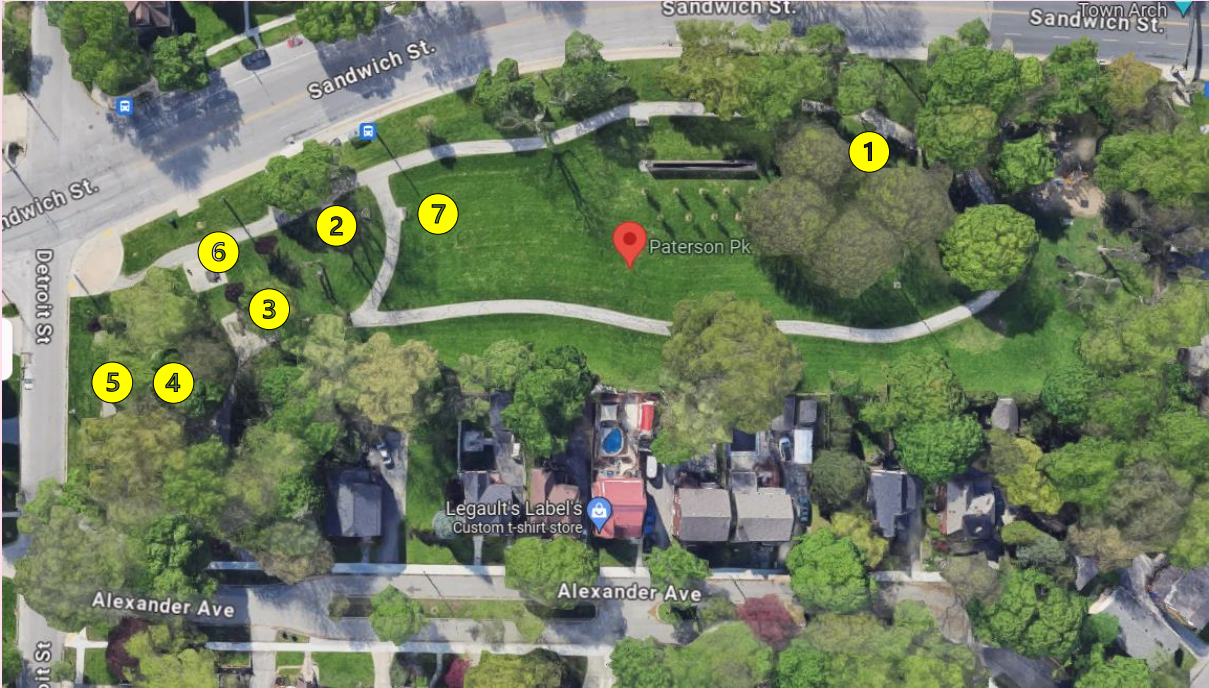
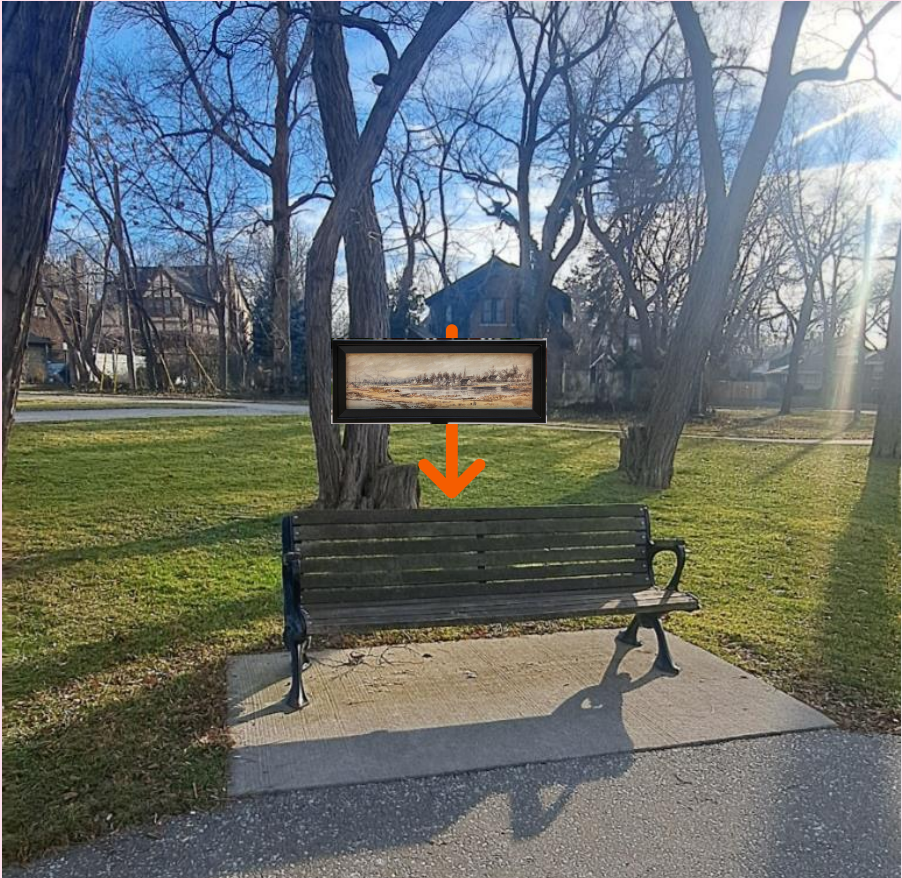


This location is visible to those using the path to travel East along Sandwich, and to those entering the park towards the playground. Installation would be mounted behind the bench on the concrete pad.

Reproduction for location:  
Kenneth Saltmarche, *Untitled (panel for the Cleary Auditorium)*



# Location #2: Bench Area Facing Sandwich Street

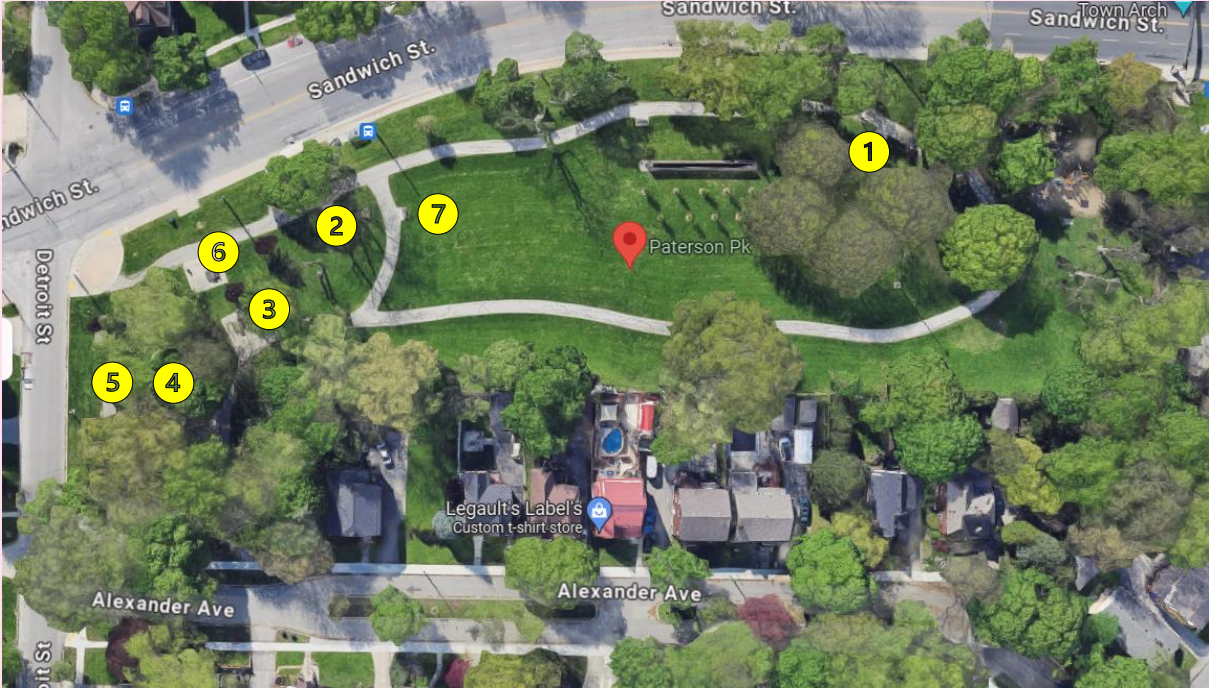


This location is visible to those using the path to travel East along Sandwich, and to those entering the park.  
Installation would be mounted behind the bench on the concrete pad.

Reproduction for location:  
**Frederick Verner, *View of Sandwich*,  
December 1879**



# Location #3: Concrete pad picnic bench area

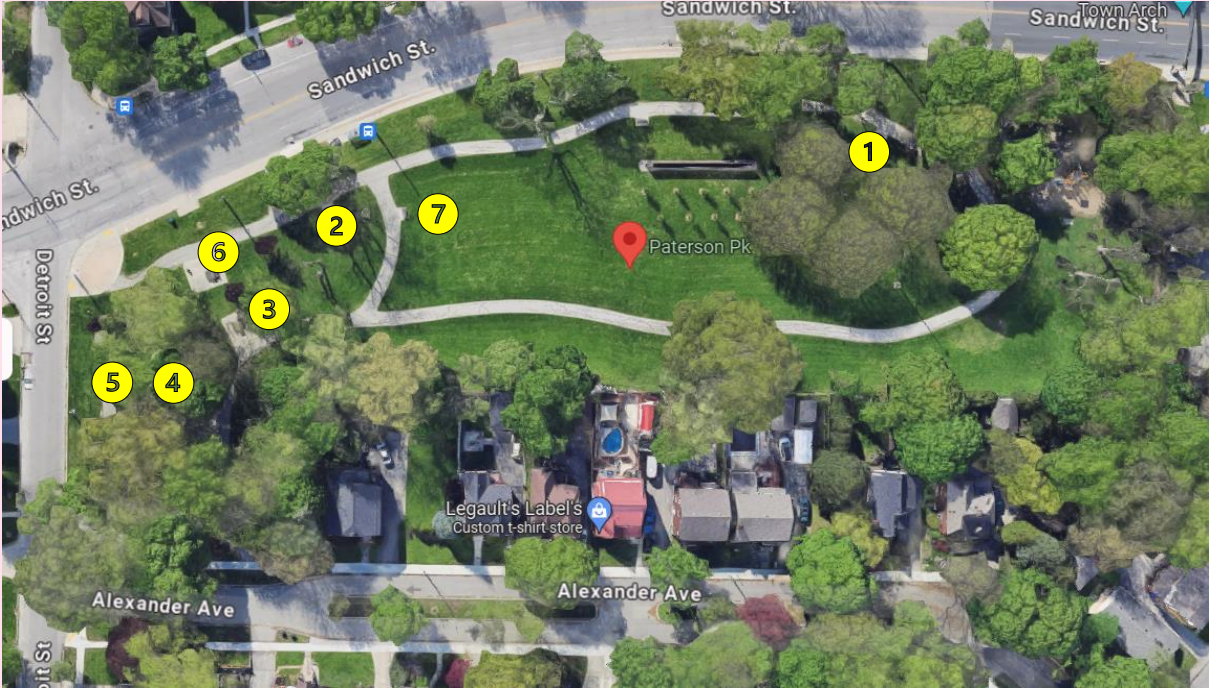


This location is visible to those visiting the park. Installation would be mounted on the corner of the concrete pad where indicated.

Reproduction for location:  
*Eleanor Bond, Study after Protective Communities in an Aging City*



# Location #4: Concrete pad picnic bench area

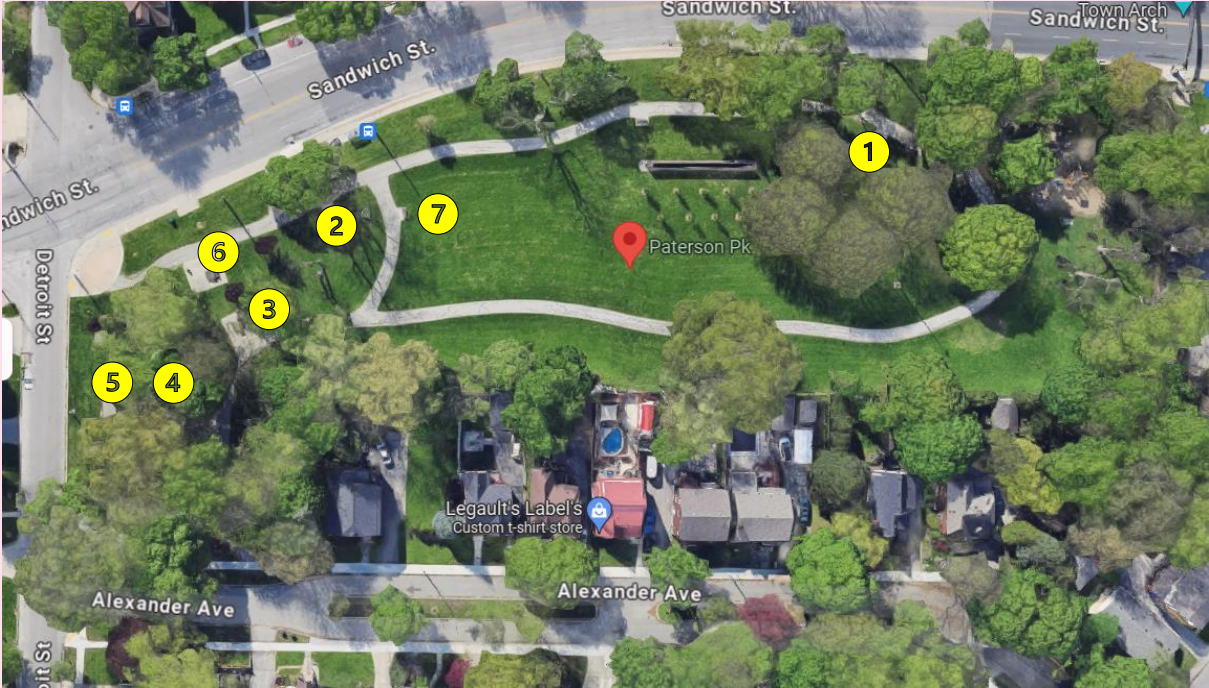


This location is visible to those visiting the park. Installation would be mounted on the corner of the concrete pad where indicated.

Reproduction for location:  
Daphne Odjig, *Vision*



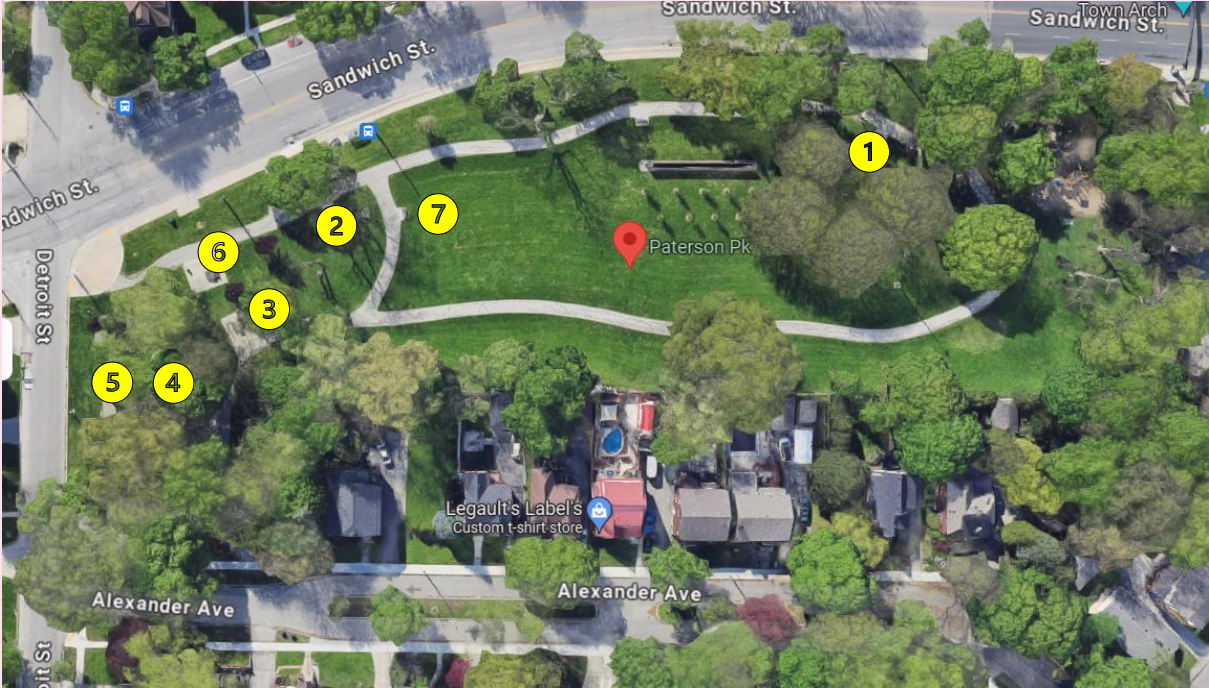
# Location #5: Concrete pad picnic bench area (Alternate location)



This location is visible to those visiting the park. Installation would be mounted on the corner of the concrete pad where indicated.



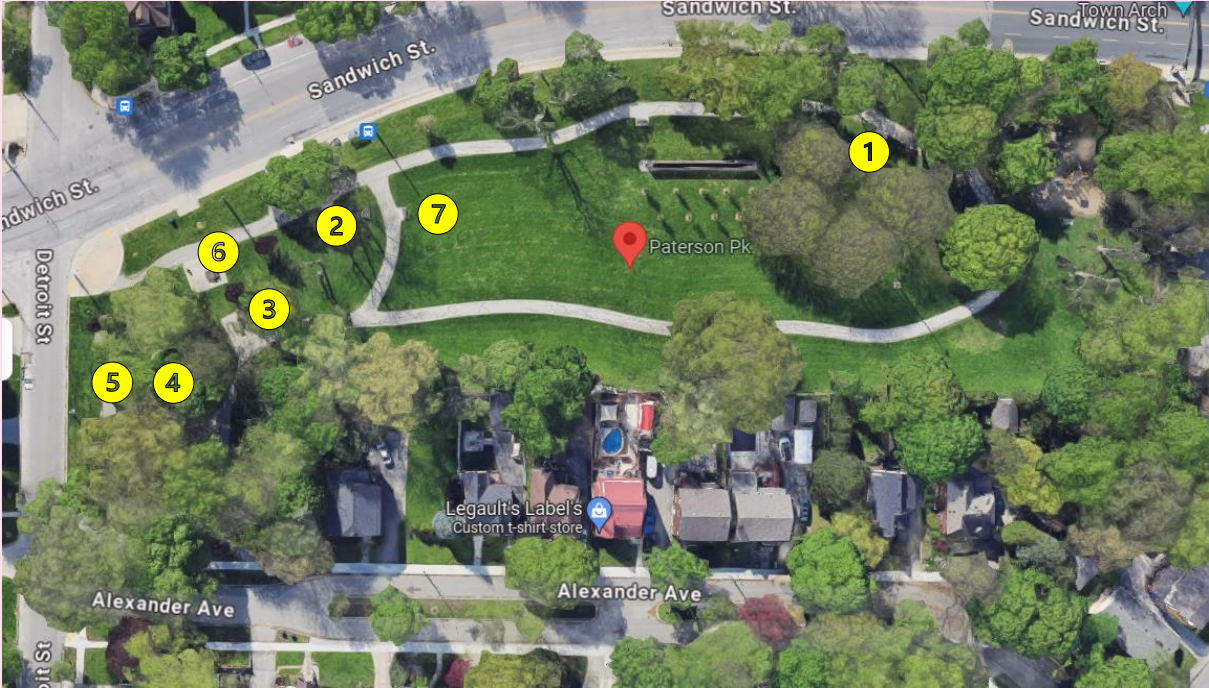
# Location #6: Concrete pad picnic bench area (Alternate location)



This location is visible to those using the path to travel East along Sandwich, and to those entering the park.  
Installation would be mounted on the concrete pad where indicated.



# Location #7: Bench Area in park near Bus Stop (Alternate location)



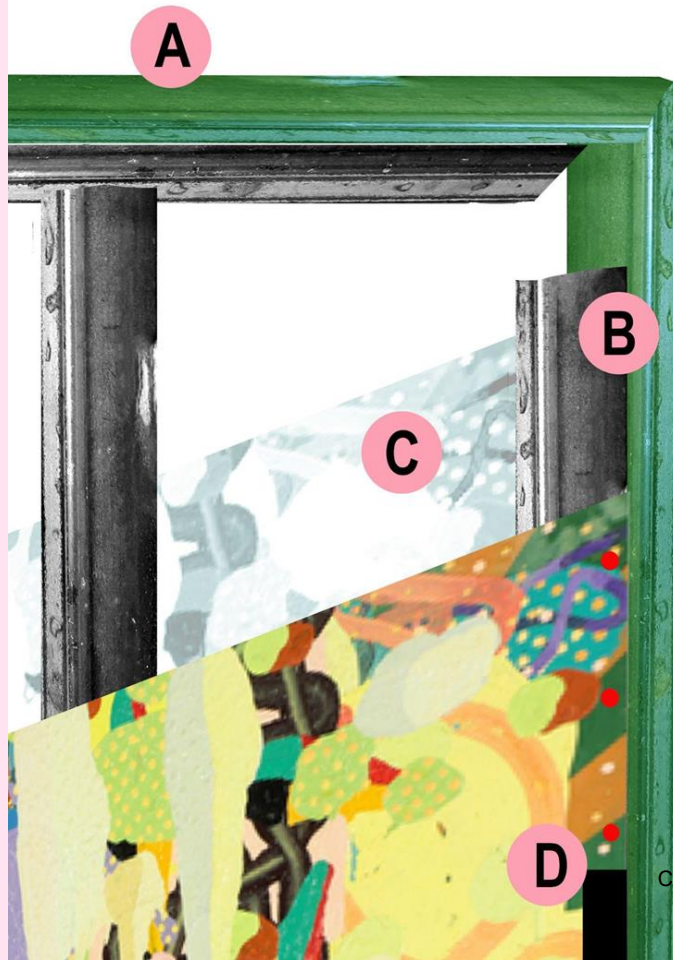
This location is visible to those using the path to travel East along Sandwich, and to those entering the park. Installation would be mounted behind the bench on the concrete pad.





# Fabrication & Materials:

Reproductions are printed on outdoor quality 3M vinyl, and mounted on rigid alupanel. The frames are made from steel, and finished in high-quality, weatherproof paint.



## Frame Construction: (cutaways for detail)

**A. Exterior (green for contrast) and Interior frames constructed from steel. Larger works also have vertical supports on the interior frame.**

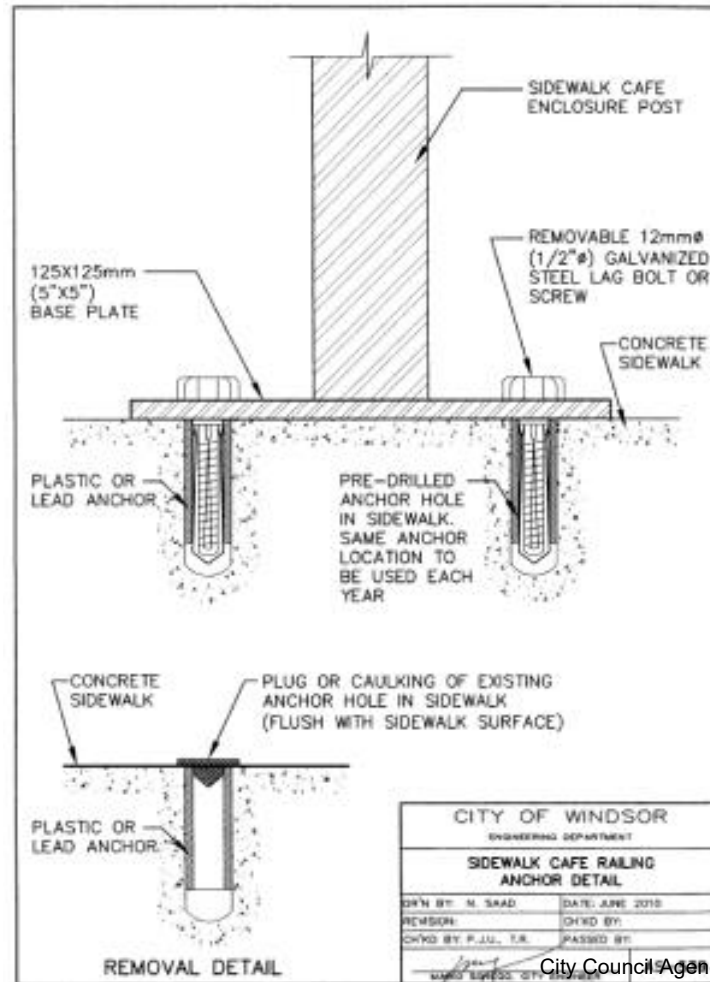
**B. Interior frame provides additional strength and mounting surface for the prints.**

**C. Images are mounted and secured to interior frame**

**D. Hardware is concealed with channel of black plastic, also sealing work from weather.**



# Installation Details:



Installations are placed in existing concrete, in the time this project has been mounted there have been no issues with the mounting of the installations.

AWE regularly conducts site visits, and communicates with our community stakeholders and partners.



## *Look Again! Outside*

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Head of Collections & Exhibitions  
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**Committee Matters: SCM 62/2024**

**Subject: Pathway to Potential: Windsor-Essex County Poverty Reduction Strategy 2024 – 2028 – City Wide**

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

Decision Number: **CSSC 234**

THAT the report of the Coordinator, Social Planning dated February 16, 2024 entitled “Pathway to Potential: Windsor-Essex County Poverty Reduction Strategy 2024 – 2028 – City Wide” **BE RECEIVED**; and,

THAT City Council **APPROVE** the new plan entitled Pathway to Potential: Windsor Essex County Poverty Reduction Strategy 2024-2028, attached as appendix A.  
Carried.

Report Number S 29/2024  
Clerk’s File: SS/10488

**Clerk’s Note:**

1. The recommendation of the Community Services Standing Committee and Administration are the same.
1. Please refer to Item 8.3 from the Development & Heritage Standing Committee held on March 6, 2024.
2. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20240306/-1/9472>

**Subject: Pathway to Potential: Windsor-Essex County Poverty Reduction Strategy 2024 – 2028 – City Wide**

**Reference:**

Date to Council: March 6, 2024  
Author: Charmaine Valbuena  
Coordinator, Social Planning  
cvalbuena@citywindsor.ca  
519-255-5200 ext 5302

Report Date: 2/16/2024  
Clerk's File #: SS/10488

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

**Recommendation:**

**THAT** City Council **ACCEPT** the report titled “Pathway to Potential: Windsor-Essex County Poverty Reduction Strategy 2024 - 2028”; and,

**THAT** City Council **APPROVE** the new plan titled Pathway to Potential: Windsor Essex County Poverty Reduction Strategy 2024-2028.

**Executive Summary:**

N/A

**Background:**

In April 2023, City Council received an update on the intention to renew the Pathway to Potential (P2P) Strategy and proceed with a comprehensive community consultation (CR 159/2023). The goal of the strategy renewal was to update P2P's framework, including a vision and goals that continued to meet the needs of residents living in poverty across Windsor and Essex County.

StrategyCorp Inc. was obtained through a Request for Proposal (RFP) issued by Social Policy and Planning to develop a renewed strategy and conduct a community consultation. Between July and November 2023, a comprehensive community consultation took place to understand the current state of poverty within Windsor-Essex County and existing efforts aimed at addressing poverty.

A progress update on the renewed Pathway to Potential Strategy was presented to the City of Windsor Community Services Standing Committee and County of Essex Council

in December 2023. The presentation included findings from the community consultation process, a draft of the renewed framework and an update on the project timeline.

Between December 2023 and February 2024, further revisions to the Pathway to Potential Strategy were made, incorporating feedback from City and County Councils, administration, stakeholders and residents.

### **Discussion:**

Since its inception, Pathway to Potential efforts have been aimed at addressing poverty within Windsor-Essex County. While efforts through Pathway to Potential have improved the lives of many Windsor-Essex residents living with poverty, poverty remains a complex challenge. Findings from research and community consultation conducted for the Pathway to Potential Strategy Renewal revealed that residents living in poverty face challenges and barriers, including increased cost of living, access to proper health and social services, affordable housing options, language barriers, mental health and addictions. Many of these barriers are beyond municipal government control and require new investments to make significant changes.

Over the years, the development of local efforts and networks aimed at addressing various dimensions of poverty has increased. These important efforts include but are not limited to Home Together: Windsor-Essex Housing & Homelessness Master Plan, Windsor-Essex Child Care and Early Years Service System Plan 2020 – 2025, ProsperUs Cradle to Career Strategy (with backbone support from United Way/Centraide Windsor-Essex County), and the Windsor-Essex Regional Community Safety & Well-Being Plan.

The development of these efforts addresses various dimensions of the challenges and barriers faced by residents living in poverty. The renewed strategy is more focused and aims to ensure that Pathway to Potential efforts continue supporting those living in poverty while complementing other local initiatives designed to reduce or alleviate poverty in the region.

More than 400 stakeholders throughout Windsor-Essex County contributed their input and feedback to the development of the strategy, including residents with living/lived experience with poverty, members of the public, community organizations, City and County Council members and municipal staff. Inclusionary practices to remove barriers to participation in the consultations were implemented, such as free childcare provision during public consultations, the City of Windsor Let's Talk website, translation of project information into multiple languages, and subsidized Transit Windsor bus tickets and smart card passes. Feedback received through interviews, surveys and consultations was incorporated into the development of a renewed vision, values, goals and priorities for Pathway to Potential.

The renewed Pathway to Potential Strategy aims at addressing poverty through a citizen-centred focus. The strategy applies community-based approaches while leveraging partnerships with agencies that support residents living in poverty. It also leverages Pathway to Potential's capabilities with data and research to drive continuous learning and to ensure that efforts evolve with the needs and challenges that residents

living in poverty face. The renewed Pathway to Potential Strategy is guided by the following vision, mission and values (to read the full report, please refer to Appendix A – Pathway to Potential: Windsor-Essex Poverty Reduction Strategy 2024 – 2028):

*Vision:* Windsor-Essex County is a thriving community, where residents have access to resources and opportunities to reach their full potential.

*Mission:* Through a collective and citizen-centred approach, Pathway to Potential aims to improve the quality of life for Windsor-Essex individuals and families living with poverty by fostering a collective sense of pride and belonging to the community, increasing access to affordable services and supports, and enhancing collaboration across the regional community.

*Values:* Equity, Collaboration, Compassion, Inclusivity, Citizen-Centred

The strategy adopts the Government of Canada's official definition of poverty, which is the "condition of a person who is deprived of the resources, means, choices and power necessary to acquire and maintain a basic level of living standards and to facilitate integration and participation in society." It identifies three goals that will guide Pathway to Potential between 2024 and 2028:

1. Strengthening Neighbourhoods Strategy – Pathway to Potential will use a community-based approach to strengthen priority neighbourhoods through the Neighbourhood Programs where Neighbourhood Leads will support the coordination of services and programs in the Windsor-Essex region.
2. Advancing Affordable Regional Programs – Pathway to Potential will collaborate with key stakeholders to advance existing affordable municipal services available for Windsor-Essex individuals and families living with poverty.
3. Measuring Regional Impact – Pathway to Potential will collect data and conduct research to measure progress on P2P strategic initiatives and to provide support for the development of municipal policies aimed at addressing poverty in Windsor-Essex.

Each goal within the strategy is mutually reinforcing. Initiatives, action items and deliverables have been established for each goal. In total, the Pathway to Potential Strategy includes 10 initiatives, 29 action items, and 26 deliverables. The details of each action and deliverables can be found in the report.

Within the renewed strategy, Pathway to Potential will continue to fund the 90% Recreation Discount and Affordable Pass Programs. The 90% Recreation Discount program aims to increase opportunities for Windsor-Essex residents living with poverty to participate in recreational, cultural and artistic activities. The program is delivered by municipal Recreation departments within City of Windsor, Municipality of Leamington, Town of Amherstburg, Town of LaSalle, Town of Essex, Town of Kingsville, Municipality of Lakeshore and Town of Tecumseh.

The Affordable Pass Program aims to increase affordable transportation options for residents living with poverty. Eligible residents receive subsidized monthly bus passes

through Transit Windsor and Municipality of Leamington. The program is available for residents living in Windsor, LaSalle, Leamington, Essex and Kingsville.

The renewed strategy adopts the Government of Canada's Quality of Life framework for measuring Pathway to Potential efforts and the impact on the community. The Quality of Life framework includes 84 indicators across five domains (prosperity, health, society, environment and good governance, aimed at measuring Canadians' well-being. The framework enables Pathway to Potential to measure the impacts of its investment on the quality of life of Windsor-Essex individuals and families living with poverty. Annual impact reports will be brought to City and County Councils, providing updates on Pathway to Potential's progress.

The renewed Pathway to Potential strategy was undertaken to address the evolving needs and challenges of Windsor-Essex individuals and families living with poverty. Through a focused approach, Pathway to Potential aims to address poverty by meeting residents where they are at to provide supports. The renewed strategy leverages opportunities for Pathway to Potential to collaborate with the many important local efforts existing within the region. The renewed strategy also enables Pathway to Potential to measure and evaluate its progress over the next four years, and to ensure that efforts are leading towards a thriving Windsor-Essex community.

### **Risk Analysis:**

The relevant criteria outlined in the Corporate Risk Assessment tool indicates the following:

**Resource Risks:** No additional funds are requested to implement the Pathway to Potential Strategy.

**Cross-Corporate Impact Risks:** Pathway to Potential provides funding allocations to the City of Windsor Transit and Leamington Transit (Affordable Pass Program), as well as the City of Windsor Recreation and County Recreation Departments (Subsidized Recreation Program and Brokerage/Third-Party Program). These initiatives are best practices and are well aligned with the poverty reduction strategy. They will continue to be delivered through the renewed strategy.

**Community Impact Risks:** The renewed poverty reduction strategy is intended to reduce the impact of poverty on residents of our community through the establishment of programs and planning efforts. In alignment with our community partners, Human and Health Services will continue striving to reduce poverty in Windsor-Essex County.

### **Climate Change Risks**

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

N/A



**Climate Change Adaptation:**

N/A

**Financial Matters:**

The total 2024 approved budget for programming and administration of the Pathway to Program is \$2,191,322. This program is funded through discretionary contributions by the City and County as shown below:

<b>Municipality</b>	<b>2024 Pathway to Potential Budget</b>
City of Windsor	\$ 1,521,768
County of Essex	\$ 669,554
<b>Total Funds</b>	<b>\$ 2,191,322</b>

**Consultations:**

Jennifer House, Financial Planning Administrator

**Conclusion:**

Poverty has no single cause and different groups face different barriers to economic self-sufficiency. The renewed Pathway to Potential strategy is a focused effort that leverages community collaboration, focuses on citizens and adopts best practices for combating poverty. Over the next four years, Pathway to Potential will dedicate efforts to delivering on the goals and initiatives outlined in the renewed strategy including strengthening priority neighbourhoods, advancing affordable regional programs and measuring regional impact. Through a focused approach, Pathway to Potential is committed to improving the quality of life for those living with poverty in Windsor-Essex County.

**Planning Act Matters:**

N/A

**Approvals:**

<b>Name</b>	<b>Title</b>
Charmaine Valbuena	Coordinator, Social Policy
Stephen Lynn	Manager, Social Policy & Planning

<b>Name</b>	<b>Title</b>
Linda Higgins	Manager, Intergovernmental Funding & Human Services Integration
Andrew Daher	Commissioner, Human & Health Services
Tony Ardovini	On behalf of Commissioner, Finance & City Treasurer
Ray Mensour for Joe Mancina	Chief Administrative Officer

**Notifications:**

<b>Name</b>	<b>Address</b>	<b>Email</b>
Shelley Fellows	ProsperUs	
Jessica Sartori	ProsperUs	
Tyson Cragg	Transit Windsor	
David Calibaba	Transit Windsor	
Eric Nadalin	Windsor-Essex County Health Unit	
Lorraine Goddard	United Way	

**Appendices:**

1 Appendix A - Pathway to Potential - Windsor-Essex County Poverty Reduction Strategy 2024-2028



# PATHWAY TO POTENTIAL

## Windsor-Essex Poverty Reduction Strategy 2024 - 2028



**PATHWAY TO  
POTENTIAL**

Poverty Reduction Windsor Essex  
City Council Agenda - Monday, March 18, 2024  
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County of  
**Essex**

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# LAND ACKNOWLEDGEMENT

## CITY OF WINDSOR

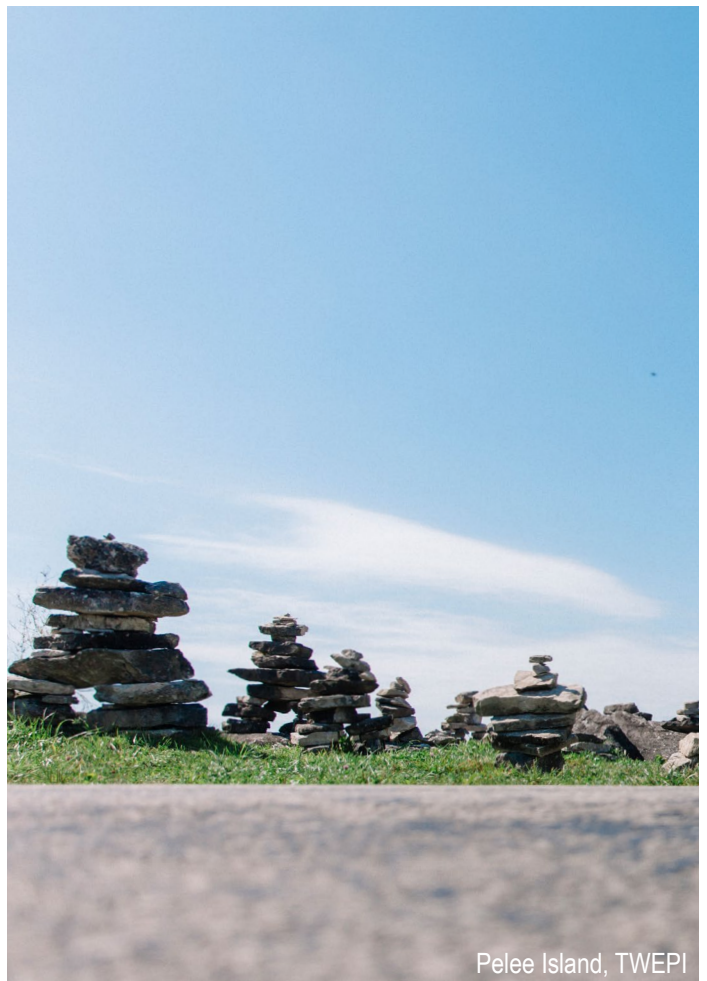
We [I] would like to begin by acknowledging that the land on which we gather is the traditional territory of the Three Fires Confederacy of First Nations, which includes the Ojibwa, the Odawa, and the Potawatomie. The City of Windsor honours all First Nations, Inuit and Metis peoples and their valuable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

## COUNTY OF ESSEX

We acknowledge the land on which the County of Essex is located is the traditional territory of the Three Fires Confederacy of First Nations, comprised of the Ojibway, Odawa and Potawatomie Peoples. We specifically recognize Caldwell First Nation and other First Nations which have provided significant historical and contemporary contributions to this region. We also value the contributions of all Original Peoples of Turtle Island, who have been living and working on this land from time immemorial.



Peche Island, TWEPI



Pelee Island, TWEPI

**SECTION 1**

# EXECUTIVE SUMMARY

This document presents the City of Windsor and County of Essex’s renewed Pathway to Potential strategy for poverty reduction within the region. This strategy, developed through extensive community consultation and engagement, recognizes the multifaceted nature of poverty. Our research and stakeholder engagement highlighted that to address poverty, a collaborative, unified, and citizen-centred approach is critical across the region. With that in mind, the City and County are taking a targeted approach that moves beyond traditional measures, addressing poverty in a broader, more comprehensive manner with the citizen at the centre of all efforts.

This renewed strategy embraces community-based approaches with a focus on continuous data-informed learning and improvement to ensure that the region’s efforts are consistently evolving with the needs of the people living with poverty in our local communities. At the heart of this strategy are three core goals:

**GOAL 1**

## STRENGTHENING PRIORITY NEIGHBOURHOODS

**GOAL 2**

## ADVANCING AFFORDABLE REGIONAL PROGRAMS

**GOAL 3**

## MEASURING REGIONAL IMPACT



Civic Centre, County of Essex

THE GOALS ARE SUPPORTED BY  
**10 INITIATIVES,**  
**29 ACTION ITEMS &**  
**26 DELIVERABLES**  
OVER THE COURSE OF THE NEXT FOUR YEARS.

This citizen-centered approach is built on equity, collaboration, compassion, and inclusivity, and aims to create communities where every individual has the opportunity to thrive.



City Hall, City of Windsor

## SECTION 2

## BACKGROUND

First developed in 2008, Pathway to Potential (P2P) is the City of Windsor and County of Essex's poverty reduction strategy. Central to P2P's work is a desire to improve the lives of Windsor-Essex individuals and families living with poverty. P2P has an extensive history and its growth reflects the changing landscape of poverty reduction efforts within the Windsor-Essex community:

- **2008:** The City of Windsor and County of Essex launch a regional poverty reduction strategy known as "Pathway to Potential" (P2P).
  - **2010 – 2015:** P2P launches a Request for Proposal (RFP) process. The selected service providers deliver community and municipal programs aimed at supporting Windsor-Essex individuals and families living with poverty.
  - **2010 – 2016:** P2P develops and implements a multi-sectoral advisory committee. The committee focuses on building awareness, advocating for systemic change and developing local innovations to address poverty.
  - **2015:** P2P launches a second RFP process for community programs aimed at targeting the root causes of poverty rather than its symptoms.
  - **2016 – 2023:** Selected community service providers operate P2P-funded programs throughout Windsor-Essex County. Affordable municipal programs continue to serve Windsor-Essex individuals and families living with poverty beyond 2023.
  - **2017:** A comprehensive strategy renewal is launched and P2P is rebranded as the 9-Point Social Investment Plan. The plan is designed to enhance the existing assets of residents by making strategic social investments in Windsor and Essex County
- Since P2P's last strategy renewal in 2017, substantial changes have occurred within the poverty landscape and the dynamics impacting Windsor-Essex individuals and families living with poverty:
- **COVID-19 Pandemic –** The pandemic impacted inequality and exacerbated unemployment levels, particularly for those living with poverty. A lockdown to protect public safety against the coronavirus has led to uncertainty in the lives of families and individuals in the region and across Canada.
  - **Support Networks and Strategies –** The strategies and networks of support services related to addressing poverty have changed since 2017. Various poverty-related strategies at all levels of government have been released including:
    - Government of Canada's first poverty reduction strategy, Opportunity for All, which included for the first time in Canada's history an official definition of poverty and official measurement of poverty
    - Province of Ontario's poverty reduction strategy Building a Strong Foundation for Success
    - ProsperUs Cradle to Career Strategy (backboned by the United Way Centraide/ Windsor-Essex County)
    - Windsor-Essex Regional Community Safety and Well-Being Plan
    - Home Together: Windsor-Essex Housing & Homelessness Master Plan

- Windsor Essex Community Opioid and Substance Strategy (WECOSS)
- Windsor-Essex Local Immigration Partnership (WE LIP)
- Windsor-Essex Child Care and Early Years Service System Plan 2020-2025
- Data-Informed Decision-Making – The availability of new, rich data has increased at all levels of government. Increased access to data enables P2P to understand the poverty context within the region, and how P2P can support poverty reduction efforts.

The goal of the Pathway to Potential (P2P) Strategy Renewal is to update the 9-Point Social Investment Plan. The renewed strategy aims to provide continuity in addressing regional poverty while recognizing the importance of teamwork and collaboration in improving the lives of those with lived/living experiences with poverty. It will aim to center citizens first in its delivery of services and programs, and it will leverage the use of technology to make data-informed decision-making. This renewed strategy includes a revised framework, updated vision and priorities for the next four years.

To address the uncertainty and changing dynamics of the poverty landscape within Windsor-Essex County, P2P embarked on a comprehensive renewal of the 9-Point Social Investment Plan.

**THE 9-POINT SOCIAL INVESTMENT INCLUDED THE FOLLOWING PRIORITIES:**

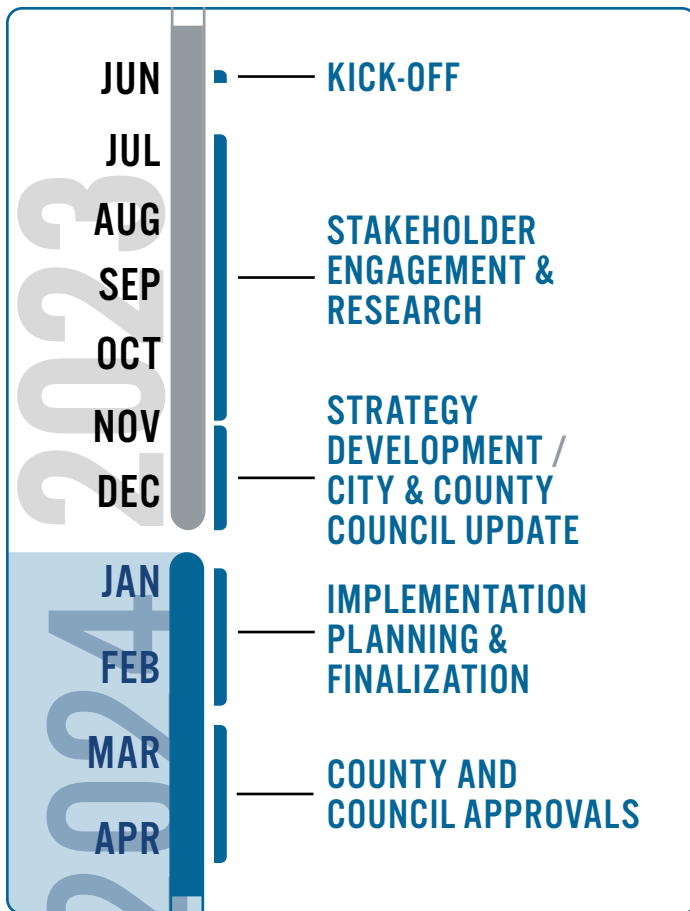
1. Promote foundational services or programs that support those who require assistance with basic needs
2. Work with lead community organizations on key projects aimed at improving the quality of life for residents
3. Champion opportunities toward betterment for residents at senior levels of government
4. Enhance or collaborate on equity and social inclusion frameworks to existing municipal programming
5. Remove transportation barriers for individuals living on a low-income
6. Create inclusive opportunities for children in low-income families through recreation and culture
7. Invest in neighbourhoods impacted by poverty and other complex community challenges
8. Communicate the strengths and community achievements through strategic promotion
9. Utilize best practices in data collection, analysis and reporting to enhance social investments



**SECTION 3**

**ABOUT THE PROCESS**

In April 2023, P2P staff received City of Windsor and County of Essex Council approvals to renew the 9-Point Social Investment Plan and to launch an RFP process for a consultant to lead in the strategy renewal. StrategyCorp was the successful consultant from the RFP process. In June 2023, the Pathway to Potential (P2P) Strategy Renewal project was launched and included four phases:



Thorough research and extensive consultations were key in developing the renewed Pathway to Potential strategy. The consultation process included a range of engagement initiatives to encourage community participation including

interviews, online engagement strategies, translated project information, focus groups, public consultation sessions and surveys. More than 400 stakeholders shared their input and perspectives into the renewed strategy:

- 20 City of Windsor and County of Essex Councillor Interviews
- 11 City of Windsor and County of Essex Staff Interviews
- 72 Participants through Seven Focus Groups and Seven Interviews with Community Organizations and Pathway to Potential Partners
- 71 City of Windsor and County of Essex Residents with Lived/Living Experiences with Poverty through Four In-Person Focus Groups
- 269 Respondents to Two Digital Community Surveys through the City of Windsor Let's Talk Website
- 38 Participants attended two hybrid community feedback sessions in the City and County

**REPRESENTATIVES FROM ACROSS THE REGION WORKED TOGETHER TO INFORM THE RENEWED FRAMEWORK, INCLUDING:**

- **City of Windsor Human & Health Services staff members from the following departments:**
  - **Housing Services**
  - **Children's Services**
  - **Employment & Social Services**
- **Windsor-Essex County Health Unit**
- **County of Essex staff**

**SECTION 4**

# KEY FINDINGS FROM STAKEHOLDER ENGAGEMENT AND SOCIAL POLICY RESEARCH

Social policy research was conducted to better understand the Windsor-Essex region’s poverty reduction ecosystem and external trends influencing poverty reduction policies and programs. The following presents the findings from the social policy research.

## SOCIAL POLICY RESEARCH FINDINGS

### Defining Poverty

- To adequately analyze poverty reduction efforts in Windsor-Essex, it is necessary to first define poverty. Based on research and best practices, Pathway to Potential is adopting the Government of Canada’s definition of poverty:

***“The condition of a person who is deprived of the resources, means, choices and power necessary to acquire and maintain a basic level of living standards and to facilitate integration and participation in society.”***

- This definition underscores that poverty goes beyond solely financial constraints. It emphasizes that it is not just about financial issues but also about lacking essential resources, choices, and the ability to participate in society. Therefore, an effective poverty reduction strategy should extend beyond mere financial assistance. It must provide sustainable access to necessary resources, empower individuals with the



Downtown Windsor, TWEPI

autonomy to make decisions, and facilitate their active engagement in the community.

### Lessons Learned from Poverty & Pathway to Potential’s Previous Strategy

- The previous Pathway to Potential strategy, the 9-Point Social Investment Plan, was too broad and did not have a targeted approach that effectively addressed poverty related issues.
- Poverty is a complex issue that requires a strategic, unified and citizen-centered approach that is consistently applied across all organizations, governments and communities across the region.
- With \$2.1M per year currently allocated for addressing poverty through Pathway to Potential, a more focused approach is needed to drive impact.
- With a focused approach, the P2P strategy complements other important initiatives in the region designed to address various elements of poverty.

## CURRENT STATE OF POVERTY IN WINDSOR-ESSEX REGION

### Poverty Rate

Data from the 2021 Census indicate a decline in the poverty rate compared to the 2016 Census, as defined by the Market Basket Measure (MBM):<sup>2</sup>

THE POVERTY RATE FOR WINDSOR-ESSEX COUNTY IS

**7.5% IN 2021**

(▼15.1% FROM POVERTY RATE IN 2016)

**30,980 RESIDENTS**

ARE LIVING WITH POVERTY IN WINDSOR-ESSEX

THE TREND IS SIMILAR ACROSS THE PROVINCE:  
THE POVERTY RATE FOR ONTARIO IS

**8.3% IN 2021**

(▼15.5% FROM POVERTY RATE IN 2016)

Poverty is more prevalent in the City of Windsor (10.8% poverty rate in 2021, decline from 21.5% poverty rate in 2016) compared to the surrounding municipalities in Essex County. For more detail on the poverty rates for each municipality within Windsor-Essex, please refer to *Appendix A - Community Profiles*.

The decline in poverty rate could be attributed to an increase in government transfers between the 2016 and 2021 Census data collection periods (2015 to 2020). These income supports include the introduction of the Canada Child Benefit (CCB) in 2016 and relief efforts provided during the COVID-19 pandemic, such as the Canada Emergency Response Benefit (CERB). Statistics Canada has forecasted an increase in the overall poverty rate in Canada in 2022 and 2023.<sup>3</sup> It is anticipated the poverty rate for Windsor-Essex will also increase as updated data become available.

### Unemployment Rate

The Windsor-Essex region continues to face issues with employment post-pandemic and the unemployment rate is higher than the Ontario average. A higher unemployment rate exacerbates the Windsor-Essex region's challenges with poverty. Without steady employment, individuals and families are likely to struggle to afford basic necessities and experience financial hardship.

### UNEMPLOYMENT RATE<sup>4</sup>

**8.1%**

**6.3%**

IN WINDSOR CENSUS  
METROPOLITCAN AREA (CMA)

IN ONTARIO

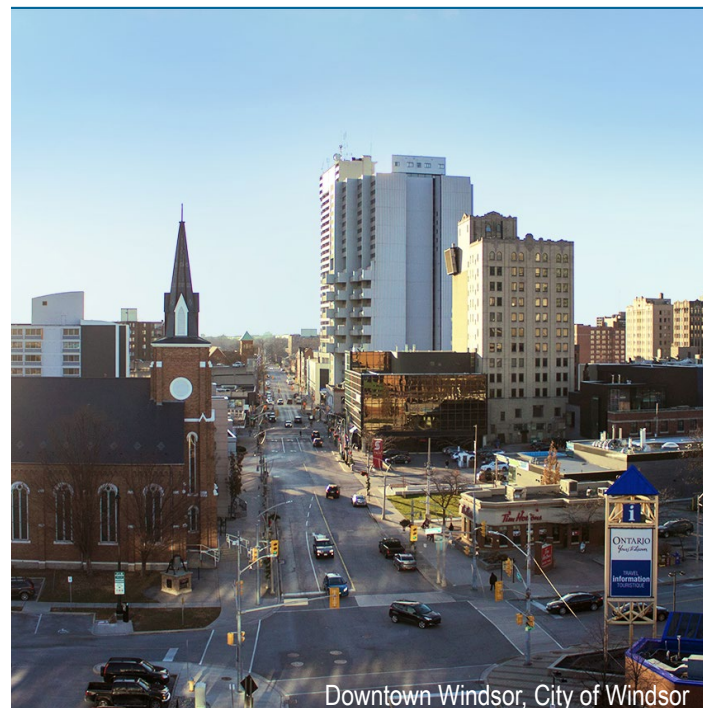
### PARTICIPATION RATE

**62.4%**

**64.8%**

IN THE WINDSOR CMA

IN ONTARIO



## Affordable Housing & Homelessness

- The Windsor-Essex region has limited affordable and attainable housing stock. The demand for Windsor’s subsidized housing is evident with a waitlist for publicly subsidized accommodation surpassing 7,700 households. 2021 Census data indicate that housing costs have increased for both Owned and Rented households in Windsor-Essex compared to 2016.<sup>5,6</sup>

### AVERAGE MONTHLY SHELTER COST IN 2021:



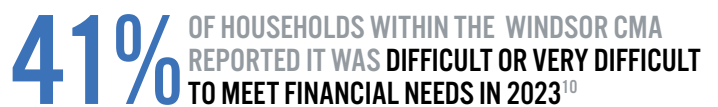
The Windsor-Essex region has acknowledged the need to address the housing crisis, leading to the implementation of the Windsor-Essex Housing & Homelessness Master Plan (HHMP). Data indicate that the number of households experiencing chronic homelessness increased 7.76% in 2022 (393 households) compared to 2021 (365 households).<sup>7</sup>

## Increase in Cost of Living

Estimates of cost of living are a critical input in the calculations involved in income-based poverty measures, such as the Market Basket Measure (MBM), as an individual’s ability to maintain a basic standard of living depends on what portion of their income is needed to cover these needs.

The cost of groceries for a family of four is \$262.68 weekly (\$1,137.39 per month), as reported in the Real Cost of Eating in Windsor Essex report released by the Windsor Essex County Health Unit (WECHU) in November 2023.<sup>8</sup> The report states:

***"For people living on either the minimum wage, Ontario Works, or the Ontario Disability Support Program (ODSP), it is often difficult to make ends meet. After paying rent, these individuals must also pay for other necessities such as heat and hydro, transportation, car maintenance and gas, childcare, phone/internet, and other expenses. This means that often little money is left for buying food and people go hungry."***  
 ~ The Real Cost of Eating in Windsor Report (WECHU)



## STAKEHOLDER ENGAGEMENT FINDINGS

Stakeholder engagement was implemented between July and November 2023 to gather community feedback and insights into the renewed strategy. The following presents the findings from the stakeholder engagement.

### Common Challenges and Barriers Facing People Experiencing Poverty in Windsor-Essex

- **Access to proper health and social services** - Individuals facing economic hardship struggle to obtain essential healthcare, hindering their ability to address both physical and mental health concerns. This lack of access exacerbates existing health disparities, creating a cycle of illness and financial strain.
- **Affordable housing options** - Many individuals and families grapple with the scarcity of viable housing options. The increasing cost of living further compounds this problem, making it difficult for those in poverty to secure stable and suitable accommodation. The ripple effect of housing instability contributes to various social issues, from strained family dynamics to challenges in education and employment.
- **Food insecurity** - The inability to consistently access sufficient and healthy food options perpetuates a cycle of poverty, as malnutrition hampers one's ability to pursue education and employment opportunities.
- **Increasing cost of living** - Higher costs for essential goods and services, coupled with limited income, create a financial strain that is difficult to overcome. This dynamic further deepens the divide between the impoverished and those with greater financial means, exacerbating social inequalities.
- **Language barriers** - Language barriers pose a significant obstacle for individuals in Windsor and Essex County, particularly for newcomers and immigrants. Limited proficiency can impede access to employment and essential services, creating a cycle of disadvantage that is difficult to break.
- **Mental health and addictions** – Limited access to mental health services and addiction support programs compound the challenges faced by those in poverty. The stigma associated with mental health and substance use disorders can also deter individuals from seeking help, perpetuating a cycle of untreated conditions and continued hardship.
- **Transportation and accessibility** - Limited public transportation options and the associated costs can isolate individuals, hindering their social mobility and perpetuating the cycle of poverty.

## QUOTES:

***“We don’t want to live like this...but whenever we try to make our situation better, they (government/institutions) send us on a wild goose chase and ask us for so many things that don’t make sense.”*** - Anonymous Focus Group Participant

***“How can we get anything done without a roof over our head? We need something consistent so we can rest and feed safe.”*** - Anonymous Focus Group Participant

***“We already have so little...now with everything so expensive, we literally don’t have anything at all. We will never get better now without more help from you guys.”*** - Anonymous Focus Group Participant

**SECTION 5**

# FRAMEWORK OVERVIEW

## VISION

Windsor-Essex County is a thriving community, where residents have access to resources and opportunities to reach their full potential.

## MISSION

Through a collective and citizen-centred approach, Pathway to Potential aims to improve the quality of life for Windsor-Essex individuals and families living with poverty by fostering a collective sense of pride and belonging to the community, increasing access to affordable services and supports, and enhancing collaboration across the regional community.

## VALUES

Equity, Collaboration, Compassion, Inclusivity and Citizen-Centered

### GOAL 1

#### STRENGTHENING PRIORITY NEIGHBOURHOODS

- Identify priority Neighbourhoods
- Develop Framework for neighbourhood strengthening
- Launch and support Neighbourhood Programs
- Establish Regional Neighbourhood Council

### GOAL 2

#### ADVANCING AFFORDABLE REGIONAL PROGRAMS

- Establish a citizen-centred approach to the delivery of Pathway to Potential-funded programs
- Increase awareness of regional affordability programs available for Windsor-Essex individuals and families living with poverty
- Expand the Transit Affordable Pass Program throughout the Windsor-Essex Region

### GOAL 3

#### MEASURING REGIONAL IMPACT

- Adopt the Government of Canada's Quality of Life Framework for measuring impact
- Establish a governance framework for collecting and managing data generated from Pathway to Potential-funded programs and initiatives
- Establish a Policy & Research Resource Committee

**SECTION 6**

## **PATHWAY TO POTENTIAL STRATEGY**

The renewed Pathway to Potential strategy leverages its existing strengths, notably its strong network across the Windsor-Essex region, affordable transit and recreation programs, and its role and capabilities as a governing body. To further enhance Windsor-Essex's efforts towards poverty reduction, this strategy adopts a community-based approach focused on continuous improvement. It emphasizes affordability and accessibility through the enhancement of existing services and programs and underscores the importance of regional collaboration to strengthen partnerships across municipalities and communities. In addition, the approach is dedicating efforts towards enhanced data collection to better inform decision-making and ongoing efforts.

The strategy is designed so that each goal influences the trajectory of other initiatives, ensuring that Pathway to Potential's efforts are always evolving with and responding to the needs and trends of the local communities. By building upon the established strengths of Pathway to Potential and integrating them into this new strategy, it amplifies communication, streamlines services, and optimizes the impact of collective efforts.

## **VISION**

*"Windsor-Essex County is a thriving community, where residents have access to resources and opportunities to reach their full potential."*

Pathway to Potential recognizes that for families and individuals living with poverty, there exists gaps in their capabilities to live in dignity. Pathway to Potential seeks to support those living with poverty by reducing or removing those gaps.

## **MISSION**

Through a collective and citizen-centred approach, Pathway to Potential aims to improve the quality of life for Windsor-Essex individuals and families living with poverty by fostering a collective sense of pride and belonging to the community, increasing access to affordable services and supports, and enhancing collaboration across the regional community.

## **VALUES**

**EQUITY:** Recognizing that everyone has unique circumstances and tailoring supports to help ensure individuals achieve equal outcomes.

**COLLABORATION:** Encouraging partnerships between the government, community organizations and residents.

**COMPASSION:** Approaching the challenges faced by individuals and families living with poverty with respect and empathy.

**INCLUSIVITY:** Empowering marginalized and vulnerable populations, and ensuring their voices are part of the process and solutions to addressing poverty.

**CITIZEN-CENTRED:** Centering service delivery improvements on the needs, perspectives, and satisfaction of citizens, particularly those living with poverty.

GOAL 1

## STRENGTHENING PRIORITY NEIGHBOURHOODS

Pathway to Potential will use a community-based approach to strengthen priority neighbourhoods through the Neighbourhood Programs where Neighbourhood Leads will support the coordination of services and programs in the Windsor-Essex region.

### CONTEXT

Adopting a community-based approach has emerged as a best practice in poverty reduction efforts. This approach emphasizes empowerment and tailored solutions for reducing poverty. While the Windsor-Essex region has various services and supports to address poverty, there is a critical need to increase awareness and improve accessibility to these supports. A community-based approach leverages local expertise and existing resources ensuring that interventions resonate with the needs and realities of the local neighbourhood. Neighbourhood Leads will work with local residents, businesses and organizations to address the needs and challenges within their respective neighbourhoods. Our aim is to enhance the effectiveness and accessibility of existing services and supports, not just for immediate relief but also to build long-term community resilience and growth, paving a sustainable path to prosperity for those in need.





## INITIATIVE(S)

**1. Identify Priority Neighbourhoods:** In consultation with stakeholders, implement a neighbourhood selection process to identify and select priority neighbourhoods.

### Action Item(s):

- a. Engage with partners to define and identify neighbourhoods.
- b. Develop criteria for priority neighbourhoods.
- c. Develop and publish neighbourhood profiles for selected neighbourhoods.

### Deliverable(s):

- Neighbourhood Selection Process Report
- Published Neighbourhood Profiles of Selected Neighbourhoods

**2. Develop Framework for Neighbourhood Strengthening:** This framework will set reporting standards and criteria that align with the Government of Canada's Quality-of-Life Framework. It will guide Neighbourhood Leads in crafting, executing, and reporting on local action plans.

### Action Item(s):

- a. Develop a framework for Pathway to Potential and selected priority neighbourhoods.
- b. Develop a Program Implementation Guide for Neighbourhood Programs.

### Deliverable(s):

- Neighbourhood Program Implementation Guide

**3. Launch and Support Neighbourhood Programs:** Pathway to Potential will select agencies as Neighbourhood Leads and enter into agreements to fund their respective neighbourhood programs.

### Action Item(s):

- a. Launch Request for Proposals (RFP) to select Neighbourhood Lead(s) for identified priority neighbourhoods within Windsor-Essex County.
- b. Enter into multi-year service agreements with selected partners.
- c. Lead agencies to develop multi-year neighbourhood action plans for their respective neighbourhoods in consultation with residents, external stakeholders, and other municipal departments.

### Deliverable(s):

- Request for Proposals (RFP)
- Pathway to Potential Multi-Year Service Contracts
- Neighbourhood Action Plans



Sandwich Town, TWEPI

**4. Establish Regional Neighbourhood Council:** The Council, consisting of Neighbourhood Leads and key stakeholders, will serve as a dedicated platform for discussing observed trends, addressing identified issues, and reviewing and sharing best practices.

**Action Item(s):**

- a. Develop and implement a Communities of Practice Framework.

**Deliverable(s):**

- Communities of Practice Framework

**GOAL 2**

## **ADVANCING AFFORDABLE REGIONAL PROGRAMS**

Pathway to Potential will collaborate with key stakeholders to advance existing affordable municipal services available for Windsor-Essex individuals and families living with poverty.

### **CONTEXT**

Our research and stakeholder engagement found that Windsor-Essex individuals and families living with poverty have limited awareness and face barriers to accessing affordable municipal services and programs. Pathway to Potential is committed to seeking ways to increase awareness and streamline access to affordable municipal services and programs available within Windsor-Essex County. Through collaborations and partnerships, Pathway to Potential aims to advance the accessibility and awareness of existing affordable municipal services aimed at supporting Windsor-Essex individuals and families living with poverty.



Downtown Windsor, City of Windsor

## INITIATIVE(S)

- 1. Establish a citizen-centered approach to the delivery of Pathway to Potential-funded programs:** A citizen-centered approach focuses on improving the delivery of Pathway to Potential-funded programs to the satisfaction of citizens, particularly those who are living with poverty. Through this approach, Pathway to Potential, will be able to track success through measuring the level of citizen satisfaction with the delivery of and access to services.

### Action Item(s):

- a. Develop Program Implementation Guides for the Affordable Pass Program and Affordable Recreation Program.
- b. Provide training supports and resources for staff delivering Pathway to Potential-funded programs.
- c. Update Pathway to Potential program eligibility requirements for the Affordable Pass Program and Affordable Recreation Program.
- d. Investigate opportunities to reduce barriers to accessing services by leveraging technology and streamlining processes.

### Deliverable(s):

- Program Implementation Guides for the Affordable Pass Program and Affordable Recreation Program
- Program Eligibility Criteria for Affordable Pass Program and Affordable Recreation Programs
- Online Application Forms for the Affordable Pass Program and Affordable Recreation Program
- Citizen-Satisfaction Surveys



Nature Fresh Farms Recreation Centre, Leamington, TWEPI

- 2. Increase awareness of regional affordability programs available for Windsor-Essex individuals and families living with poverty:** Pathway to Potential will collaborate, partner, and implement marketing tactics to increase awareness among Windsor-Essex residents and families living with poverty about various affordable programs available in the region. This effort will focus on effectively communicating the benefits and eligibility for these programs, ensuring the information reaches and assists the most vulnerable and underserved in the region.

**Action Item(s):**

- a. Implement a marketing strategy for promoting Pathway to Potential-funded programs and initiatives.
- b. Facilitate learning opportunities aimed at raising awareness on poverty and available programs for Windsor-Essex individuals and families living with poverty.
- c. Seek opportunities with Indigenous leaders for increasing access to affordable services and programs for regional Indigenous communities.
- d. Explore the development of a regional Affordability Package, which may include a bundle of services and programs provided by local municipalities for Windsor-Essex individuals and families living with poverty.

**Deliverable(s):**

- Expanded network of formal partnerships and collaborators inside and outside of Windsor-Essex County
- Feasibility Report for Regional Affordability Package
- Annual P2P Events Calendar
- Refreshed P2P Website
- Increased availability of P2P information in top languages
- Increased number of referrals and direct online traffic to P2P resources and supports

- 3. Expand the Transit Affordable Pass Program throughout the Windsor-Essex Region:** Increase access to affordable public transit for residents living with poverty to travel between the City and County.

**Action Item(s):**

- a. Explore opportunities to expand subsidized bus passes throughout the County of Essex.

**Deliverable(s):**

- Feasibility Report for the Affordable Pass Program Expansion

**GOAL 3**

## MEASURING REGIONAL IMPACT

Pathway to Potential will collect data and conduct research to measure progress on P2P strategic initiatives and to provide support for the development of municipal policies aimed at addressing poverty in Windsor-Essex.

### CONTEXT

Effective decision-making in poverty reduction within Windsor-Essex hinges on data-driven and well researched policy development. Recognizing that obtaining current and precise data on poverty is a persistent challenge, this goal aims to establish infrastructure and processes for comprehensive data-oriented research. Bringing together key internal stakeholders for collaborative research and policy formulation will encourage innovation and ensure regional alignment on optimal poverty reduction efforts. This collaborative approach will be critical to enabling policymakers and community partners to make evidence-based decisions, thereby enhancing the impact and efficiency of poverty reduction efforts.



## INITIATIVE(S)

### 1. Adopt the Government of Canada's Quality of Life Framework (QoL) for measuring impact:

The Government of Canada's [Quality of Life Framework](#), developed to guide evidence-based decision-making, encompasses 84 indicators across five domains: Prosperity, Health, Society, Environment and Good Governance, aimed at measuring Canadians' well-being. Adopting the framework will allow Pathway to Potential to evaluate and measure the impacts of its investments on the quality of life of Windsor-Essex individuals and families living with poverty.

#### Action Item(s):

- b. Identify performance indicators that measure outcomes of Pathway to Potential-funded programs in alignment with the QoL framework.
- c. Develop and implement a Data Quality Assurance Procedure.
- d. Develop a Data Collection Toolkit for Pathway to Potential partners.
- e. Develop and present Annual Impact Report for City and County Council approvals.

#### Deliverable(s):

- Pathway to Potential Annual Impact Report
- Pathway to Potential Strategy Indicators
- Data Quality Assurance Procedure
- Data Collection Toolkit

### 2. Establish a governance framework for collecting and managing data generated from Pathway to Potential-funded programs and initiatives:

The governance framework will establish clear roles and responsibilities for stakeholders in the Affordable Pass, Affordable Recreation, and Neighbourhood Programs, streamlining the reporting and data management processes. It will be supported by targeted policies and procedures to enhance the framework's effectiveness and ensure high-quality reporting.

#### Action Item(s):

- a. Identify and define the roles between Pathway to Potential and its program partners in relation to the reporting and data management process.
- b. Develop tools and resources to support program reporting and data management.
- c. Develop policies and procedures that support the governance framework.
- d. Explore partnership with Windsor-Essex County Health Unit (WECHU) to establish a joint "committee" with Windsor-Essex County In-Motion.

#### Deliverable(s):

- Pathway to Potential Data Governance Framework

**3. Establish a Policy & Research Resource Committee:** The committee is intended as an internal committee led by Pathway to Potential. The purpose of this committee will be to provide specialized knowledge and research support to inform Pathway to Potential's selection of initiatives to address poverty. Composed of subject-matter experts, the committee's responsibilities will include project review, selection, information exchange, and support for specific research initiatives.

**Action Item(s):**

- a. Develop and implement a project selection process for Pathway to Potential.
- b. Identify committee members that would support Pathway to Potential research initiatives.
- c. Perform research and evaluation on poverty-related issues identified by Pathway to Potential, Human & Health Services Department, City and County Councils and other key stakeholders.

**Deliverable(s):**

- Memorandum of Understanding with Policy & Research Resource Committee Members
- Policy & Research Resource Committee Terms of Reference
- Published Reports on Pathway to Potential's Virtual Library





## ACKNOWLEDGEMENTS

The Pathway to Potential team would like to thank everyone that participated in the development of the Windsor-Essex Poverty Reduction Strategy. The dedication and assistance provided by our partners within the City and County departments and community organizations are greatly appreciated. We would especially like to thank all the Windsor-Essex residents and stakeholders that were involved in the consultation by providing your input through the survey, interviews, focus groups, and participating in the feedback sessions. We look forward to fostering current and future partnerships as the strategy is implemented across the Windsor-Essex region.



- Residents of Windsor-Essex
- City of Windsor Departments
  - Housing
  - Employment & Social Services
  - Children's Services
  - EarlyON staff
  - Communications
  - Recreation
  - Information Technology
  - Transit Windsor
  - Environmental Sustainability and Climate Change
- County of Essex Departments
  - Community Services
  - Communications
- Municipal Partners
  - Town of Essex Recreation
- City of Windsor and County of Essex Councillors
- Community Partners
  - South Essex Community Council (SECC)
  - Housing Information Services
  - Homelessness and Housing Help Hub (H4)
  - Windsor Essex Community Housing Corporation (CHC)
  - Connections Early Years Family Centre
  - Windsor Essex County Health Unit (WECHU)
  - Workforce WindsorEssex
  - Windsor Essex Local Immigration Partnership (WE LIP)
  - Tamarack Insitute
  - Tourism Windsor Essex Pelee Island (TWEPI)

# Appendix A: Windsor-Essex Community Profiles

## WINDSOR-ESSEX COMMUNITY PROFILES

This section provides a detailed profile of the economic and social context of the Windsor-Essex region and its encompassing local municipalities. These profiles provide a snapshot of the communities where this new strategy will be focused on supporting poverty reduction.

Data presented in each profile are sourced from the 2021 Census of Population.<sup>12</sup> The poverty rates for each municipality are defined by the 2021 Market Basket Measure (MBM), Canada's first official poverty line. The MBM calculates the level when a household does not have the income to purchase a specific basket of essential goods and services.<sup>13</sup>

**COMMUNITY PROFILE**

# WINDSOR-ESSEX COUNTY

## Demographics:

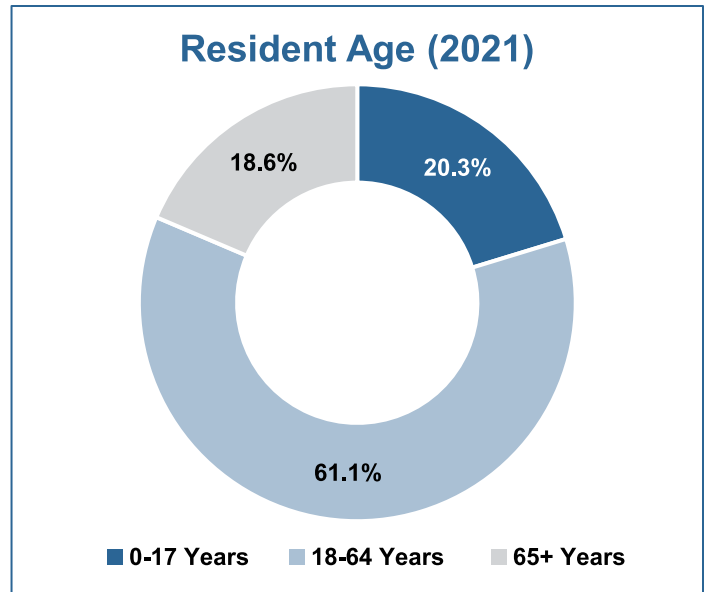
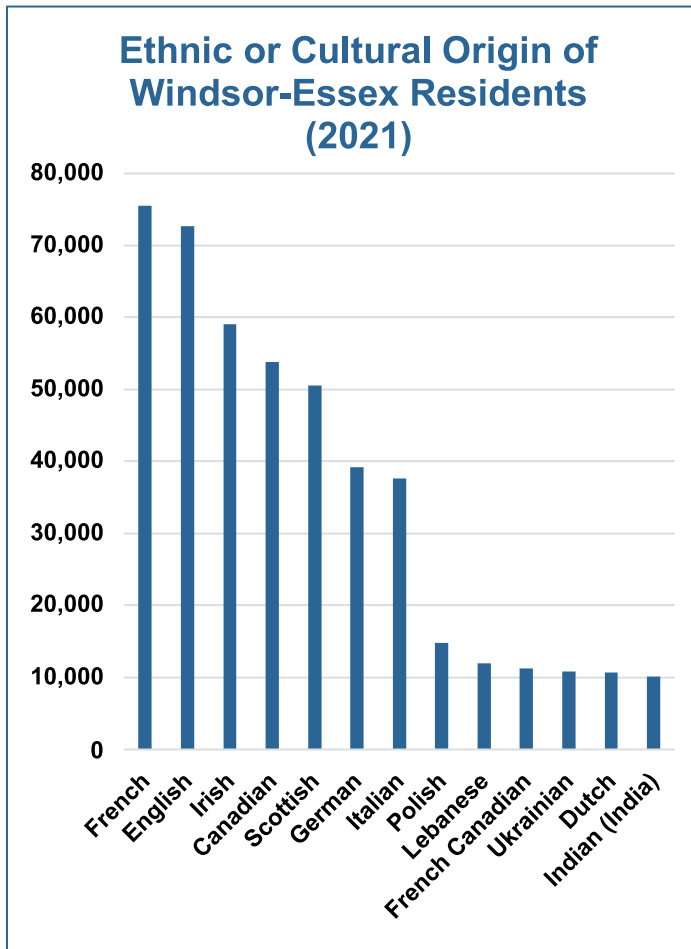
**Population:** 422,860

**Households:** 165,785 (Average of 2.6 persons per household)

- One-person Households: 46,500 (28.0%)
- Two or more person Households: 119,290 (72.0%)

### Diversity of Windsor-Essex Residents:

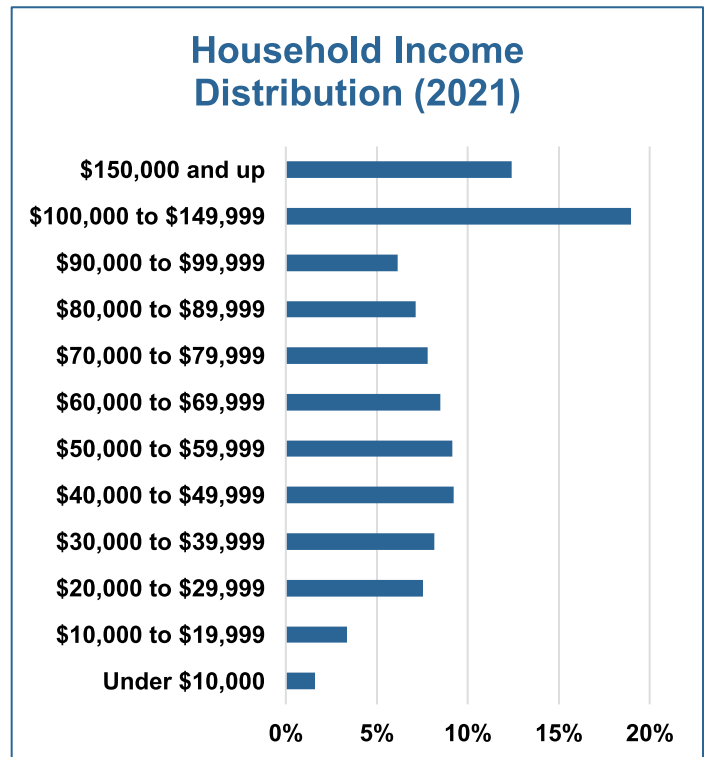
- 23.3% are Immigrants (96,940)
- 2.9% identify as Indigenous (12,055)
- 23.6% identify as a Visible Minority (98,220)



## Income:

**Median Household Income (after-tax):** \$73,000

- Approximately 78,775 households have an income less than the median
- One-person Households: \$37,600
- Two or more person Households: \$90,000



## Poverty

7.5% of Windsor-Essex residents (30,980) are living in poverty

- Children and youth (8.5%), especially young children 0 to 5 years old (9.8%), and young adults between 18 and 24 years old (11.2%) are more likely to be living in poverty compared to other age groups. Older adults aged 55 to 64 (8.3%) also show a slightly higher poverty rate than overall.



Residents Living in Poverty (MBM)	# of Residents	# in Poverty	Poverty Rate (%)
<b>Total</b>	<b>415,725</b>	<b>30,980</b>	<b>7.5%</b>
0 to 17 years	84,345	7,195	8.5%
0 to 5 years	24,745	2,415	9.8%
6 to 17 years	59,600	4,780	8.0%
18 to 24 years	37,370	4,170	11.2%
25 to 54 years	156,185	11,990	7.7%
55 to 64 years	60,505	5,040	8.3%
65+ years	77,315	2,595	3.4%

**Note:** 2021 Market Basket Measure threshold for family of four = \$45,776 (Ontario population size 100,000-499,999)

## Housing

17.4% of Windsor-Essex households (28,765) are spending more than 30% of their income on shelter costs

- 120,155 households are Owned
  - 10.9% of owner households spending 30% or more of its income on shelter costs
    - Average monthly shelter costs for owned dwellings: \$1,261
- 45,630 households are Rented
  - 34.8% of tenant households spending 30% or more of its income on shelter costs
    - Average monthly shelter costs for rented dwellings: \$1,069

## Employment

Latest Labour Force Report from Workforce Windsor-Essex indicated the following employment statistic for the Windsor CMA:

- 8.1% Unemployment Rate (+0.2% from Dec 2022)
- 57.4% Employment Rate (-1.6% from Dec 2022)
- 62.4% Participation Rate (-1.6% from Dec 2022)

**COMMUNITY PROFILE**

# TOWN OF AMHERSTBURG

## Demographics:

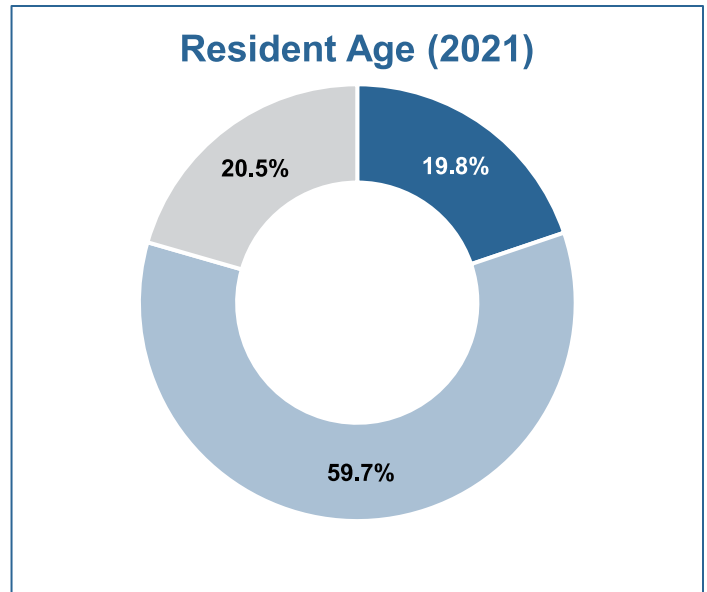
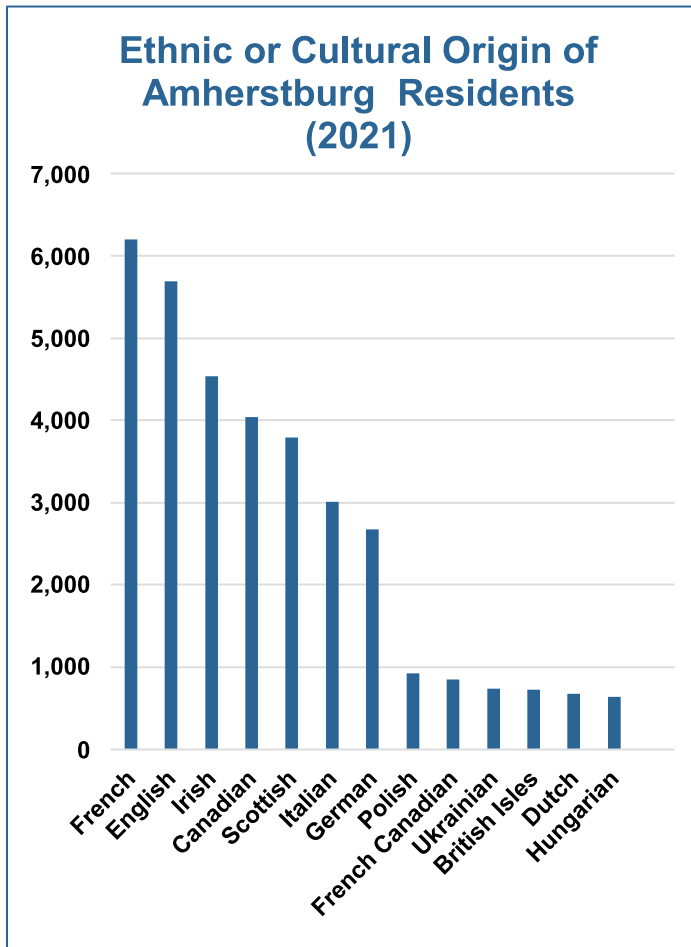
**Population:** 23,524

**Households:** 9,195 (Average of 2.6 persons per household)

- One-person Households: 2,055 (22.3%)
- Two or more person Households: 7,140 (77.7%)

### Diversity of Amherstburg Residents:

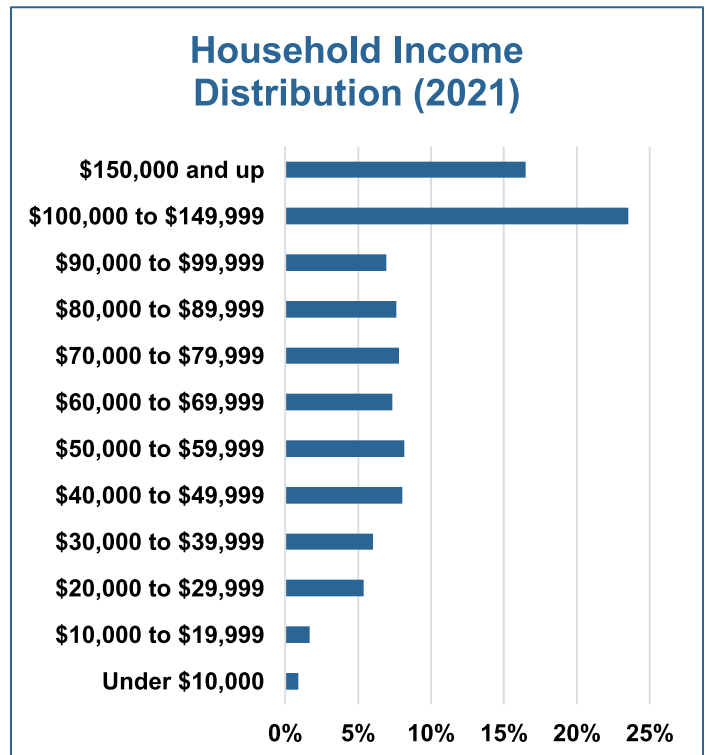
- 10.1% are Immigrants (2,360)
- 3.9% identify as Indigenous (920)
- 5.6% identify as a Visible Minority (1,310)



## Income:

**Median Household Income (after-tax):** \$86,000

- Approximately 4,175 households have an income less than the median
- One-person Households: \$41,200
- Two or more person Households: \$100,000



## Poverty

3.3% of Amherstburg residents (775) are living in poverty

- Children and youth between 6 and 17 years old (4.2%) and adults between 55 and 64 years old (5.3%) are more likely to be living in poverty compared to other age groups.

Residents Living in Poverty (MBM)	# of Residents	# in Poverty	Poverty Rate (%)
<b>Total</b>	<b>23,305</b>	<b>775</b>	<b>3.3%</b>
0 to 17 years	4,630	170	3.7%
0 to 5 years	1,405	40	2.8%
6 to 17 years	3,235	135	4.2%
18 to 24 years	1,755	55	3.1%
25 to 54 years	8,340	230	2.8%
55 to 64 years	3,755	200	5.3%
65+ years	4,820	120	2.5%

**Note:** 2021 Market Basket Measure threshold for family of four = \$43,985 (Ontario population under 30,000)

## Housing

13.0% of Amherstburg households (1,200) are spending more than 30% of their income on shelter costs

- 7,855 households are Owned
  - 8.7% of owner households spending 30% or more of its income on shelter costs
    - Average monthly shelter costs for owned dwellings: \$1,366
- 45,630 households are Rented
  - 39.0% of tenant households spending 30% or more of its income on shelter costs
    - Average monthly shelter costs for rented dwellings: \$1,123



Downtown Amherstburg, TWEPI

**COMMUNITY PROFILE**

# TOWN OF ESSEX

## Demographics:

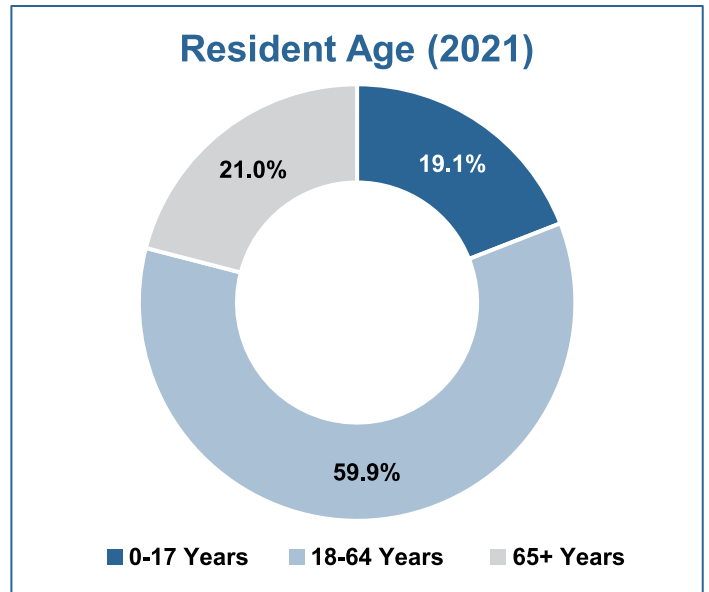
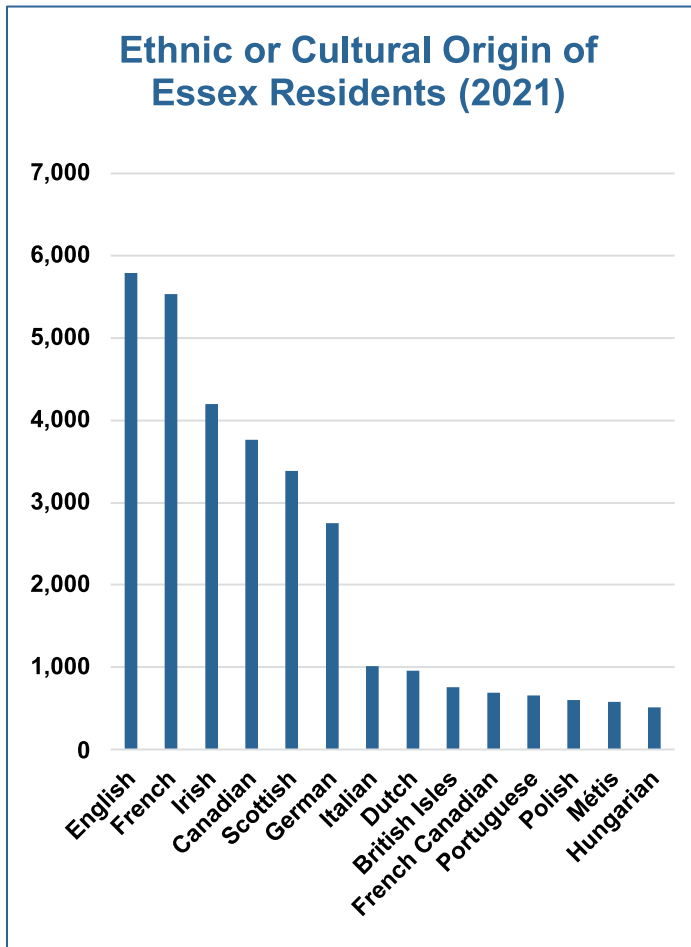
**Population:** 21,216

**Households:** 8,390 (Average of 2.5 persons per household)

- One-person Households: 2,155 (25.7%)
- Two or more person Households: 6,235 (74.3%)

### Diversity of Amherstburg Residents:

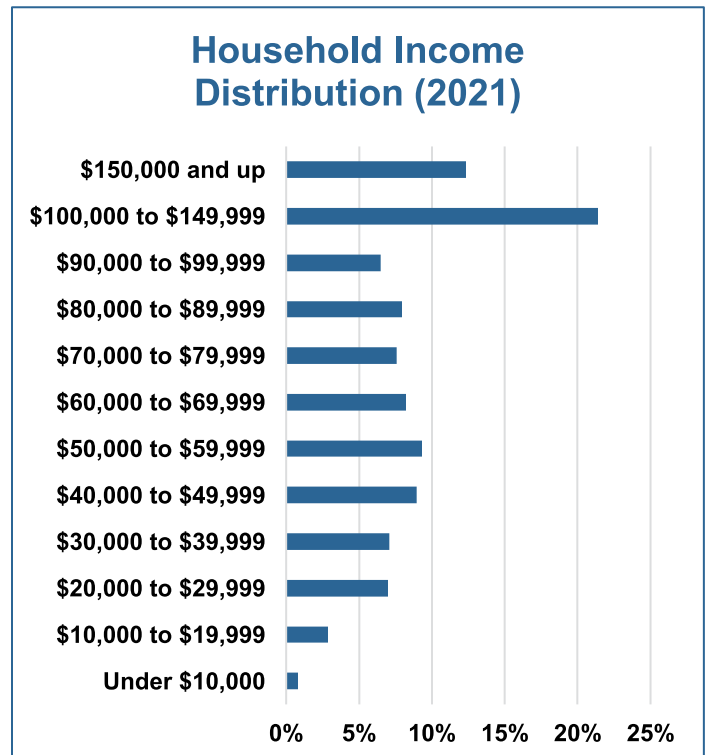
- 8.7% are Immigrants (1,800)
- 4.5% identify as Indigenous (925)
- 4.6% identify as a Visible Minority (955)



## Income:

**Median Household Income (after-tax):** \$77,500

- Approximately 3,020 households have an income less than the median
- One-person Households: \$37,200
- Two or more person Households: \$93,000





## Poverty

3.6% of Essex residents (735) are living in poverty

- Older adults between 55 and 64 years old (5.9%) are more likely to be living in poverty compared to other age groups.

Residents Living in Poverty (MBM)	# of Residents	# in Poverty	Poverty Rate (%)
<b>Total</b>	<b>20,660</b>	<b>735</b>	<b>3.6%</b>
0 to 17 years	3,875	145	3.7%
0 to 5 years	1,170	45	3.8%
6 to 17 years	2,705	100	3.7%
18 to 24 years	1,650	35	2.1%
25 to 54 years	7,315	290	4.0%
55 to 64 years	3,490	205	5.9%
65+ years	4,335	60	1.4%

**Note:** 2021 Market Basket Measure threshold for family of four = \$43,985 (Ontario population under 30,000)

## Housing

11.9% of Essex households (995) are spending more than 30% of their income on shelter costs

- 7,165 households are Owned
  - 9.1% of owner households spending 30% or more of its income on shelter costs
    - Average monthly shelter costs for owned dwellings: \$1,212
- 1,230 households are Rented
  - 29.0% of tenant households spending 30% or more of its income on shelter costs
    - Average monthly shelter costs for rented dwellings: \$968



Downtown Essex, TWEPI

**COMMUNITY PROFILE**

**TOWN OF KINGSVILLE**

**Demographics:**

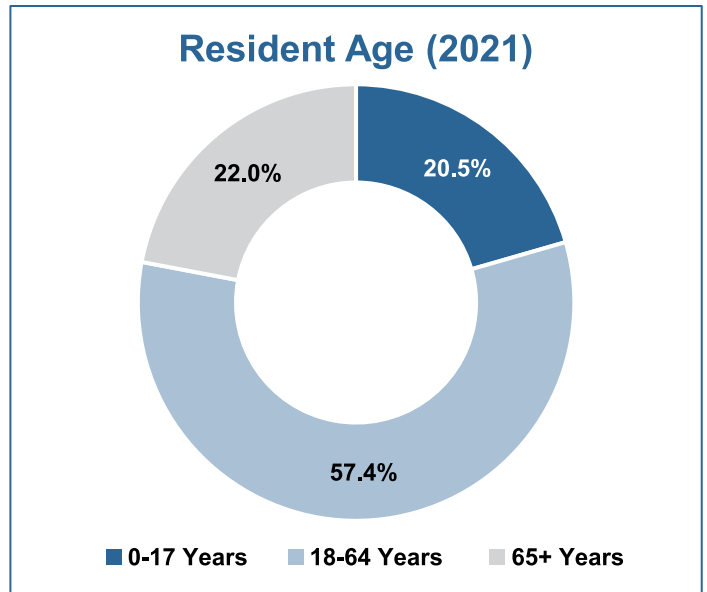
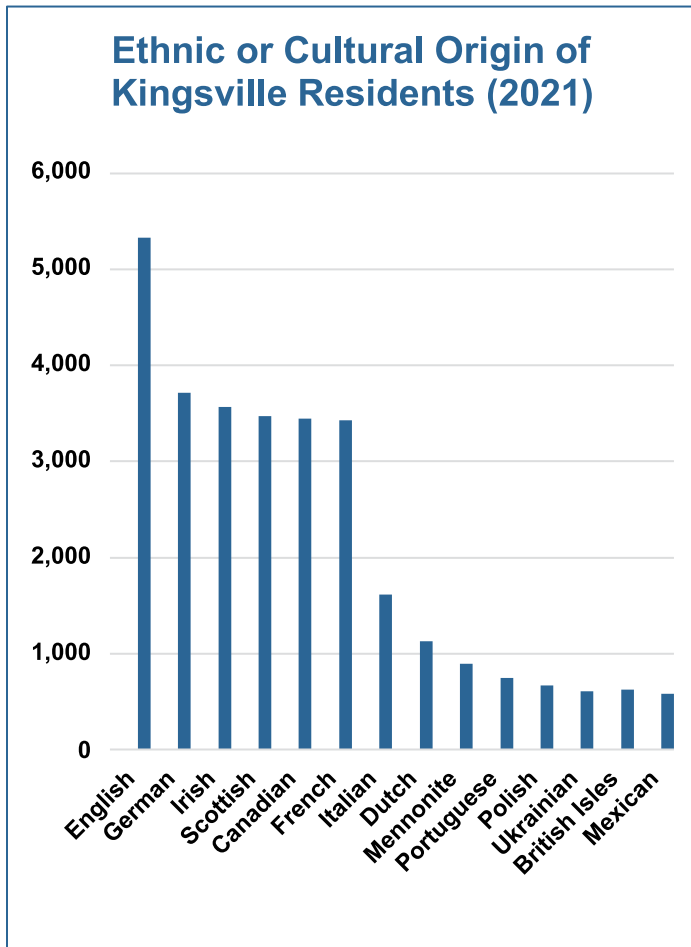
**Population:** 22,119

**Households:** 8,285 (Average of 2.7 persons per household)

- One-person Households: 1,885 (22.8%)
- Two or more person Households: 6,400 (77.2%)

**Diversity of Kingsville Residents:**

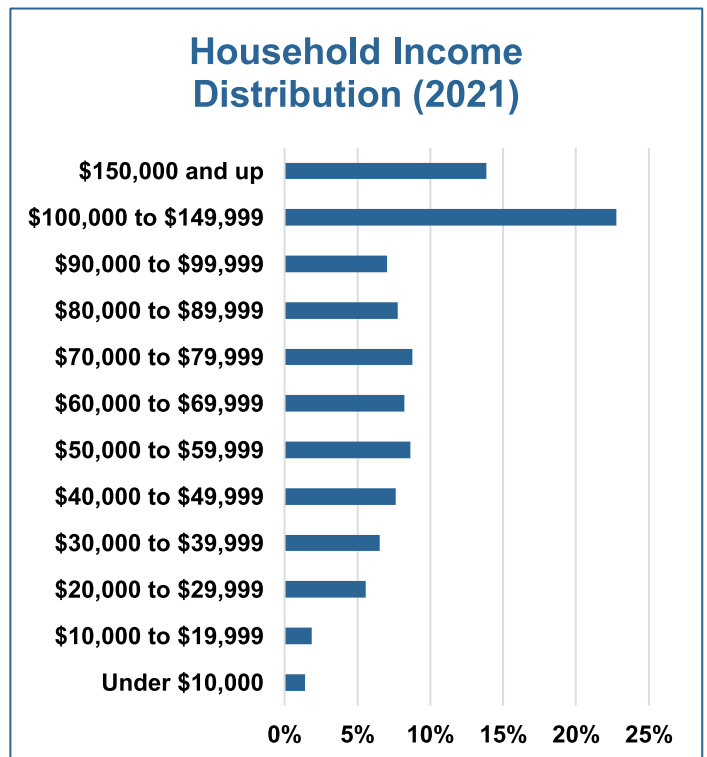
- 13.3% are Immigrants (2,810)
- 2.3% identify as Indigenous (495)
- 5.2% identify as a Visible Minority (1,105)



**Income:**

**Median Household Income (after-tax):** \$82,000

- Approximately 4,020 households have an income less than the median
- One-person Households: \$40,000
- Two or more person Households: \$96,000



## Poverty

3.6% of Kingsville residents (770) are living in poverty

- Older adults between 55 and 64 years old (7.0%) are more likely to be living in poverty compared to other age groups

Residents Living in Poverty (MBM)	# of Residents	# in Poverty	Poverty Rate (%)
<b>Total</b>	<b>21,190</b>	<b>770</b>	<b>3.6%</b>
0 to 17 years	4,375	130	3.0%
0 to 5 years	1,275	35	2.7%
6 to 17 years	3,100	95	3.1%
18 to 24 years	1,610	35	2.2%
25 to 54 years	7,325	290	4.0%
55 to 64 years	3,210	225	7.0%
65+ years	4,665	90	1.9%

**Note:** 2021 Market Basket Measure threshold for family of four = \$43,985 (Ontario population under 30,000)

## Housing

11.0% of Kingsville households (910) are spending more than 30% of their income on shelter costs

- 7,015 households are Owned
  - 8.0% of owner households spending 30% or more of its income on shelter costs
    - Average monthly shelter costs for owned dwellings: \$1,203
- 1,270 households are Rented
  - 29.7% of tenant households spending 30% or more of its income on shelter costs
    - Average monthly shelter costs for rented dwellings: \$1,108



Kingsville Open Streets, TWEPI

**COMMUNITY PROFILE**

# MUNICIPALITY OF LAKESHORE

## Demographics:

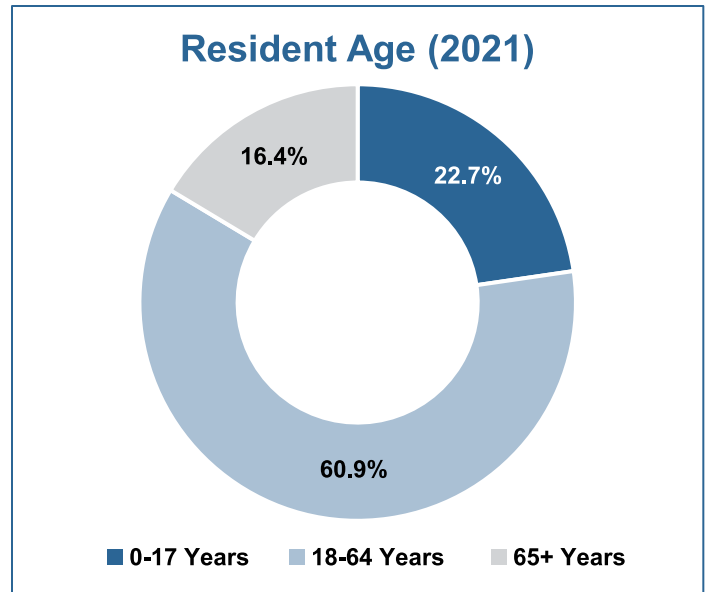
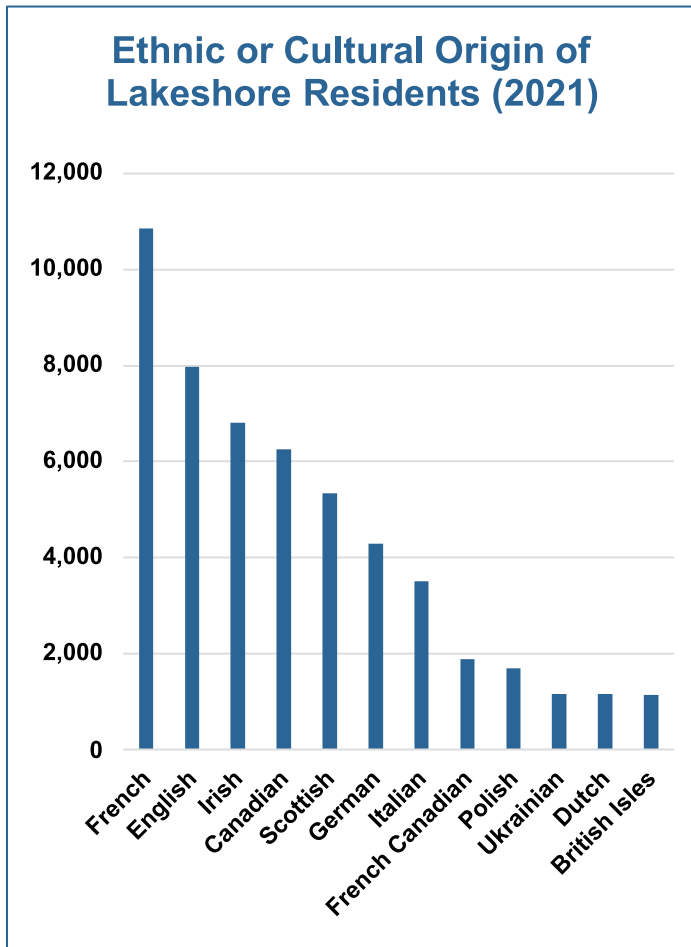
**Population:** 40,410

**Households:** 14,385 (Average of 2.8 persons per household)

- One-person Households: 2,480 (17.2%)
- Two or more person Households: 11,910 (82.8%)

### Diversity of Lakeshore Residents:

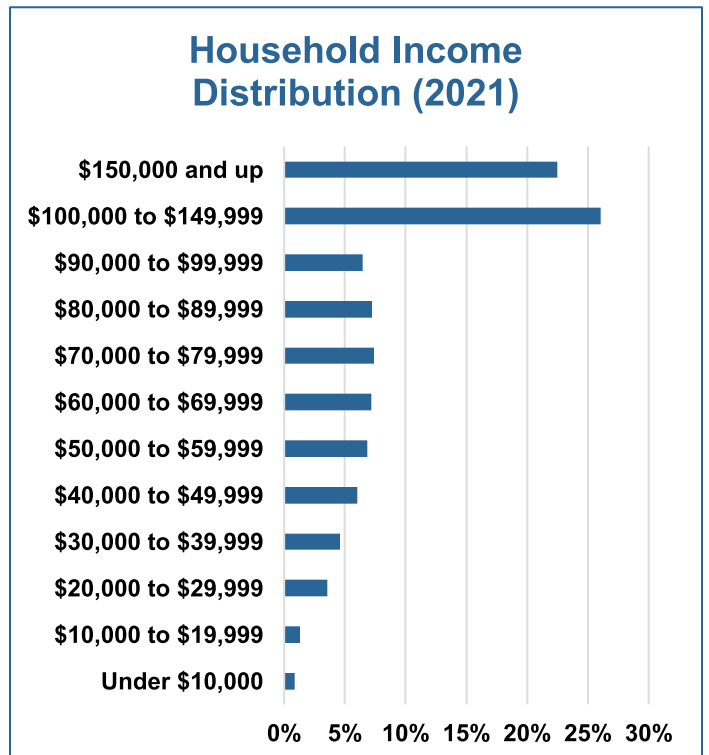
- 13.5% are Immigrants (5,420)
- 3.4% identify as Indigenous (1,365)
- 11.0% identify as a Visible Minority (4,435)



## Income:

**Median Household Income (after-tax):** \$98,000

- Approximately 6,475 households have an income less than the median
- One-person Households: \$43,600
- Two or more person Households: \$110,000



## Poverty

2.8% of Lakeshore residents (1,145) are living in poverty

- Young children between 0 and 5 years (4.0%) and older adults between 55 and 64 years (3.8%) are more likely to be living in poverty compared to other age groups.

Residents Living in Poverty (MBM)	# of Residents	# in Poverty	Poverty Rate (%)
<b>Total</b>	<b>40,225</b>	<b>1,145</b>	<b>2.8%</b>
0 to 17 years	9,115	280	3.1%
0 to 5 years	2,375	95	4.0%
6 to 17 years	6,740	185	2.7%
18 to 24 years	3,520	55	1.6%
25 to 54 years	14,950	410	2.7%
55 to 64 years	6,055	230	3.8%
65+ years	6,595	165	2.5%

**Note:** 2021 Market Basket Measure threshold for family of four = \$43,462 (Ontario population size 30,000 to 99,999)

## Housing

11.1% of Lakeshore households (1,590) are spending more than 30% of their income on shelter costs

- 13,165 households are Owned
  - 9.9% of owner households spending 30% or more of its income on shelter costs
    - Average monthly shelter costs for owned dwellings: \$1,504
- 1,215 households are Rented
  - 25.9% of tenant households spending 30% or more of its income on shelter costs
    - Average monthly shelter costs for rented dwellings: \$1,078



Belle River Beach, TWEPI

**COMMUNITY PROFILE**

**TOWN OF LASALLE**

**Demographics:**

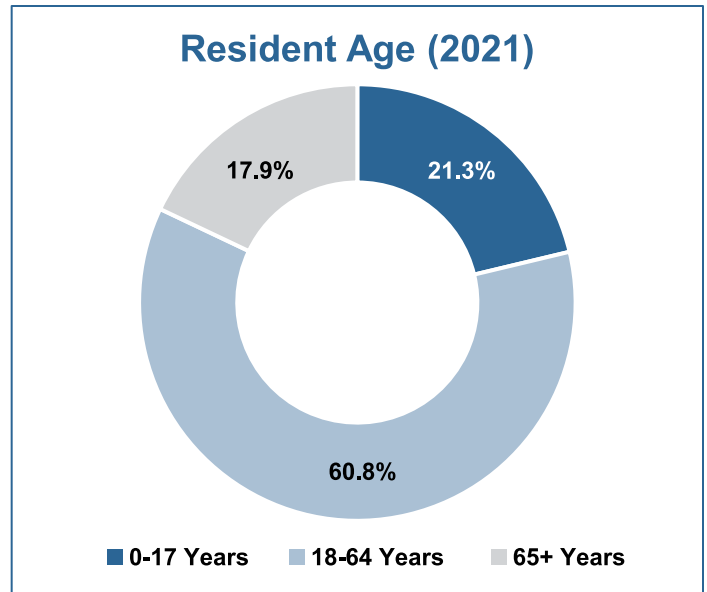
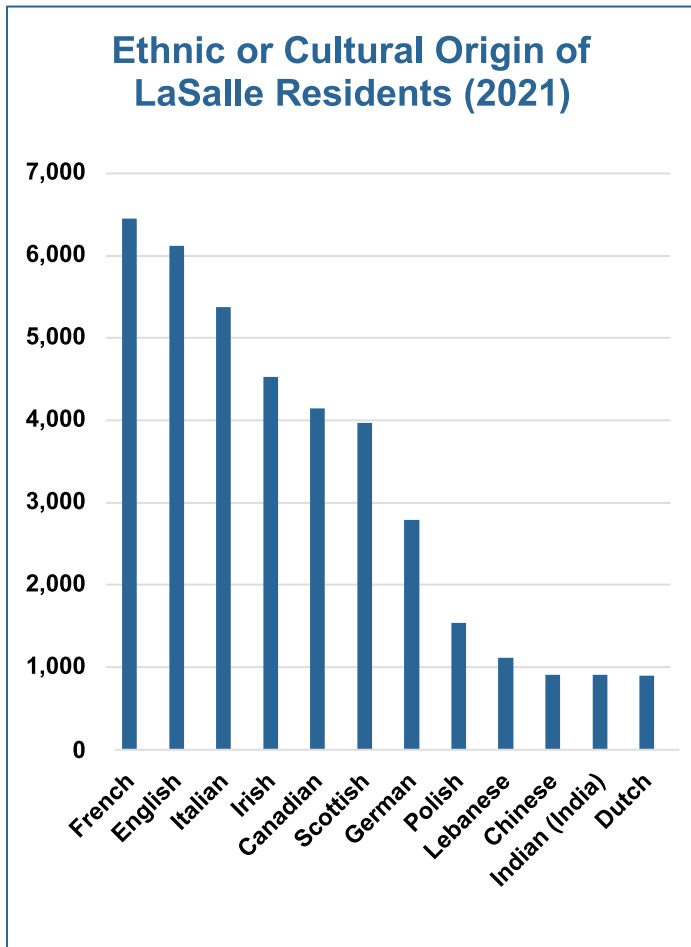
**Population:** 32,721

**Households:** 11,645 (Average of 2.8 persons per household)

- One-person Households: 2,090 (17.9%)
- Two or more person Households: 9,550 (82.0%)

**Diversity of LaSalle Residents:**

- 20.1% are Immigrants (6,535)
- 2.2% identify as Indigenous (700)
- 18.8% identify as a Visible Minority (6,110)

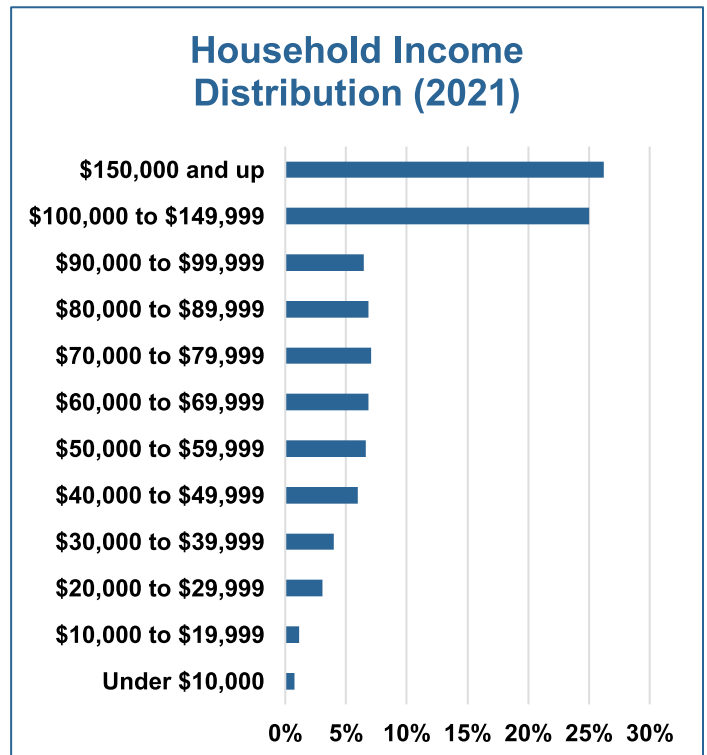


**Income:**

**Median Household Income (after-tax):** \$102,000

- Approximately 5,675 households have an income less than the median

- **One-person Households:** \$48,400
- **Two or more person Households:** \$116,000



## Poverty

2.6% of LaSalle residents (845) are living in poverty

- Children and youth (3.2%), in particular young children aged 0 to 5 (4.1%), and older adults between 55 and 64 years (3.7%) are more likely to be living in poverty compared to other age groups.

Residents Living in Poverty (MBM)	# of Residents	# in Poverty	Poverty Rate (%)
<b>Total</b>	<b>32,475</b>	<b>845</b>	<b>2.6%</b>
0 to 17 years	6,905	220	3.2%
0 to 5 years	1,825	75	4.1%
6 to 17 years	5,080	150	3.0%
18 to 24 years	2,985	75	2.5%
25 to 54 years	11,770	275	2.3%
55 to 64 years	4,985	185	3.7%
65+ years	5,830	90	1.5%

**Note:** 2021 Market Basket Measure threshold for family of four = \$43,462 (Ontario population size 30,000 to 99,999)

## Housing

10.8% of LaSalle households (1,260) are spending more than 30% of their income on shelter costs

- 10,640 households are Owned
  - 8.7% of owner households spending 30% or more of its income on shelter costs
    - Average monthly shelter costs for owned dwellings: \$1,468
- 1,010 households are Rented
  - 33.5% of tenant households spending 30% or more of its income on shelter costs
    - Average monthly shelter costs for rented dwellings: \$1,416



**COMMUNITY PROFILE**

# MUNICIPALITY OF LEAMINGTON

## Demographics:

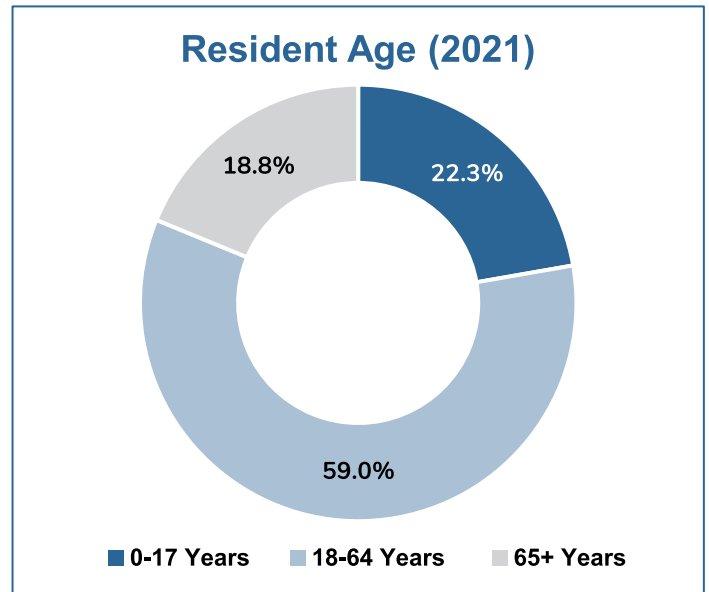
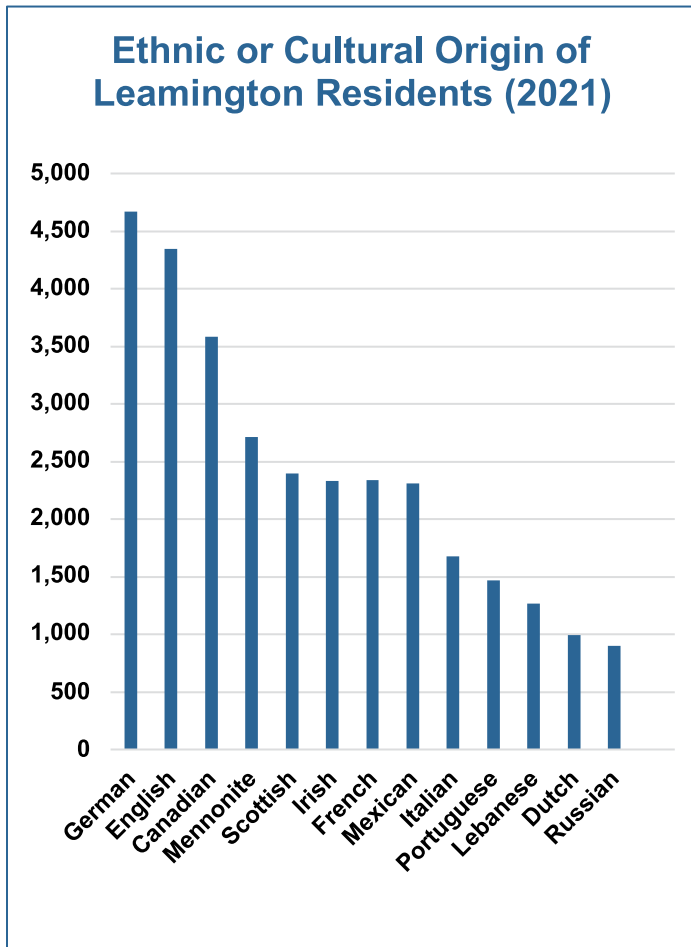
**Population:** 29,680

**Households:** 10,550 (Average of 2.8 persons per household)

- One-person Households: 2,690 (25.5%)
- Two or more person Households: 7,855 (74.5%)

### Diversity of Leamington Residents:

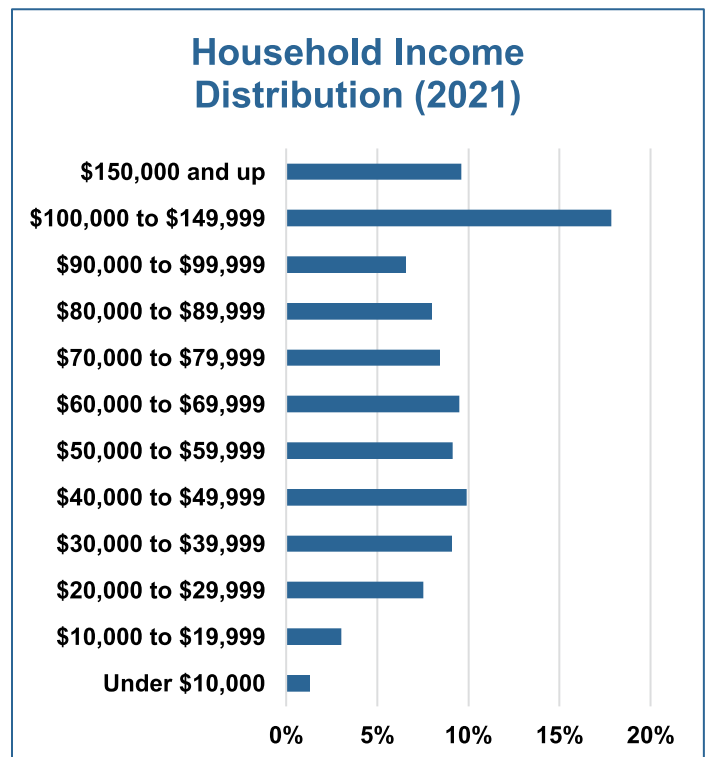
- 25.6% are Immigrants (7,225)
- 1.7% identify as Indigenous (465)
- 20.2% identify as a Visible Minority (5,695)



## Income:

**Median Household Income (after-tax):** \$70,500

- Approximately 5,230 households have an income less than the median
- One-person Households: \$36,800
- Two or more person Households: \$84,000





## Poverty

6.4% of Leamington residents (1,800) are living in poverty

- Children and youth (7.7%) are more likely to be living in poverty than other age groups; particularly young children aged 0 to 5 (9.5%). The poverty rate is also higher than overall for adults 25 to 64 years old (7.8%) and older adults 55 to 64 years old (7.4%).

Residents Living in Poverty (MBM)	# of Residents	# in Poverty	Poverty Rate (%)
<b>Total</b>	<b>28,170</b>	<b>1,800</b>	<b>6.4%</b>
0 to 17 years	6,315	485	7.7%
0 to 5 years	2,055	195	9.5%
6 to 17 years	4,260	290	6.8%
18 to 24 years	2,395	140	5.8%
25 to 54 years	10,230	795	7.8%
55 to 64 years	3,940	290	7.4%
65+ years	5,290	90	1.7%

**Note:** 2021 Market Basket Measure threshold for family of four = \$43,985 (Ontario population under 30,000)

## Housing

18.4% of Leamington households (1,945) are spending more than 30% of their income on shelter costs

- 7,305 households are Owned
  - 11.5% of owner households spending 30% or more of its income on shelter costs
    - Average monthly shelter costs for owned dwellings: \$1,200
- 3,240 households are Rented
  - 34.8% of tenant households spending 30% or more of its income on shelter costs
    - Average monthly shelter costs for rented dwellings: \$1,151



Mill St Market, Leamington, TWEPI

**COMMUNITY PROFILE**

# TOWN OF TECUMSEH

## Demographics:

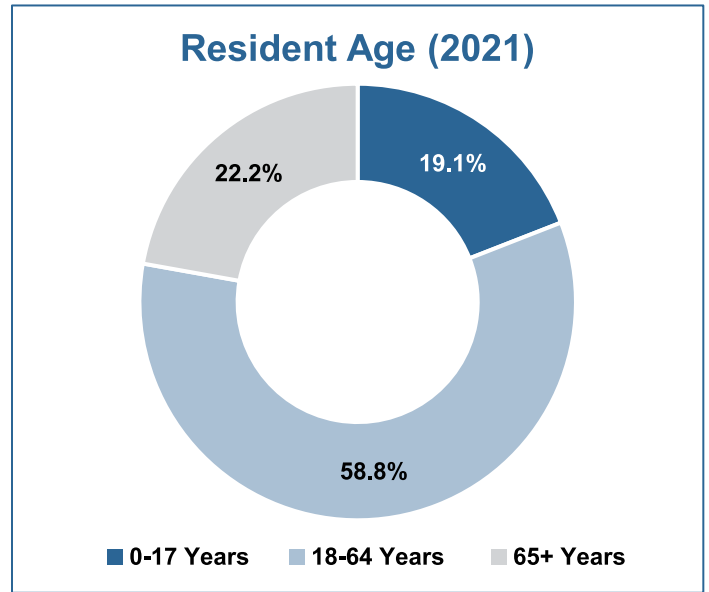
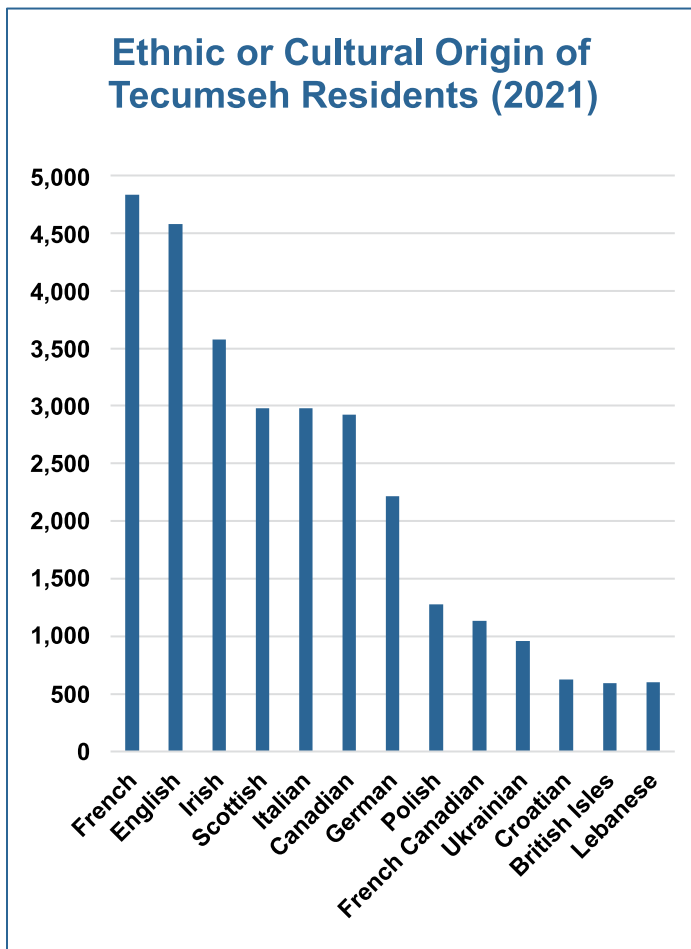
**Population:** 23,300

**Households:** 8,945 (Average of 2.6 persons per household)

- One-person Households: 1,895 (21.2%)
- Two or more person Households: 7,055 (78.9%)

### Diversity of Tecumseh Residents:

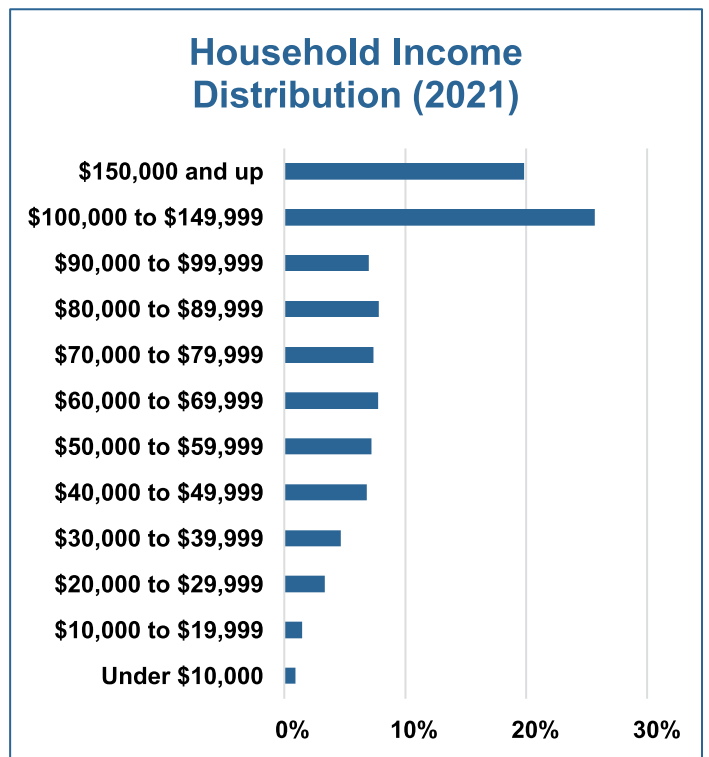
- 18.0% are Immigrants (4,145)
- 2.6% identify as Indigenous (605)
- 11.3% identify as a Visible Minority (2,605)



## Income:

**Median Household Income (after-tax):** \$94,000

- Approximately 4,245 households have an income less than the median
- One-person Households: \$47,200
- Two or more person Households: \$107,000



## Poverty

2.4% of Tecumseh residents (550) are living in poverty

- Older adults between 55 to 64 years old (4.2%) are more likely to be living in poverty than other age groups.

Residents Living in Poverty (MBM)	# of Residents	# in Poverty	Poverty Rate (%)
<b>Total</b>	<b>23,010</b>	<b>550</b>	<b>2.4%</b>
0 to 17 years	4,410	105	2.4%
0 to 5 years	1,250	25	2.0%
6 to 17 years	3,160	80	2.5%
18 to 24 years	1,820	25	1.4%
25 to 54 years	7,865	195	2.5%
55 to 64 years	3,805	160	4.2%
65+ years	5,120	70	1.4%

**Note:** 2021 Market Basket Measure threshold for family of four = \$43,985 (Ontario population under 30,000)

## Housing

11.1% of Tecumseh households (995) are spending more than 30% of their income on shelter costs

- 7,945 households are Owned
  - 8.9% of owner households spending 30% or more of its income on shelter costs
    - Average monthly shelter costs for owned dwellings: \$1,326
- 1,000 households are Rented
  - 30.3% of tenant households spending 30% or more of its income on shelter costs
    - Average monthly shelter costs for rented dwellings: \$1,230



Lakewood Park, Tecumseh, TWEP1

**COMMUNITY PROFILE**

# CITY OF WINDSOR

## Demographics:

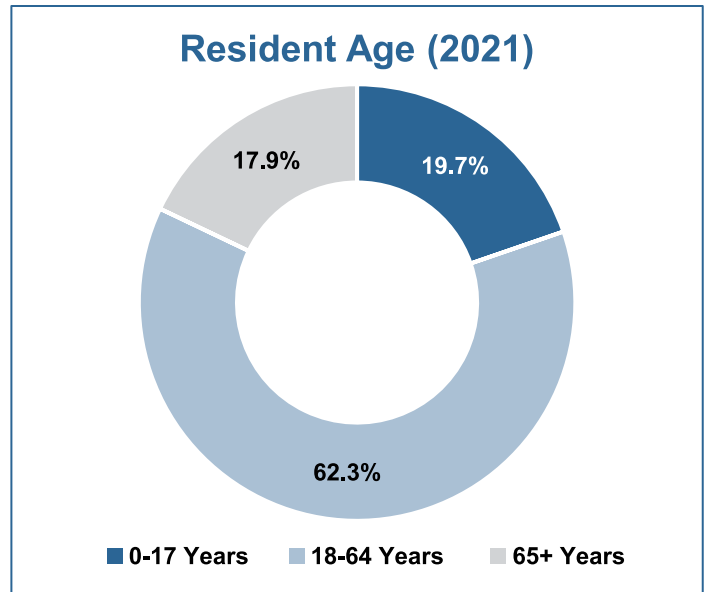
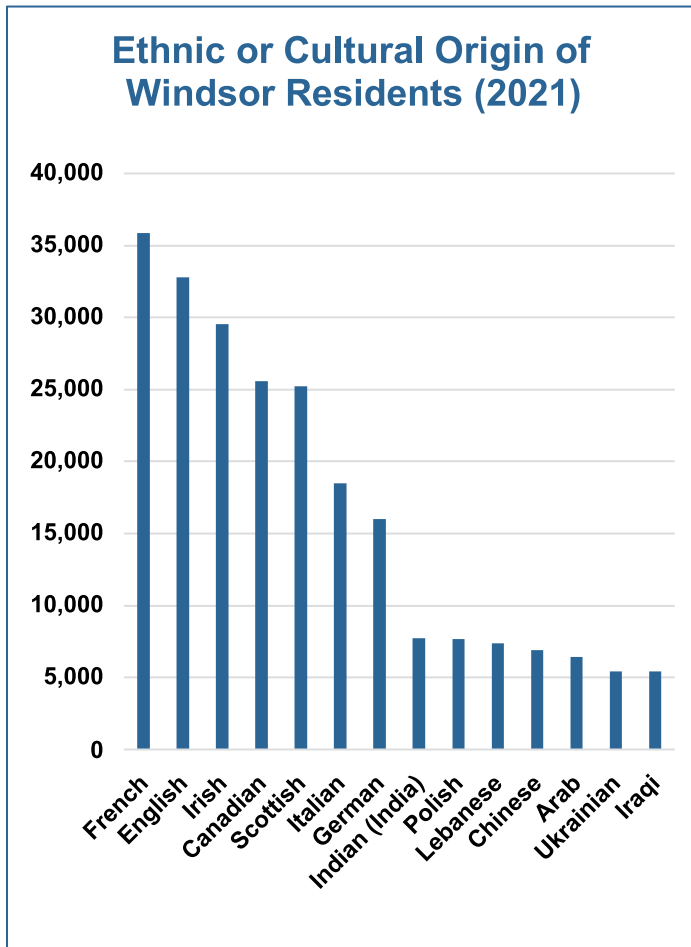
**Population:** 229,660

**Households:** 94,270 (Average of 2.4 persons per household)

- One-person Households: 31,210 (33.1%)
- Two or more person Households: 63,065 (66.9%)

### Diversity of Windsor Residents:

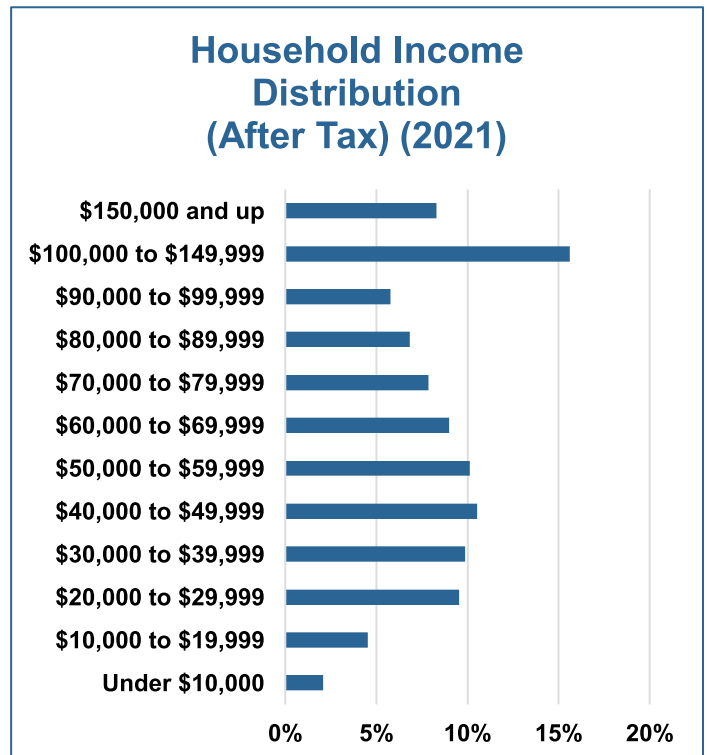
- 29.4% are Immigrants (66,610)
- 2.9% identify as Indigenous (6,585)
- 33.6% identify as a Visible Minority (76,005)



## Income

**Median Household Income (after-tax):** \$63,600

- Approximately 43,965 households have an income less than the median
- One-person Households: \$35,600
- Two or more person Households: \$81,000



## Poverty

10.8% of Windsor residents (24,355) are living in poverty

- Children and youth (12.7%), particularly young children 0 to 5 years old (14.3%), and young adults between 18 and 24 years old (17.4%) are more likely to be living in poverty compared to other age groups. Older adults aged 55 to 64 (11.3%) also show a slightly higher poverty rate than overall.

Residents Living in Poverty (MBM)	# of Residents	# in Poverty	Poverty Rate (%)
<b>Total</b>	<b>226,465</b>	<b>24,355</b>	<b>10.8%</b>
0 to 17 years	44,700	5,655	12.7%
0 to 5 years	13,385	1,910	14.3%
6 to 17 years	31,310	3,745	12.0%
18 to 24 years	21,630	3,755	17.4%
25 to 54 years	88,345	9,500	10.8%
55 to 64 years	31,195	3,535	11.3%
65+ years	40,595	1,910	4.7%

**Note:** 2021 Market Basket Measure threshold for family of four = \$45,776 (Ontario population size 100,000-499,999)

## Housing

21.0% of Windsor households (19,835) are spending more than 30% of their income on shelter costs

- 58,960 households are Owned
  - 12.6% of owner households spending 30% or more of its income on shelter costs
    - Average monthly shelter costs for owned dwellings: \$1,169
- 35,315 households are Rented
  - 35.5 % of tenant households spending 30% or more of its income on shelter costs
    - Average monthly shelter costs for rented dwellings: \$1,046



## ENDNOTES

- 1 Canada. (2018). Opportunity for all—Canada’s first poverty reduction strategy. Retrieved from <https://www.canada.ca/en/employment-social-development/programs/poverty-reduction/reports/strategy.html>
- 2 Canada’s first official poverty line. The Market Basket Measure (MBM) calculates the level when a household does not have the income to purchase a specific basket of essential goods and services. Data sourced from: Statistics Canada. Table 98-10-0113-01 Individual Market Basket Measure poverty status by economic family characteristics of persons: Canada, provinces and territories, census divisions and census subdivisions
- 3 Gustajtis, B. & Heisz, A. (2024, January 18). Modelled Market Basket Measure poverty rates for 2022 and 2023. Income Research Paper Series. Statistics Canada Catalogue no. 75F0002M.
- 4 Workforce WindsorEssex Labour Force Report – December 2023. Statistics Canada: Labour Force Survey data for Windsor CMA (includes Lakeshore, Tecumseh, Windsor, LaSalle, and Amherstburg).
- 5 Statistics Canada. 2023. Census Profile. 2021 Census. Statistics Canada Catalogue no. 98-316-X2021001. Ottawa. Released February 8, 2023.
- 6 Statistics Canada. 2017. Census Profile. 2016 Census. Statistics Canada Catalogue no. 98-316-X2016001. Ottawa. Released November 29 2017.
- 7 2022 Annual Report Home Together: Windsor Essex Housing & Homelessness Master Plan.
- 8 Each year the Windsor Essex County Health Unit (WECHU) calculates the cost of groceries per week in the region using the Ontario Nutritious Food Basket (ONFB) survey.
- 9 Living wage is defined as "the minimum amount a person must earn to afford to live and participate in a specific community; Windsor-Essex County Health Unit: November 2023 Board of Health Meeting - Ontario Nutritious Food Basket & Food Insecurity Information Report.
- 10 Statistics Canada (2023, November 3). Labour Force Survey, October 2023. The Daily, November 3, 2023.
- 11 Kotsis, J. (2023, August 8). Rising cost of living earned Windsor title of SW Ontario poverty capital, Windsor Star. <https://windsorstar.com/news/local-news/poverty-in-windsor>
- 12 Statistics Canada. 2023. Census Profile. 2021 Census. Statistics Canada Catalogue no. 98-316-X2021001. Ottawa. Released February 8 2023.
- 13 Statistics Canada. Table 98-10-0113-01 Individual Market Basket Measure poverty status by economic family characteristics of persons: Canada, provinces and territories, census divisions and census subdivisions.

## FRONT PAGE PHOTO CREDITS

Photos courtesy of Tourism Windsor Essex Pelee Island (TWEPI).



- 1 McAulliffe Park, Tecumseh
- 2 Bright Lights Windsor
- 3 Kingsville Open Streets
- 4 Windsor Riverfront



FOR MORE INFORMATION, PLEASE VISIT  
OUR WEBSITE AT [PATHWAYTOPOTENTIAL.CA](https://pathwaytopotential.ca)  
OR EMAIL US AT [P2P@CITYWINDSOR.CA](mailto:P2P@CITYWINDSOR.CA)



Committee Matters: SCM 60/2024

**Subject: Zoning By-law Amendment Application for 3445 Church Street, Z-002/24 [ZNG-7165], Ward 1**

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

Decision Number: **DHSC 591**

- I. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning for the lands located on the west side of Church Street between Liberty Street and Beals Street West, described as Lots 153 & 154 and Part of Closed Alley, Plan 1305 [PIN No. 01304-0854 LT], from Residential District 1.4 (RD1.4) to Residential District 1.2 (RD1.2), subject to additional regulations:

**498. WEST SIDE OF CHURCH STREET BETWEEN LIBERTY STREET AND BEALS STREET WEST**

For the lands comprising of Lots 153 & 154 and Part of Closed Alley, Plan 1305, PIN No. 01304-0854 LT, the following shall apply:

1. Notwithstanding Section 5.11.5, for a *single unit dwelling*, the maximum width of a *carport* or *garage* forming part of the *main building* shall not exceed 68.0% of the maximum permitted width of the *main building* on the *lot*.

[ZDM 8; ZNG/7165]

Report Number: S 17/2024  
Clerk's File: Z/14730

**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 March 4, 2024.
3. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20240304/-1/9471>



**Subject: Zoning By-law Amendment Application for 3445 Church Street, Z-002/24 [ZNG-7165], Ward 1**

**Reference:**

Date to Council: March 4, 2024  
Author: Brian Nagata, MCIP, RPP  
Planner II - Development Review  
(519) 255-6543 ext. 6181

Planning & Building Services  
Report Date: February 5, 2024  
Clerk's File #: Z/14730

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

**Recommendation:**

- I. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning for the lands located on the west side of Church Street between Liberty Street and Beals Street West, described as Lots 153 & 154 and Part of Closed Alley, Plan 1305 [PIN No. 01304-0854 LT], from Residential District 1.4 (RD1.4) to Residential District 1.2 (RD1.2), subject to additional regulations:

**498. WEST SIDE OF CHURCH STREET BETWEEN LIBERTY STREET AND BEALS STREET WEST**

For the lands comprising of Lots 153 & 154 and Part of Closed Alley, Plan 1305, PIN No. 01304-0854 LT, the following shall apply:

1. Notwithstanding Section 5.11.5, for a *single unit dwelling*, the maximum width of a *carport* or *garage* forming part of the *main building* shall not exceed 68.0% of the maximum permitted width of the *main building* on the *lot*.

[ZDM 8; ZNG/7165]

**Executive Summary:**

N/A

**Background:**

**Application Information:**

**Location:** 3445 Church Street  
(Lots 153 & 154 and Part of Closed Alley, Plan 1305; Roll No. 080-300-15400; PIN No. 01304-0854 LT)

**Ward:** 1

**Planning District:** South Windsor

**Zoning District Map:** 8

**Owner:** Supreme Homes Group Inc.

**Applicant:** Same as Owner

**Authorized Agent:** Pillon Abbs Inc. (Tracey Pillon-Abbs)

**Proposal:**

The applicant is requesting an amendment to Zoning By-law 8600 to change the zoning for the lands located on the west side of Church Street between Liberty Street and Beals Street West, known municipally as 3445 Church Street (the subject property), from Residential District 1.4 (RD1.4) to Residential District 1.2 (RD1.2) to allow for the construction of two (2) single unit dwellings.

The applicant further requests a site specific zoning provision to permit the maximum width of a carport or garage forming part of the main building to be 68.0 percent of the maximum permitted width of the main building on the lot.

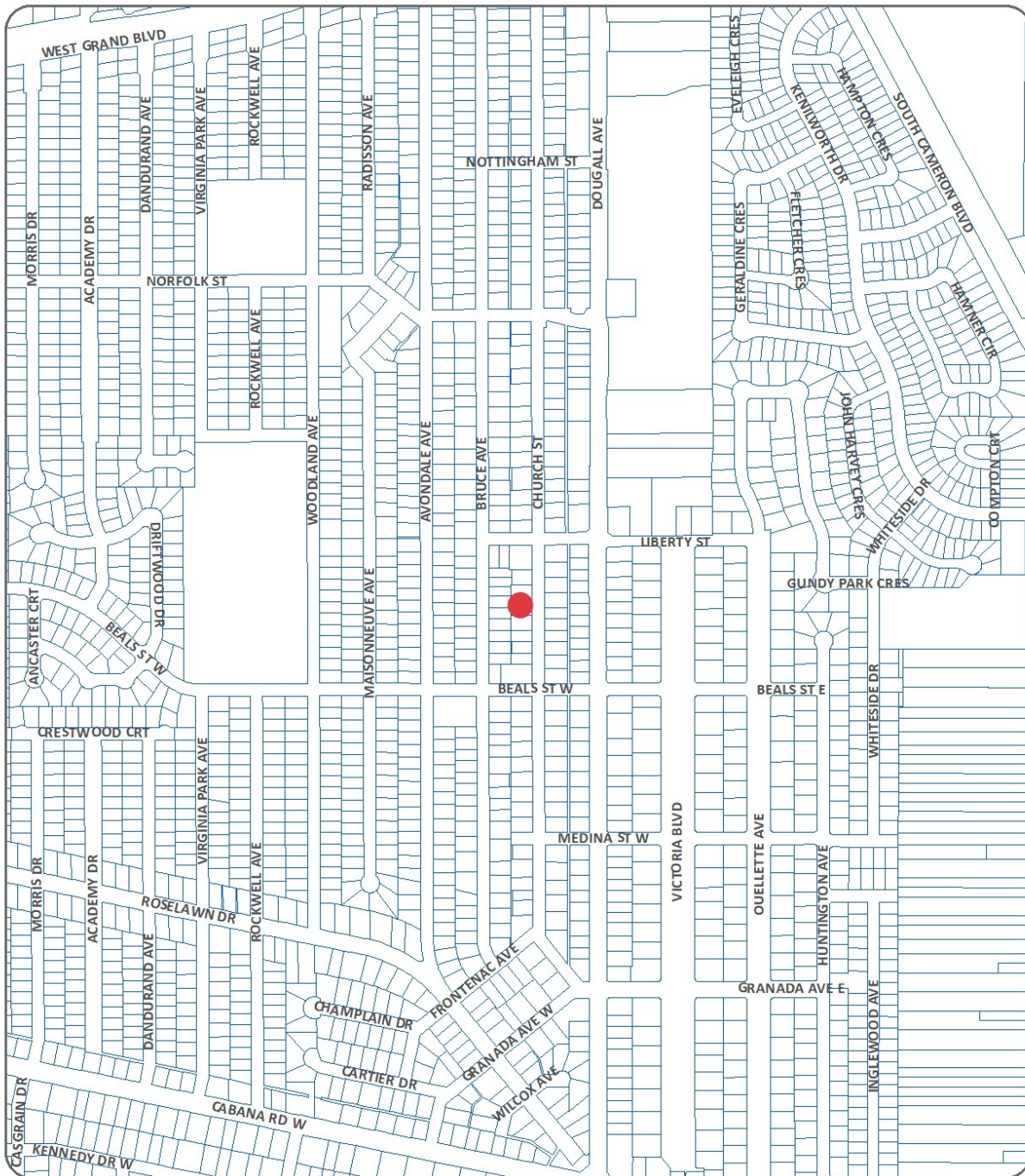
The applicant intends to construct a single unit dwelling on each of the two (2) underlying existing lots of record, namely Lots 153 and 154 on Registered Plan of Subdivision 1305, registered on May 14, 1928. Lots 153 and 154 have merged on title and therefore will need to be separated by way of a Transfer/Deed of Land through the Essex land Registry Office. The *Planning Act* permits whole lots on a Registered Plan of Subdivision to be conveyed without the granting of a Consent from the Committee of Adjustment. This is a necessary step for compliance with Residential District 1, which does not permit two (2) single unit dwellings on a lot within any of its sub districts. The applicant will also require a Consent from the Committee of Adjustment to sever the 2.13-metre-wide portion of the closed north/south alley making up the western part of the subject property. This is a necessary step to allow Lots 153 and 154 to be consolidated with the abutting portion of the closed alley.

**Submitted Information:** Conceptual Plans (See Appendix A), Conceptual Site Plan (See Appendix A), Deed, Existing Tree Inventory and Preservation Plan (See Appendix H), Existing Tree Location Plan, Plan of Survey, Planning Rationale Report (See Appendix G) and Zoning By-law Amendment Application Form

**Site Information:**

<b>Official Plan</b>	<b>Zoning</b>	<b>Current Use</b>	<b>Previous Use</b>
Residential	Residential District RD1.4 (RD1.4)	Single Unit Dwelling	Agricultural
<b>Lot Width</b>	<b>Lot Depth</b>	<b>Lot Area</b>	<b>Lot Shape</b>
24.4 m	34.6 m	844.2 m <sup>2</sup>	Rectangular
<i>All measurements are based on Plan of Survey, dated June 23, 2023, completed by Verhaegen Land Surveyors</i>			

The subject property contains a circa 1950 one (1) storey single unit dwelling with attached garage facing Church Street. The remainder of the subject property is maintained as landscaped open space. There is a 2.1-metre-wide utility easement running along the rear lot line. The applicant has confirmed that the existing single unit dwelling is to be demolished.



KEY MAP - Z-002/24, ZNG/7165



● SUBJECT LANDS



PART OF ZONING DISTRICT MAPS 8

N.T.S.

# REQUESTED ZONING AMENDMENT

Applicant: Supreme Homes Group



SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT



DATE : JANUARY, 2024  
FILE NO. : Z-002/24, ZNG/7165



NEIGHBOURHOOD MAP - Z-002/24, ZNG/7165



SUBJECT LANDS

## **Neighbourhood Characteristics:**

The subject property is located on the eastern side of the South Windsor neighbourhood. The South Windsor neighbourhood constitutes the area north of Cabana Road West, east of Huron Church Road, south of E. C. Row Expressway and west of the Canadian Pacific Railway corridor.

## **Surrounding Land Uses:**

### ***North:***

- Low density residential

### ***East:***

- Low density residential

### ***South:***

- Low density residential

### ***West:***

- Central Park
- Low density residential

## **Municipal Infrastructure:**

- Church Street is classified as a local road, which has a two-lane cross section with no curbs and gutters, sidewalks or streetlights.
- Sanitary sewer, storm sewer and watermain are located within the Church Street right-of-way.

## **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.*
  - Refer to the response provided to PPS Policy 1.1.1 e) herein.
- *b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), ..... to meet long-term needs.*
  - This amendment will allow for the construction of a single unit dwelling on a smaller lot, further diversifying the range of that particular residential type available in the South Windsor 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 the subject property through intensification, optimizing existing municipal infrastructure and public service facilities, and avoiding unnecessary land consumption.
  - The redevelopment of the subject property at a higher density, in conjunction with it being within walking distance of transit stops, also represents a transit-supportive development.
    - A distance of 400.0 metres is typically used as an acceptable walking distance to a transit stop.
    - This is reflected within Transit Windsor's 2019 Transit Master Plan and the City of Windsor's Active Transportation Master Plan.
- *f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society.*
  - The interior layout and exterior site design for a single unit dwelling is exempt from having to comply with the Barrier-Free Design requirements of the *Ontario Building Code*.
  - The *Accessibility for Ontarians with Disabilities Act* does not apply to a single unit dwelling.



- *g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs.*
  - The subject property is serviced by a 200-millimetre PVC watermain, 250-millimetre PVC sanitary sewer and 675-millimetre reinforced concrete pipe storm sewer within the Church Street right-of-way.
  - The subject property is serviced by overhead hydro lines running north/south across the rear yard.
  - The subject property has direct access to a public highway in the form of Church Street.
  - Central Public School and Vincent Massey Secondary School are located within 950.0 metres and 2.5 kilometres of the subject property, respectively.
  - St. Gabriel Catholic Elementary School and Holy Names Catholic High School are located within 1.8 kilometres and 3.2 kilometres of the subject property, respectively.
  - Central Pool, Nikola Budimir Memorial Public Library and Capri Pizzeria Recreation Complex are located within 1.2 kilometres, 2.0 kilometres and 2.9 kilometres 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 responses provided to PPS Policy 1.1.1 e) herein.
    - *c) directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;*
      - Refer to the response provided to PPS Policy 1.1.1 g) herein.

One or more of the aforesaid responses to PPS Policy 1.1.1 also speak to the following relevant PPS 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;*

The applicant's Planning Rationale Report (PRR), dated November 16, 2023, demonstrates that the requested amendment to Zoning By-law 8600 is consistent with the relevant policies of PPS 2020.

## **Official Plan**

Relevant excerpts from Volume I of the Official Plan are attached as Appendix C. The following policies from these excerpts are considered relevant in discussing this amendment's conformity with the Official Plan.

The subject property is located within the South Windsor Planning District on *Schedule A - Planning Districts & Policy Areas*, within a Residential land use designation on *Schedule D - Land Use Plan* and within proximity to a Civic Way (namely Howard Avenue) on *Schedule G - Civic Image* to the *City of Windsor Official Plan*.

## **Volume I**

### **Chapter 3 - Development Strategy**

This amendment complies with the following applicable key policy direction for managing growth consistent with the Vision of the City of Windsor Community Strategic Plan.

#### **3.2 - Growth Concept**

##### **3.2.1 - Safe, Caring and Diverse Communities**

*Encouraging a range of housing types will ensure that people have an opportunity to live in their neighbourhoods as they pass through the various stages of their lives. Residents will have a voice in how this new housing fits within their neighbourhood. As the city grows, more housing opportunities will mean less sprawl onto agricultural and natural lands (Policy 3.2.1.2).*

- Refer to the response provided to PPS Policy 1.1.1 b) herein.

### **3.3 - Urban Structure Plan**

This amendment complies with the following applicable key policy direction for managing the structural elements within the municipality.

#### **3.3.3 Neighbourhoods**

..... The three dominant types of dwellings in Windsor's neighbourhoods are single detached, semi-detached and townhouses. The density range for Windsor's neighbourhoods is between 20 to 35 units per net hectare. This density range provides for low and some medium-density intensification to occur in existing neighbourhoods.

.....

- This amendment will achieve a density of 23.7 units per hectare.
- If two (2) Additional Dwelling Units (ADUs) are established within each single unit dwelling, the density will increase to 71.1 units per hectare.

### **Chapter 6 - Land Use:**

#### **6.1 Goals**

This amendment complies with the following applicable land use goal:

- *Housing suited to the needs of Windsor residents (Goal 6.1.3).*
- *To direct residential intensification to those areas of the City where transportation, municipal services, community facilities and goods and services are readily available (Goal 6.1.14).*

#### **6.3 Residential**

##### **6.3.1 Objectives**

The amendment complies with the following applicable Residential land use objectives:

- *To support a complementary range of housing forms and tenures in all neighbourhoods (Objective 6.3.1.1).*
- *To promote residential redevelopment, infill and intensification initiatives in locations in accordance with this plan (Objective 6.3.1.3).*

##### **6.3.2 Policies**

#### **Permitted Uses**

*Uses permitted in the Residential land use designation identified on Schedule D: Land Use include Low Profile, and Medium Profile dwelling units. (Policy 6.3.2.1)*

- A single unit dwelling is classified as a Low Profile dwelling unit.

## Locational Criteria

*New residential development and intensification shall be located where: (Policy 6.3.2.4)*

- *(a) There is access to a collector or arterial road;*
  - The subject property is located within approximately 200.0 metres of Dougall Avenue, a Class II Arterial Road, and approximately 450.0 metres of Norfolk Street, a Class II Collector Road.
- *(b) Full municipal physical services can be provided;*
  - Refer to the response provided to PPS Policy 1.1.1 g) herein.
- *(c) Adequate community services and open spaces are available or are planned; and*
  - Refer to the responses provided to PPS Policy 1.1.1 g) and the Surrounding Land Uses section herein.
- *(d) Public transportation service can be provided.*
  - The subject property is within approximately 220.0 metres and 280.0 metres of transit stops for the northbound and southbound Dougall 6 transit routes, respectively.

## Evaluation Criteria

Policy 6.3.2.5 states:

- *At the time of submission, the proponent shall demonstrate to the satisfaction of the Municipality that a proposed residential development within an area having a Neighbourhood development pattern is:*
  - *(c) In existing neighbourhoods, compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and amenity areas.*
    - **Scale and Massing**
      - The lot coverage attributed to main buildings within the 3400 block of Church Street range from approximately 100.0 m<sup>2</sup> to 325.0 m<sup>2</sup>.
        - The applicant is proposing a lot coverage of approximately 170.0 m<sup>2</sup> for each single unit dwelling.

- The RD1.2 zoning will permit a maximum building area of 189.9 m<sup>2</sup> for each lot.
  - Lot widths of properties within the 3400 block of Church Street range from approximately 18.3 metres to 30.5 metres.
    - Lots 153 and 154 each have a lot width of 12.2 metres.
    - Lots 153 and 154 were established prior to Zoning By-law 8600 and its predecessor by-laws being adopted.
  - Lot areas of properties within the 3400 block of Church Street range from approximately 600.0 m<sup>2</sup> to 1,550.0 m<sup>2</sup>.
    - Lots 153 and 154, together with the abutting portion of the closed north/south alley each have a lot area of 422.1 m<sup>2</sup>.
    - Lots 153 and 154 were established prior to Zoning By-law 8600 and its predecessor by-laws being adopted.
  - The 3400 block of Church Street includes single unit dwellings of various sizes, predominately in the minimal traditional and ranch architectural styles, reflective of their time of construction ranging from 1945 to 1958.
- Height
    - The maximum main - building height provision for a single unit dwelling under the RD1.2 zoning and RD1.4 zoning are identical (9.0 metres).
    - Building heights for properties within the 3400 block of Church Street include one (1) storey, one and a half (1 ½) storey and two (2) storey single unit dwellings.
      - The applicant is proposing a building height of two (2) storeys [approximately six (6) metres] for each single unit dwelling.
  - Siting and Setbacks
    - The minimum front yard depth, minimum rear yard depth, and maximum gross floor area for a main building provisions for a single unit dwelling under the RD1.2 zoning and RD1.4 zoning are identical.
      - The applicant is not requesting relief from any of these provisions.

- The minimum side yard width provision for a single unit dwelling changes from 1.80 metres to 1.20 metres under the RD1.4 zoning and RD1.2 zoning, respectively.
  - Side yard widths of properties within the 3400 block of Church Street range from approximately 0.20 metres to 11.00 metres.
  - It should be further noted that the Planning Department, through Housekeeping Amendment Application Z-002/21 [ZNG/6277] to Zoning By-law 8600, is recommending that minimum side yard width provision for a single unit dwelling under all Residential District 1 and Residential District 2 zones be 1.20 metres [save and except the Residential District 1.5 (RD1.5) zone, which is specific to the Little River Acres (Villages of Riverside) subdivision].
    - The supporting report states that *“This will ensure consistency and fairness between the various zoning districts, allows more flexibility in the design of a dwelling, and allows for more efficient use of land.”*
    - The Development & Heritage Standing Committee endorsed this recommendation at their February 5, 2024 meeting.
    - Council will consider the housekeeping amendment for approval at its February 26, 2024 meeting.
  - Orientation, Parking and Amenity Areas
    - The amenity areas, orientation, parking areas and siting will be consistent with the surrounding neighbourhood (i.e. driveway off of abutting street, front yard and rear yard amenity areas, street facing single unit dwelling).
    - This amendment will allow for a development that is compatible with the established built environment found within the block and surrounding neighbourhood.
  - *(d) provided with adequate off street parking;*
    - The proposed development will accommodate the required number of parking spaces onsite.

- *(e) capable of being provided with full municipal physical services and emergency services; and*
  - Refer to the response provided to PPS Policy 1.1.1 g) herein for details on the municipal physical services available to the subject property.
  - The subject property is served by Essex-Windsor EMS, Windsor Fire & Rescue Services (Fire Hall No. 6) and Windsor Police Service.

**Chapter 11 - Tools:**

Land use compatibility throughout Windsor is an implementation goal to be achieved when administering a planning tool under this chapter. Compatibility between land uses is also an objective of the Zoning By-law Amendment planning tool (Policy 11.6.1.2).

- Land use compatibility was considered as part of the evaluation of the applicable Official Plan and PPS policies referenced herein.

Policy 11.6.3.3 states:

- *When considering applications for Zoning By-law amendments, Council shall consider the policies of this Plan and will, without limiting the generality of the foregoing, consider such matters as the following:*
  - *(a) The relevant evaluation criteria contained in the Land Use Chapter of this Plan, Volume II: Secondary Plans & Special Policy Areas and other relevant standards and guidelines;*
  - *(b) Relevant support studies;*
  - *(c) The comments and recommendations from municipal staff and circularized agencies;*
  - *(d) Relevant provincial legislation, policies and appropriate guidelines; and*
  - *(e) The ramifications of the decision on the use of adjacent or similar lands.*
    - This amendment is not anticipated to have any ramifications on the use of adjacent or similar lands.

The aforesaid matters were considered as part of the evaluation of the applicable Official Plan and PPS policies referenced herein.

The applicant's PRR demonstrates that the requested amendment to Zoning By-law 8600 conforms with the policies of the Official Plan.

**Zoning By-Law**

Relevant excerpts from Zoning By-law 8600 are *attached* as Appendix D.

The subject property is within a RD1.4 zone of Zoning By-law 8600.

The applicant is requesting an amendment to Zoning By-law 8600 to change the zoning to an RD1.2 zone with a site specific provision to permit a garage forming part of a single unit dwelling to have a maximum width of up to 68.0 percent of the maximum permitted width of the main building on the lot.

The RD1.2 zone is the most appropriate zoning for the existing lots of record, which are significantly smaller than what is intended for the RD1.4 zone.

Section 5.11.5 of Zoning By-law 8600 currently permits a garage forming part of a single unit dwelling to have a maximum width of up to 60.0 percent of the maximum permitted width of the main building on the lot. The requested increase equates to an increase in maximum permitted width of 0.8 metres from 5.9 metres to 6.7 metres.

The general intent and purpose of the maximum garage width regulation is to avoid having streetscapes and low density residential dwellings that are visually dominated by garage doors. The requested increase is found to be minor in nature and to maintain the general intent and purpose of the regulation. Despite the requested increase in maximum garage width, the driveway width will comply with Section 24.28.1.3.1 of Zoning By-law 8600, which limits the area of hard surface within a required front yard to a maximum of 50%.

The applicant's PRR demonstrates that the requested amendment to Zoning By-law 8600 is compatible with existing built environment in the surrounding neighbourhood and constitutes good planning.

The applicant's request has been considered and is supported within this report.

No other zoning deficiencies have been identified or supported.

A draft amending by-law is attached as Appendix F. 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.

The applicant hosted an electronic public open house on November 8, 2023, via Zoom. Notice of the open house was issued to owners of properties within 120.0 metres of the subject property. The open house was attended by nine (9) people. Comments from were also received by phone and email as well.

Section 3.2 of the PRR summarizes the comments and questions, and includes corresponding responses. Comments received were taken into consideration when preparing this report.

Public Notice: Statutory notice was advertised in the Windsor Star, a local daily newspaper. A courtesy notice was mailed to property owners and residents within 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 with the PPS, conforms with the policy direction of the City of Windsor Official Plan, is compatible with existing and permitted uses in the surrounding neighbourhood and constitutes good planning.

## **Planning Act Matters:**

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

*Greg Atkinson, MCIP, RPP*  
*Manager of Development*

*Thom Hunt, MCIP, RPP*  
*City Planner*

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

JP JM

**Approvals:**

Name	Title
Greg Atkinson	Manager of Development/Deputy City Planner
Thom Hunt	City Planner / Executive Director, Planning & Development Services
Aaron Farough	Senior Legal Counsel, Legal Services & Real Estate
Wira Vendrasco	Deputy City Solicitor, Legal Services & Real Estate
Jelena Payne	Commissioner, Economic Development & Innovation
Ray Mensour for Joe Mancina	Chief Administration Officer

**Notifications:**

Name	Address	Email
Supreme Homes Group Inc. (John Atwan)		
Pillon Abbs Inc. (Tracey Pillon-Abbs)		
Councillor Fred Francis (Ward 1)		
Supreme Homes Group Inc. (John Atwan)		
Pillon Abbs Inc. (Tracey Pillon-Abbs)		
Abutting property owners, tenants/occupants within 120-meter (400 feet) radius of the subject property		

**Appendices:**

- 1 Appendix A - Conceptual Plan
- 2 Appendix B - Site Images
- 3 Appendix C - Excerpts from Official Plan Volume I
- 4 Appendix D - Excerpts from Zoning By-law 8600
- 5 Appendix E - Consultations
- 6 Appendix F - Draft Amending By-law (Site Specific Holding Provision)
- 7 Appendix G - Planning Rationale Report
- 8 Appendix H - Existing Tree Inventory and Preservation Plan

# APPENDIX "A" Conceptual Plans

## Overall Site Plan

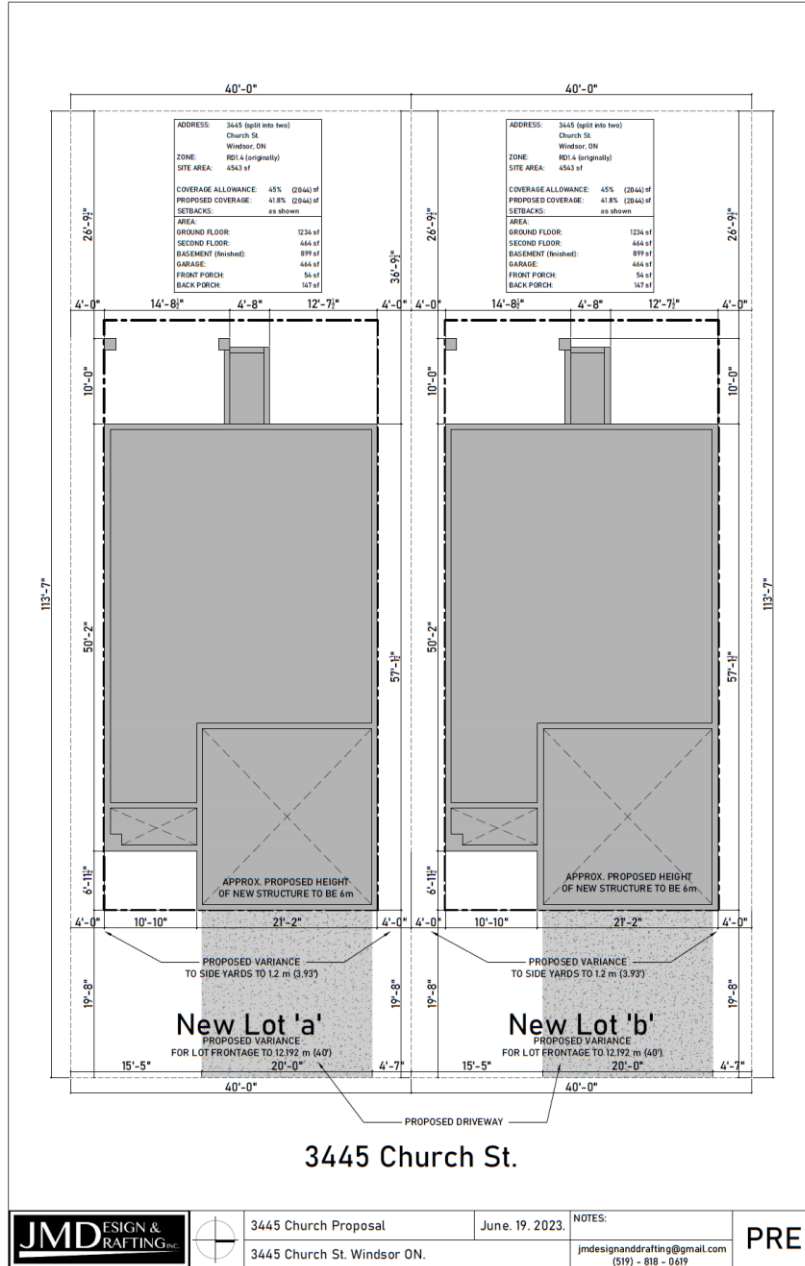
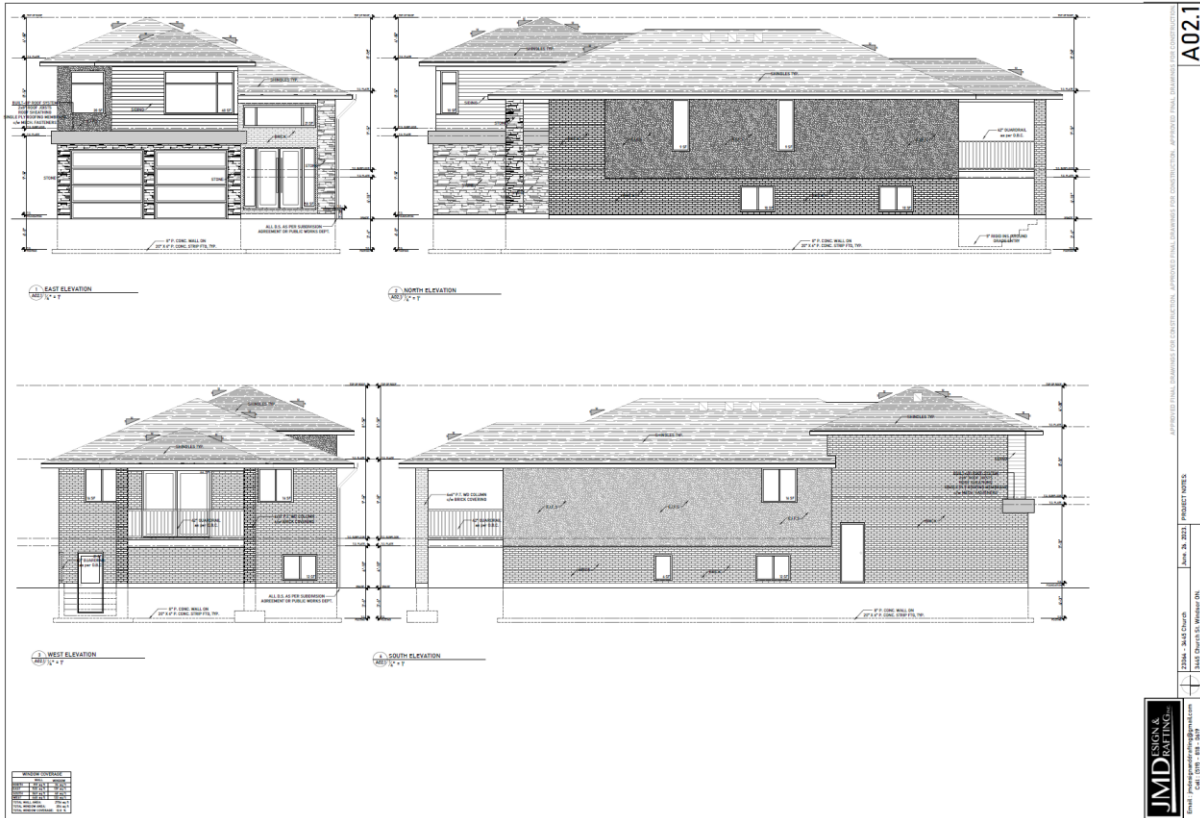
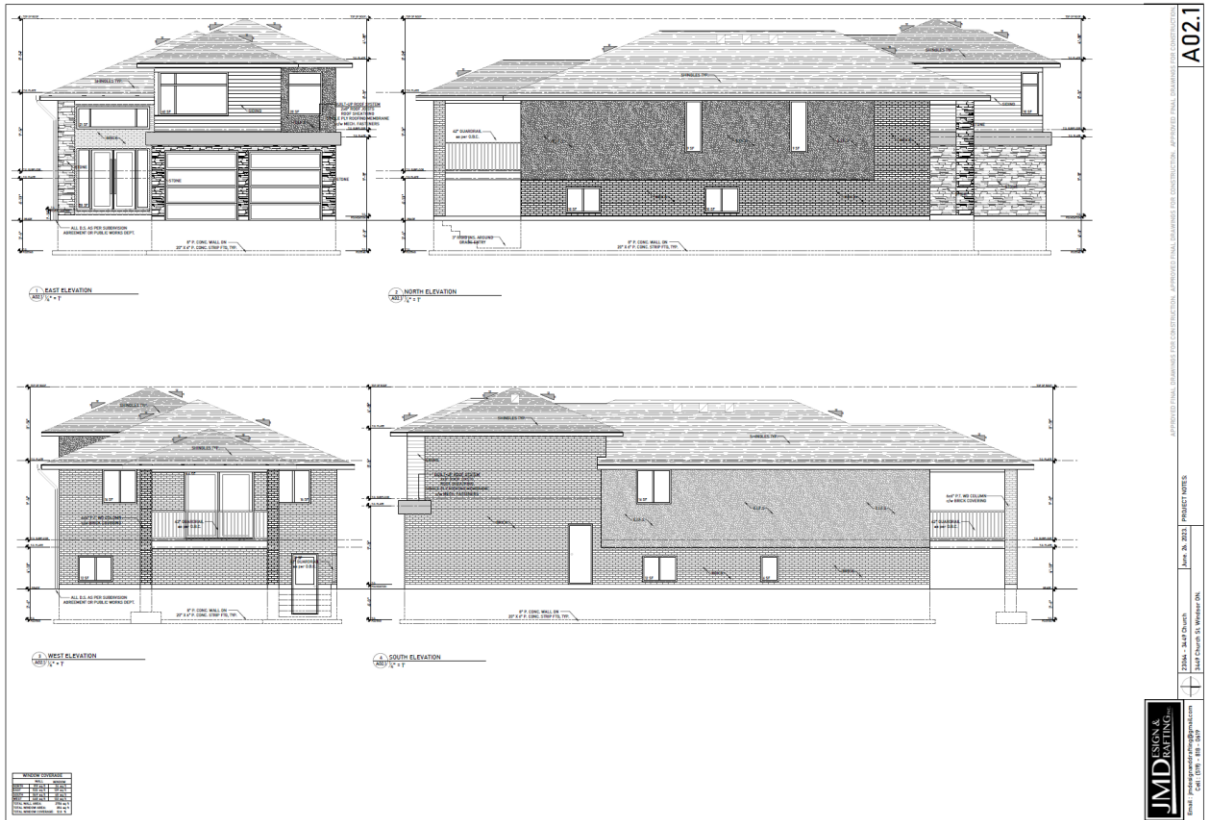


Figure 1 - Site Plan











**APPENDIX "B"**  
**Site Photos**



*Figure 1 - Looking southwest towards 3445 Church St*



*Figure 2 - Looking northwest towards 3445 Church St*



*Figure 3 - Church St, looking north from 3445 Church St*



*Figure 4 - Church St, looking south from 3445 Church St*

**APPENDIX “C”**  
**Excerpts from Official Plan Volume I**

**3. Development Strategy**

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**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.

**3.3.3 Neighbourhoods**

*NEIGHBOURHOOD  
HOUSING VARIETY*

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.

**6. Land Use**

---

**6.1 Goals**

In keeping with the Strategic Directions, Council's land use goals are to achieve:

*RESIDENTIAL*

6.1.3 Housing suited to the needs of Windsor's residents.

*RESIDENTIAL  
INTENSIFICATION*

6.1.14 To direct residential intensification to those areas of the City where transportation, municipal services, community and goods and services are readily available. (added by OPA #159 –AP PROVED July 11, 2022, B/L# 100-2022)

**6.3 Residential**

**6.3.1 Objectives**

- RANGE OF FORMS & TENURES*      6.3.1.1      To support a complementary range of housing forms and tenures in all neighbourhoods.
- INTENSIFICATION, INFILL & REDEVELOPMENT*      6.3.1.3      To promote residential redevelopment, infill and intensification initiatives in locations in accordance with this plan. (Added by OPA#159 - APPROVED July 11, 2022, B/L#100-

**6.3.2 Policies**

- PERMITTED USES*      6.3.2.1      Uses permitted in the Residential land use designation identified on Schedule D: Land Use include Low Profile, and Medium Profile dwelling units.

High Profile Residential Buildings shall be directed to locate in the City Centre, Mixed Use Centres and Mixed Use Corridors. (Added by OPA #159 – APPROVED July 11, 2022 , B/L# 100-2022)

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

New residential development and intensification shall be located where:

- (a) There is access to a collector or arterial road;
- (b) Full municipal physical services can be provided;
- (c) Adequate community services and open spaces are available or are planned; and
- (d) Public transportation service can be provided. (Added by OPA #159 – APPROVED July 11, 2022, B/L# 100-2022)

- EVALUATION CRITERIA FOR A NEIGHBOURHOOD DEVELOPMENT PATTERN*      6.3.2.5      At the time of submission, the proponent shall demonstrate to the satisfaction of the Municipality that a proposed residential development within an area having a Neighbourhood development pattern is:

- (c) In existing neighbourhoods, compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and amenity areas.

In Mature Neighbourhoods as shown on Schedule A-1, compatible with the surrounding area, as noted above, and consistent with the streetscape, architectural style and materials, landscape character and setback between the buildings and streets; (Added by OPA #159 – APPROVED July 11 2022, B/L#

- (d) provided with adequate off street parking;
- (e) capable of being provided with full municipal physical services and emergency services; and

**11. Tools**

---

**11.6 Zoning**

**11.6.1 Objectives**

*COMPATIBLE USES*

- 11.6.1.2 To ensure compatibility between land uses.

**11.6.3 Zoning By-law Amendment Policies**

*EVALUATION CRITERIA*

- 11.6.3.3 When considering applications for Zoning By-law amendments, Council shall consider the policies of this Plan and will, without limiting the generality of the foregoing, consider such matters as the following:

- (a) The relevant evaluation criteria contained in the Land Use Chapter of this Plan, Volume II: 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 Zoning By-law 8600**

**SECTION 5 - GENERAL PROVISIONS**

(AMENDED by B/L 274-1998, Oct. 2, 1998; B/L 31-2013, March 28/2013; DELETED By B/L 117-2016, Dec. 28, 2016; ADDED by B/L 177-2016, Dec. 28, 2016; AMENDED by B/L 95-2019, Sept. 27/2019)

**5.11 CARPORT / GARAGE**

5.11.5 In any residential district, for a single unit dwelling, semi-detached dwelling, duplex dwelling or townhome dwelling, the maximum width of a carport or garage forming part of the main building shall not exceed 60.0 percent of the maximum permitted width of the main building on the lot.

**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	9.0 m	9.0 m	9.0 m
.5 Front Yard Depth – minimum	6.0 m	6.0 m	6.0 m
.6 Rear Yard Depth – minimum	7.50 m	7.50 m	7.50 m
.7 Side Yard Width – minimum	1.20 m	1.20 m	1.20 m
.8 Gross Floor Area – main building – maximum	400 m <sup>2</sup>	400 m <sup>2</sup>	400 m <sup>2</sup>

(AMENDED by B/L 101-2022, July 11, 2022)

**10.4 RESIDENTIAL DISTRICT 1.4 (RD1.4)**

**10.4.1 PERMITTED USES**

- Existing Duplex Dwelling*
- Existing Semi-Detached Dwelling*
- One Single Unit Dwelling*
- Any use accessory to the preceding uses

**10.4.5 PROVISIONS**

	Duplex Dwelling	Semi-Detached Dwelling	Single Unit Dwelling
.1 Lot Width – minimum	9.0 m	15.0 m	18.0 m
.2 Lot Area – minimum	360.0 m <sup>2</sup>	450.0 m <sup>2</sup>	540.0 m <sup>2</sup>
.3 Lot Coverage – maximum	45.0%	45.0%	45.0%
.4 Main Building Height – maximum	9.0 m	9.0 m	9.0 m
.5 Front Yard Depth – minimum	6.0 m	6.0 m	6.0 m
.6 Rear Yard Depth – minimum	7.50 m	7.50 m	7.50 m
.7 Side Yard Width – minimum	1.20 m	1.20 m	1.80 m
.8 Gross Floor Area – main building – maximum	400 m <sup>2</sup>	400 m <sup>2</sup>	400 m <sup>2</sup>

**(AMENDED by B/L 101-2022, July 11, 2022)**





**ENWIN UTILITIES - HYDRO ENGINEERING**

No Objection provided clearances are maintained from our distribution plant.

Please note the following distribution and services:

- Overhead 16kV primary distribution pole line and associated down guy wires/anchors adjacent to the west limit of the property.
- Overhead 120/240v secondary triplex distribution, adjacent to the west limit of the property
- Overhead 120/240v secondary triplex service to 3451 Church St.
- Overhead 120/240v secondary triplex service to 3450 Bruce Ave.
- Overhead 120/240v secondary triplex service to 3458 Bruce Ave.

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 ENGINEERING**

Water Engineering has no objections. There is an existing 19 mm water service that will end up being on one of the lots that may be re-used if it is sufficient for the proposed development.

**[Bruce Ogg, Water Project Review Officer]**

**GREATER ESSEX COUNTY DISTRICT SCHOOL BOARD**

No comments provided

**PARKS DEPARTMENT**

There are 2 City owned trees at this address, total diameter of 165 cm. These trees are in great shape. Forestry requires that these trees must be preserved. Tree preservation plan is required.

Replacement will be required if there are tree damages/removals.

The City will require that the developer is notified, in advance, of the City's tree replacement procedure: City Forestry follows the 'equivalent diameter' replacement methodology - for every unit diameter of tree removed (e.g. due to damages), a similar amount of new trees must be planted.

(Stage 1: Planning Consultation Comments)

**[Yemi Adeyeye, City Forester / Manager of Natural Areas]**

**PLANNING DEPARTMENT - HERITAGE**

No supporting studies or information required.

(Stage 1: Planning Consultation Comments)

**[Kristina Tang, Heritage Planner]**

**PLANNING DEPARTMENT - LANDSCAPE**

The use of the property is to remain low density residential and is therefore not subject to site plan control.

There are no studies required from a landscape or urban design perspective.

There are however two existing city-owned trees in the front of the property that will need to be preserved. The applicant is to consult with the City Forester regarding the preservation techniques and compensation if the trees are damaged or removed during any construction.

(Stage 1: Planning Consultation Comments)

**[Stefan Fediuk, Landscape Architect]**

**TRANSPORTATION PLANNING**

No supporting studies or information required.

(Stage 1: Planning Consultation Comments)

**[Clare Amicarelli, Transportation Planning Coordinator]**

**WALPOLE ISLAND FIRST NATION**

No comments provided

**WINDSOR ESSEX CATHOLIC DISTRICT SCHOOL BOARD**

No comments provided

**APPENDIX “F”  
Draft Amending By-law**

B Y - L A W N U M B E R                      -2024

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

Passed the                      day of                      , 2024.

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

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

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

**498. WEST SIDE OF CHURCH STREET BETWEEN LIBERTY STREET AND BEALS STREET WEST**

For the lands comprising of Lots 153 & 154 and Part of Closed Alley, Plan 1305, PIN No. 01304-0854 LT, the following shall apply:

1. Notwithstanding Section 5.11.5, for a *single unit dwelling*, the maximum width of a *carport* or *garage* forming part of the *main building* shall not exceed 68.0% of the maximum permitted width of the *main building* on the *lot*.

[ZDM 8; ZNG/7165]

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

1. Item Number	2. Zoning District Map Part	3. Lands Affected	4. Official Plan Amendment Number	5. Zoning Symbol	6. New Zoning Symbol
1	8	Lots 153 & 154 and Part of Closed Alley, Plan 1305, PIN No. 01304-0854 LT (located on the west side of Church Street between Liberty Street and Beals Street West)		RD1.4	RD1.2 S.20(1)498

DREW DILKENS, MAYOR

CLERK

First Reading - , 2024

Second Reading - , 2024

Third Reading - , 2024

**SCHEDULE 2**

1. By-law \_\_\_\_\_ has the following purpose and effect:

To amend the zoning of the lands located on the west side of Church Street between Liberty Street and Beals Street West, legally described as Lots 153 & 154 and Part of Closed Alley, Plan 1305, PIN No. 01304-0854 LT, so as to permit the development of a single unit dwelling on the subject land.

The amending by-law changes the zoning on the subject land from Residential District 1.4 (RD1.4) to Residential District 1.2 (RD1.2) and adds a special zoning provision permitting a carport or garage forming part of a single unit dwelling a maximum width of up to 68.0 percent of the maximum permitted width of the main building on the lot.

2. Key map showing the location of the lands to which By-law \_\_\_\_\_ applies.



PART OF ZONING DISTRICT MAPS 8

N.T.S.

## SCHEDULE 2

Applicant: Supreme Homes Group



SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT



DATE : JANUARY, 2024  
FILE NO. : Z-002/24, ZNG/7165



# PLANNING RATIONALE REPORT

## ZONING BY-LAW AMENDMENT PROPOSED RESIDENTIAL DEVELOPMENT

3445 Church Street  
Windsor, Ontario

**November 16, 2023**

**Prepared by:**



Tracey Pillon-Abbs, RPP  
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## 1.0 INTRODUCTION

I have been retained by Supreme Homes Group Inc. (herein the "Applicant"), to provide a land use Planning Rationale Report (PRR) in support of a proposed development located at 3445 Church Street (herein the "Site") in the City of Windsor, Province of Ontario.

The Site is made up of two (2) parcels of land, which currently has one (1) single detached dwelling in Ward 1, in the South Windsor Planning District.

The existing dwelling will be demolished.

It is proposed to construct two (2) new single detached dwellings with two (2) parking spaces for each. One (1) dwelling will be on each parcel of land. Access will be from Church Street.

The Site has access to full municipal services.

The Site will provide for new housing in an existing built up area. Smaller lots will make housing more affordable and attainable.

An application for a Zoning By-law Amendment (ZBA) is required in order to permit the proposed development.

Once the ZBA has been approved, the Applicant will proceed with a building permit prior to any construction or site alterations.

Pre-consultation (stage 1) was completed by the Applicant. Comments dated August 17, 2023 (City File #PS-007/23), were received and have been incorporated into this PRR.

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).

This PRR will show that the proposed development is suitable for residential intensification, is consistent with the PPS, conforms to the intent and purpose of the City of Windsor OP and represents good planning.

## 2.0 SITE AND SURROUNDING LAND USES

### 2.1 Description of Site and Ownership

The Site has been owned by Supreme Homes Group Inc., the Applicant, since July 2023.

The Site is made up of two (2) interior parcels of land located on the west side of Church Street, north of Beals Street West and south of Liberty Street (see the area in red on Figure 1a – Site Location).

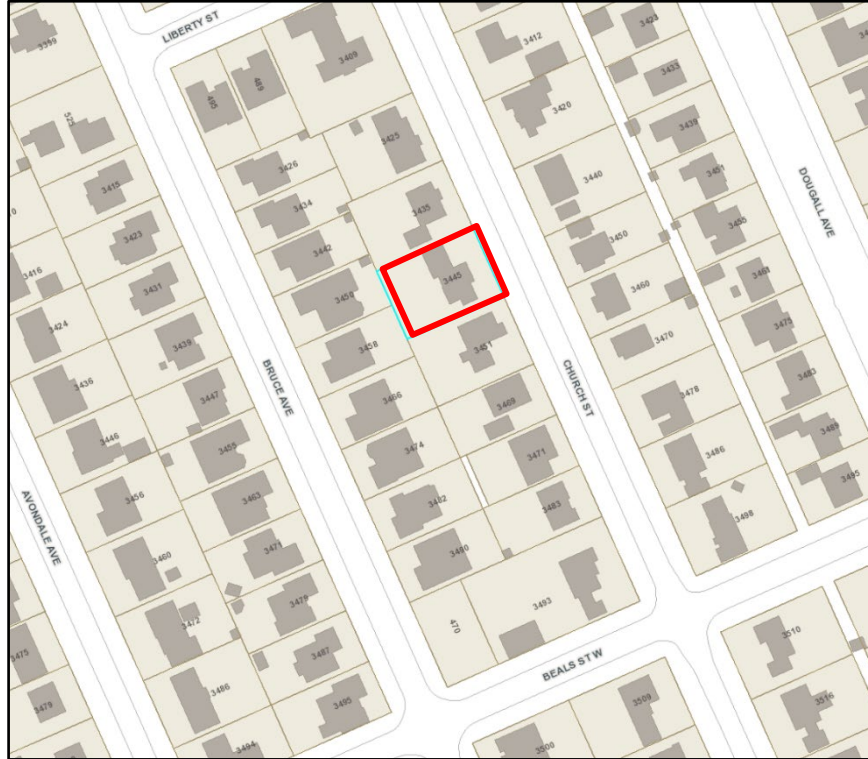


Figure 1a – Site Location (Source: City of Windsor GIS)

The Site is locally known as 3445 Church Street and is legally described as follows:

Description	PIN	ARN
LT 153 PL 1305 SANDWICH WEST; LT 154 PL 1305 SANDWICH WEST; PT ALLEY PL 1305 SANDWICH WEST CLOSED BY R1006826 AS IN R1066956 SIT R1006826; WINDSOR	01304 – 0854 LT	080-300-15400-0000

3445 Church St, Windsor, Ontario

4

## 2.2 Physical Features of the Site

### 2.2.1 Size and Site Dimension

The Site, subject to the proposed development, consists **each** of a total area of 422.06 m<sup>2</sup>, with a lot width of 12.19 m along Church Street and a lot depth of 34.62 m.

### 2.2.2 Existing Structures and Previous Use

The Site one (1) single detached dwelling (see Figure 1b – Site Street View).



Figure 1b – Site Street View (Source: Pillon Abbs Inc.)

The previous use of the Site was for residential.

### 2.2.3 Vegetation

The Site has an open grassed front yard and rear yard.

There are some mature trees located on the Site.

#### **2.2.4 Topography, Drainage and Soil**

The Site is flat and is outside the regulated area of the Essex Region Conservation Authority (ERCA).

The Site is part of the Turkey Creek Drainage Area.

The Site is not impacted by Source Water Protection.

The soil is made up of Brookston Clay Loam (Bcl).

#### **2.2.5 Other Physical Features**

There is an existing shared driveway.

There is fencing along a portion of the boundary of the Site.

#### **2.2.6 Municipal Services**

The property has access to municipal water, storm and sanitary services.

Church Street is a two-way north / south local residential road.

There is no on-street parking in the area of the Site.

There are no streetlights or sidewalks along Church Street.

The closest fire hydrant is located directly east of the Site.

The Site has access to transit with the closest bus stop located at the corner of Dougall Ave and Beals St (270 m), Stop ID: 1782 (Bus #6).

The Site is in close proximity to major transportation corridors, including Dougall Ave.

#### **2.2.7 Nearby Amenities**

There are several schools nearby, including the Central Public School, St Garbiel Catholic Elementary School and Southwood Public School.

There are many parks and recreation opportunities in close proximity to the Site, including Kenilworth Park and Oakwood Park.

The nearest library is Budimir Public Library.

There is nearby shopping in the form of plazas and malls, as well as employment, places of worship and local amenities.

## 2.3 Surrounding Land Uses

Overall, the Site is located in an existing built up area in Ward 1 in the South Windsor Planning District. The neighbourhood characteristic is low profile residential.

A site visit was undertaken on October 27, 2022. Photos were taken by Pillon Abbs Inc..

**North** – The lands directly north of the Site are used for residential with access from Church Street (see Photo 1 - North).



Photos 1 – North

**South** – The lands directly south of the Site are used for residential with access from Church Street (see Photo 2 - South).



Photo 2 – South

**East** – The lands east of the Site are used for residential with access from Church Street (see Photos 3 - East).







Photos 3 – East

**West** – The lands west of the Site are used for residential with access from Bruce Avenue (see Photos 4 - West).





Photos 4 – West

# 3.0 PROPOSAL AND CONSULTATION

## 3.1 Development Proposal

The existing single detached dwelling will be demolished.

It is proposed to develop the Site for residential purposes.

It is proposed to construct two (2) new single detached dwellings. One (1) dwelling will be on each parcel of land.

A Concept Plan has been prepared by JM Design and Rafting Inc., dated June 19, 2023 (see Figure 2a – Concept Plan).

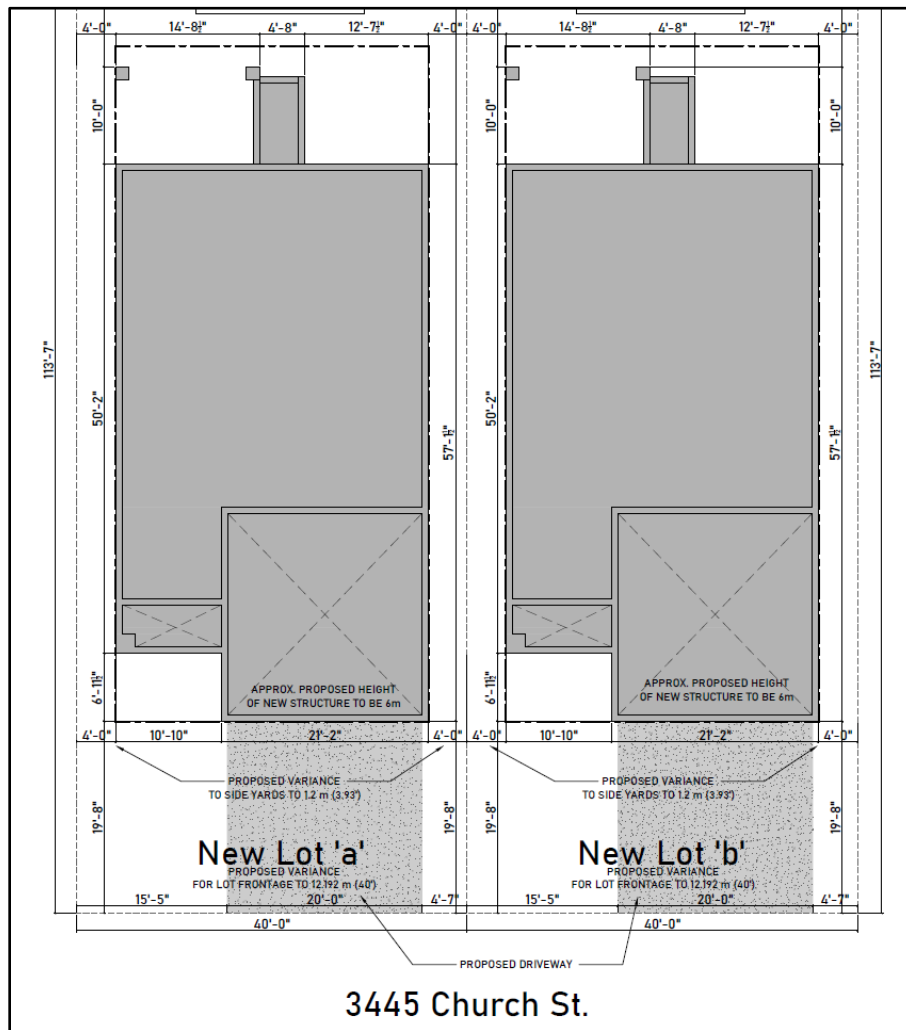


Figure 2a – Concept Plan

The concept plan illustrates a preliminary proposal.

Based on the size of **both** of the Sites (0.084 ha) and the total number of new units (2), the proposed gross density will be 23.81 units per hectare (uph).

The tenure of the units is proposed to be freehold.

The proposed dwellings will be a maximum of 6 m in height (2 storeys).

The total building area for **each** lot is proposed to be 189.89 m<sup>2</sup> in size, which will result in a total lot coverage of 41.8%.

The building will face Church Street with a primary pedestrian entrance (see Figure 2b – Elevations).

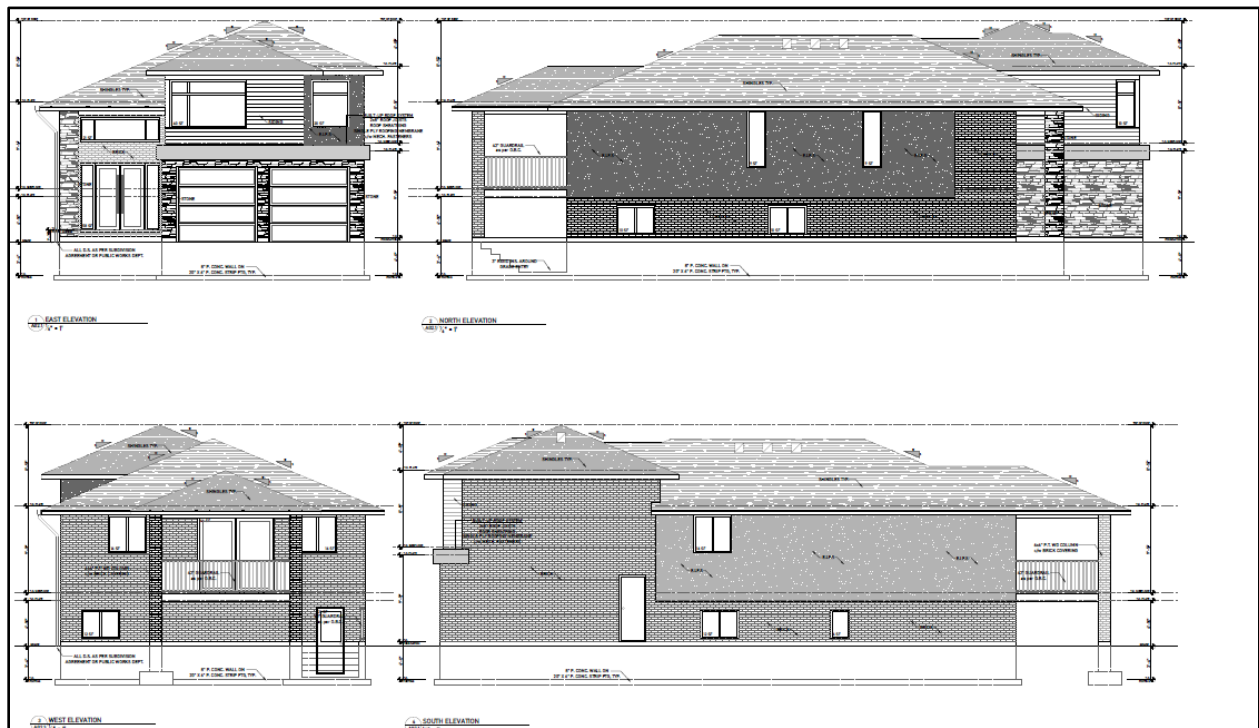


Figure 2b – Elevations

Units will have 3 bedrooms, each with an unfinished basement.

There will be a front and rear porch leading into the proposed building.

Vehicle access will be from Church Street on a private driveway with two (2) parking spaces for each.

Each dwelling will have a private double car garage.

Outdoor amenity space is proposed in the front yard and the rear yard.

All sidewalks will be paved.

Landscaping will be provided.

New fencing is proposed.

Waste management (garbage and recycling) is handled indoors and taken to the curb for pick up.

The Site will be serviced with full municipal services, including water, storm and sewers.

## 3.2 Public Consultation Strategy

In addition to the statutory public meeting, the *Planning Act* requires that the Applicant submit a proposed strategy for public consultation with respect to an application as part of the complete application requirements.

As part of a public consultation strategy, in addition to the statutory public meeting, an informal electronic public open house was held with area residents and property owners on Wednesday, November 8, 2023, from 6:00 pm to 7:00 pm.

The open house provided members of the public with opportunities to review and comment on the proposed development.

A total of 77 owners and tenants were notified, which is a 120 m radius from the Site.

In addition to the City of Windsor Staff and the Applicant Team, a total of 9 residents registered and attended.

Emails and phone calls were also received.

The following is a summary of the comments and responses from the public open houses:

Topic Item	Comments and Questions	Response
Zoning Request	Did not know the application was for a re-zoning.	Re-zoning was noted on the notice.  We could do either new zoning or stay in the existing zoning.

<b>Topic Item</b>	<b>Comments and Questions</b>	<b>Response</b>
Lot Size	The proposed lot sizes are too small and different from what exists in the neighborhood	A smaller lot size will make it more affordable and attainable.
Garage	Explain the relief for the garage.	In any residential district, for a single unit dwelling, semi-detached dwelling, duplex dwelling or townhome dwelling, the maximum width of a carport or garage forming part of the main building shall not exceed 60.0 percent of the maximum permitted width of the main building on the lot.
Tenure	Will the units be rented?	No, they will be freehold.
Rear Yard Setback	It appears that the rear yard setback will only be 10 ft.	It was explained that the 10 ft dimension shown on the concept plan indicated the area within the building envelope.  The proposed rear yard setback is 26 ft.
Short Term Rental (STR)	Is this an Airbnb?	No, and STR is regulated by the City.
Bedrooms	There are too many bedrooms in the home.	The concept plan provided shows how the basement could be completed.  It is intended that the basement will be sold unfinished.
Kitchenette	The kitchenette will be used as an apartment.	The concept plan provided shows how the basement could be completed.  ADUs are permitted in a single detached dwelling as of right.
Additional Dwelling Units (ADU)	Explain what an ADU is.	An explanation was provided by the City of Windsor Staff.
Design and Materials	How will the dwellings be designed, and what material will be used?  How can we ensure the 2 dwellings will not be built as 'cookie cutters' and look the same?	A high end design is proposed, which will complement the south Windsor area.  Brick (stone face and wrap) and siding (on the side). Owners will be able to select the colours.
Demolition of Existing Home	When will the existing home be demolished?	ASAP

<b>Topic Item</b>	<b>Comments and Questions</b>	<b>Response</b>
Occupancy	Will the building be living in the home?	No, the builder will be building to sell.
Students	What can stop people from making rental students?	Zoning cannot regulate the type of people who will live in the dwellings.
Relief Requested	Why is relief being requested?	The 2 lots are legal lots of record but smaller than what is required in the current zone.  Relief will acknowledge the lots and allow for new construction.  A previous minor variance was applied for to the Committee of Adjustment, but the application was withdrawn as it was left that a ZBA was a better approach.
Precedent	This will create precedents.	Each application is evaluated on a case by case basis.
Past Decisions	Why is the Planning and Heritage Committee denying other applications?	The City of Windsor Staff confirmed that each application is evaluated based on adverse impact and a compatibility test.
Privacy	The rear porch will decrease privacy and is too high and will look into back yards.	The height is not uncommon for a low profile residential Site.  There are other second storey/raised porches in rear yards in the area.  An accessory building could be built closer to the lot line.
Heating and Cooling Systems	Each dwelling will have new systems.	The location is regulated by the City.
Compatibility	The proposed development is not compatible with the homes in the area.	Compatibility does not mean the dwelling has to be the same size.
Lot Frontage	Lot frontage is too small, there will be too much concrete and will create a heat island.	Driveway widths are regulated by the City.
Trees	Why is a tree preservation study needed?  Trees are already removed. Preservation is too late.	A Tree inventory and preservation study is currently being conducted.  If the trees do not need to be removed, they will not. The garage and driveway could be flipped if needed.

Topic Item	Comments and Questions	Response
	<p>People were measuring the 2 trees on the Site this week.</p> <p>These are heritage trees.</p> <p>Shade will be lost, there will be an increase in temperature, environmental concerns, and there is too much pollution in the City already.</p> <p>There will be an increase in water run off if trees are removed.</p>	
Landscaping	There is not enough room in the front yard for landscaping.	There is a 19 ft x 15 ft area available for plantings.
Dwelling Type	One duplex would have been a better option for the Site.	<p>The vision for the Site was to create 2 affordable and attainable housing options in the form of single detached dwellings.</p> <p>A duplex would have ended up being a rental.</p>
Side Yard Setback	This will look like tunnels between the homes.	<p>There is a minimum of 4 ft proposed on the side yards of each dwelling.</p> <p>Over 8 ft is proposed between the 2 new proposed dwellings.</p>



## **4.0 APPLICATIONS AND STUDIES**

Pre-consultation (stage 1) was completed by the Applicant. Comments dated August 17, 2023 (City File #PS-007/23), were received and have been incorporated into this PRR.

The proposed development requires an application for a Zoning By-law Amendment (ZBA) along with required support studies.

The following explains the purpose of the application and a summary of the required support studies.

### **4.1 Zoning By-Law Amendment**

A site specific Zoning By-law Amendment (ZBA) is required to permit the proposed development.

The zoning for the Site is proposed to be changed from Residential District 1.4 (RD1.4) category to a site specific Residential District 1.2 (RD1.2 - S.20(1)(XXX)) category, as shown on Map 8 of the City of Windsor Zoning By-Law (ZBL).

In addition to the change in zoning, the proposed development will comply with all zone provisions set out in the RD1.2 Zone, except relief is required from certain provisions.

The ZBA is detailed, and the justification is set out in Section 5.1.3 of this PRR.

### **4.2 Other Application**

Once the ZBA has been approved, the Applicant will proceed with a building permit prior to any construction or site alterations.

### **4.3 Supporting Studies**

The following studies have been prepared to support the application.

#### **4.3.1 Trees**

A Tree Preservation Study was prepared.

The purpose of the report was to identify the location of the existing trees on the Site.

The study identified two (2) trees, both of which can be preserved and are not impacted by the proposed development.

## 5.0 PLANNING ANALYSIS

### 5.1 Policy and Regulatory Overview

#### 5.1.1 Provincial Policy Statement

The Provincial Policy Statement, 2020 (PPS) provides policy direction on matters of provincial interest related to land use planning and development providing for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environments.

The PPS is issued under Section 3 of the Planning Act and came into effect on May 1, 2020. It applies to all land use planning matters considered after this date.

The PPS supports improved land use planning and management, which contributes to a more effective and efficient land use planning system.

The Site is within a ‘Settlement Area”, as defined by the PPS.

The following provides a summary of the key policy considerations of the PPS as it relates to the proposed development.

PPS Policy #	Policy	Response
1.0	.....Ontario's long-term prosperity, environmental health and social well-being depend on wisely managing change and promoting efficient land use and development patterns.....	Windsor has directed growth where the Site is located, which will contribute positively to promoting efficient land use and development patterns.  Residential use on the Site represents an efficient development pattern that optimizes the use of land.  The Site will provide for new housing in an existing built up area.
1.1.1	Healthy, liveable and safe communities are sustained by:  a) promoting efficient development and land use patterns which sustain the	The proposed development is consistent with the policy to build strong, healthy, and livable communities as it provides for a development

PPS Policy #	Policy	Response
	<p>financial well-being of the Province and municipalities over the long term;</p> <p>b) accommodating an appropriate <b>affordable</b> 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>where people can live, work and play.</p> <p>The proposed development offers new housing.</p> <p>Smaller lots will make housing more affordable and attainable.</p> <p>There are no anticipated environmental or public health and safety concerns as the area is established.</p> <p>The development pattern does not require expansion of the settlement area as it is considered infilling and intensification.</p> <p>The proposed development will not change lotting or street patterns in the area.</p> <p>The Site has access to full municipal services and is close to existing local parks, places of worship, and schools.</p> <p>Accessibility of units will be addressed at the time of the building permit.</p> <p>Public service facilities are available, such as local schools.</p> <p>The development pattern is proposed to be an efficient use of the Site.</p>
1.1.2	Sufficient land shall be made available to accommodate an	The proposed development will help the City meet the full

PPS Policy #	Policy	Response
	<p>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 necessary, designated growth areas.</p>	<p>range of current and future residential needs through intensification.</p> <p>The Site will provide for residential infilling within an existing settlement area.</p>
1.1.3.1	Settlement areas shall be the focus of growth and development.	<p>The proposal enhances the vitality of the municipality, as it is within an existing settlement area.</p> <p>There will be no urban sprawl as the proposed development is within the existing built up area and is an ideal infilling opportunity.</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</li> </ul>	<p>The Site will provide for new housing in an existing built up area.</p> <p>The total density of the proposed development is considered appropriate.</p> <p>The Site provides for an infilling opportunity, allowing a seamless integration between existing buildings.</p> <p>The Site offers an opportunity for intensification by creating new housing.</p> <p>The design and style of the proposed building will blend well with the scale and</p>

PPS Policy #	Policy	Response
	<p>change, and promote energy efficiency;</p> <p>d) prepare for the impacts of a changing climate;</p> <p>e) support active transportation;</p> <p>f) are transit-supportive, where transit is planned, exists or may be developed; and</p> <p>g) are freight-supportive.</p>	<p>massing of the existing surrounding neighbourhood.</p> <p>Residents will have immediate access to local amenities, shopping, employment, recreational areas, and institutional uses.</p> <p>Transit is available for the area.</p> <p>The Site is located close to major transportation corridors.</p>
1.1.3.3	<p>Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.</p>	<p>The proposed development is located on a Site that is physically suitable.</p> <p>The Site is flat, which is conducive to easy vehicular movements.</p> <p>The intensification can be accommodated for the proposed development as the Site is large enough.</p> <p>Parking will be provided on-site.</p>
1.1.3.4	<p>Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.</p>	<p>The proposed residential building will be built with a high standard of construction, allowing a seamless integration with the existing area.</p>

PPS Policy #	Policy	Response
		<p>There will be no risks to the public.</p> <p>The Site is outside of the ERCA regulated area.</p>
1.1.3.5	<p>Planning authorities shall establish and implement minimum targets for intensification and redevelopment within built-up areas, based on local conditions.</p>	<p>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.</p>
1.1.3.6	<p>New development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.</p>	<p>The proposed development does have a compact built form.</p> <p>The proposed building size will allow for the efficient use of land, vehicle access, and infrastructure.</p>
1.4.1 - Housing	<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>The proposed development will provide for an infill and intensification opportunity in the existing built up area.</p> <p>Municipal services are available.</p>

PPS Policy #	Policy	Response
	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.	
1.4.3	Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and <b>affordable</b> housing needs of current and future residents of the regional market area.	<p>The proposed density is compatible with the surrounding area.</p> <p>Smaller lots will make housing more affordable and attainable.</p> <p>The Site is close to local amenities.</p> <p>There is suitable infrastructure, including transit.</p>
1.6.1 - Infrastructure	Infrastructure and public service facilities shall be provided in an efficient manner that prepares for the impacts of a changing climate while accommodating projected needs.	<p>The development can proceed on full municipal services.</p> <p>Electrical distribution will be determined through detailed design.</p> <p>Access to public transit is available.</p>
1.6.6.2 - Sewage, Water and Stormwater	Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the	The proposed development will be serviced by municipal sewer, water, and storm,

PPS Policy #	Policy	Response
	<p>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>	<p>which is the preferred form of service for settlement areas.</p>
<p>1.6.6.7 - Stormwater</p>	<p>Planning for stormwater management shall:</p> <ul style="list-style-type: none"> <li>a) be integrated with planning for sewage and water services and ensure that systems are optimized, feasible and financially viable over the long term;</li> <li>b) minimize, or, where possible, prevent increases in contaminant loads;</li> <li>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;</li> <li>d) mitigate risks to human health, safety, property and the environment;</li> <li>e) maximize the extent and function of vegetative and pervious surfaces; and</li> <li>f) promote stormwater management best practices,</li> </ul>	<p>There will be no anticipated impacts on the municipal system, and it will not add to the capacity in a significant way.</p> <p>There will be no risk to health and safety.</p> <p>At this time, there are no streetlights; however, they can be installed in the future.</p>



PPS Policy #	Policy	Response
	including stormwater attenuation and re-use, water conservation and efficiency, and low impact development.	
1.6.7.1 - Transportation	Transportation systems should be provided which are safe, energy efficient, facilitate the movement of people and goods, and are appropriate to address projected needs.	<p>The Site is in close proximity to major transportation corridors and has access to transit.</p> <p>At this time, there are no sidewalks, however, they can be installed in the future.</p>
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 an existing built up area.
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.	<p>The proposed development contributes to the City's requirement for infilling and intensification within an existing settlement area.</p> <p>The proposed density, scale, and building height will blend with the existing land use pattern.</p> <p>The height of the proposed development is keeping in context with the surrounding area.</p>
2.1.1 - Natural Heritage	Natural features and areas shall be protected for the long term.	<p>There are no natural features that apply to this Site.</p> <p>A tree assessment will be conducted.</p>

PPS Policy #	Policy	Response
2.2.1 - Water	Planning authorities shall protect, improve or restore the quality and quantity of water.	There is no anticipated impact on water quality and quantity.  The Site is outside the regulated area of ERCA.
2.6.1 - Heritage	Significant built heritage resources and significant cultural heritage landscapes shall be conserved.	There are no cultural heritage features that apply to this Site.
3.0 - Health and Safety	Development shall be directed away from areas of natural or human-made hazards where there is an unacceptable risk to public health or safety or of property damage, and not create new or aggravate existing hazards.	There are no natural or human-made hazards.  The Site is outside the regulated area of ERCA.

Therefore, the proposed development is consistent with the PPS and the Province's vision for long-term prosperity and social well-being.

### 5.1.2 Official Plan

The City of Windsor Official Plan (OP) was adopted by Council on October 25, 1999, approved in part by the Ministry of Municipal Affairs and Housing (MMAH) on March 28, 2000, and the remainder approved by the Ontario Municipal Board (OMB) on November 1, 2002. Office consolidation version is dated September 7, 2012.

The OP implements the PPS and establishes a policy framework to guide land use planning decisions related to development and the provision of infrastructure and community services throughout the City.

The lands are designated "Residential" according to Schedule "D" Land Use attached to the OP for the City of Windsor (see Figure 3 –OP).

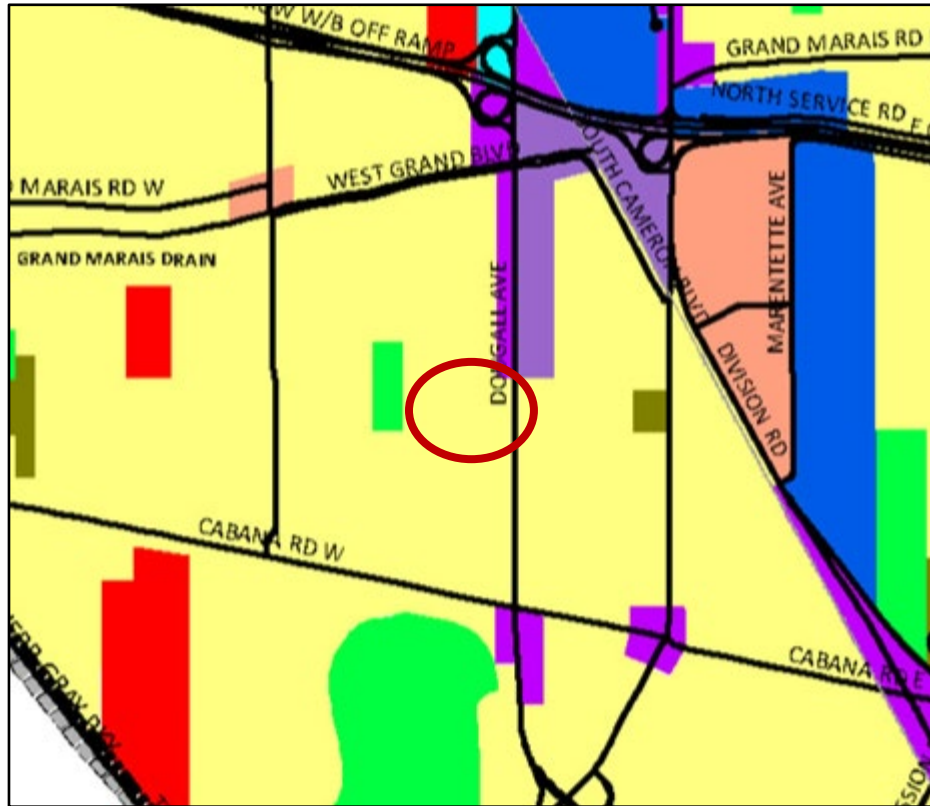


Figure 3 –OP

The following provides a summary of the key policy considerations of the OP as it relates to the proposed development.

OP Policy #	Policy	Response
3.1	The planning of Windsor's future is guided by the following vision taken from Dream Dare Do – The City of Windsor Community Strategic Plan.	<p>The proposed development will support the city's vision by providing residential space in an existing built-up area where citizens can live, work, and play.</p> <p>The proposed development will incorporate design features to protect, maintain and improve the quality of life for present and future generations by integrating the</p>

OP Policy #	Policy	Response
		principles of sustainability and place making.
3.2.1.2 – Growth Concept, Neighbourhood Housing Variety	Encouraging a range of housing types will ensure that people have an opportunity to live in their neighbourhoods as they pass through the various stages of their lives.	<p>The proposed development supports one of the City's overall development strategies of providing for a range of housing types.</p> <p>The Site will provide for new housing in an existing built up area.</p> <p>Smaller lots are more affordable and attainable.</p>
4.0 - Healthy Community	The implementing healthy community policies are interwoven throughout the remainder of the Plan, particularly within the Environment, Land Use, Infrastructure and Urban Design chapters, to ensure their consideration and application as a part of the planning process.	<p>The proposed development will support the City's goal of promoting a healthy community.</p> <p>The proposed development is close to nearby transit, employment, shopping, local/regional amenities and parks.</p>
6.0 - Preamble	A healthy and livable city is one in which people can enjoy a vibrant economy and a sustainable healthy environment in safe, caring and diverse neighbourhoods. In order to ensure that Windsor is such a city, Council will manage development through an approach which balances environmental, social and economic considerations.	The proposed development supports the policy set out in the OP as it is suited for the city's residential needs.
6.1 - Goals	In keeping with the Strategic Directions, Council's land use goals are to achieve:	The proposed development supports the goals set out in the OP as it provides for the intensification of residential offering new housing.

OP Policy #	Policy	Response
	<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>Care in the design of the proposed dwellings has taken into consideration the built form in the area.</p> <p>The Site provides for an infilling opportunity, allowing a transition between existing uses.</p>
6.1.14 – Residential Intensification	To direct residential intensification to those areas of the City where transportation, municipal services, community facilities and goods and services are readily available.	The Site has access to transportation, full municipal services and local amenities.
6.2.1.2 – General Policies, Type of Development Profile	<p>For the purpose of this Plan, Development Profile refers to the height of a building or structure. Accordingly, the following Development Profiles apply to all land use designations on Schedule D: Land Use unless specifically provided elsewhere in this Plan:</p> <p>(a) <b>Low Profile developments are buildings or structures generally no greater than three (3) storeys in height;</b></p> <p>(b) 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>	<p>The proposed development is considered a low profile development as it is proposed to have 2 storeys constructed on the Site.</p> <p>The proposed development is in keeping with the neighbouring heights and densities found in the area.</p>

OP Policy #	Policy	Response
6.3.1.1 – Range of Forms & Tenures	To support a complementary range of housing forms and tenures in all neighbourhoods	The proposed development will offer new housing, which will complement the existing neighbourhood.
6.3.1.2 - Neighbourhoods	To promote compact neighbourhoods which encourage a balanced transportation system.	<p>The proposed development takes advantage of the entire Site.</p> <p>The Site will have paved sidewalks connected to the parking area.</p> <p>Landscape and amenity space is provided.</p> <p>The Site has access to transit and is in close proximity to major transportation corridors.</p>
6.3.1.3 – Intensification, Infill & Redevelopment	To promote residential redevelopment, infill and intensification initiatives in locations in accordance with this plan.	<p>The proposed development is considered infill and intensification.</p> <p>The parcel of land is vacant and appropriate for development.</p>
6.3.2.1 – Permitted Uses	<p>Uses permitted in the Residential land use designation identified on Schedule D: Land Use include <b>Low Profile</b>, and Medium Profile dwelling units.</p> <p>High Profile Residential Buildings shall be directed to locate in the City Centre, Mixed Use Centres and Mixed Use Corridors.</p>	The proposed development is permitted in the OP as it is considered a low-profile development.
6.3.2.4 – Location Criteria	Residential intensification shall be directed to the Mixed Use Nodes and areas in proximity to those Nodes. Within these areas Medium	<p>The Site is located near major transportation corridors.</p> <p>Full services are available.</p>

OP Policy #	Policy	Response
	<p>Profile buildings, up 4 storeys in height shall be permitted. These taller buildings shall be designed to provide a transition in height and massing from low-profile areas.</p> <p>New residential development and intensification shall be located where:</p> <p>a) there is access to a collector or arterial road; b) full municipal physical services can be provided; c) adequate community services and open spaces are available or are planned; and d) public transportation service can be provided.</p>	<p>Local amenities are close by.</p> <p>The proposed development is located close to transit.</p>
6.3.2.5 – Evaluation of a Neighbourhood	<p>At the time of submission, the proponent shall demonstrate to the satisfaction of the Municipality that a proposed residential development within an area having a Neighbourhood development pattern is:</p> <p>(a) feasible having regard to the other provisions of this Plan, provincial legislation, policies and appropriate guidelines and support studies for uses:</p> <p>(i) within or adjacent to any area identified on Schedule C: Development Constraint Areas and described in the Environment chapter of this Plan;</p> <p>(ii) adjacent to sources of nuisance, such as noise, odour, vibration and dust;</p>	<p>This PRR has undertaken the required evaluation of provincial legislation.</p> <p>There are no development constraint areas that impact this Site.</p> <p>The Site will provide for new housing in an existing built up area.</p> <p>No anticipated traffic concerns.</p> <p>The proposed development will be strategically located to provide efficient ease of the proposed new access to the private driveways.</p> <p>The Site is capable of accommodating the proposed development in</p>

OP Policy #	Policy	Response
	<p>(iii) within a site of potential or known contamination;</p> <p>(iv) where traffic generation and distribution is a provincial or municipal concern; and</p> <p>(v) adjacent to heritage resources.</p> <p>(b) in keeping with the goals, objectives and policies of any secondary plan or guideline plan affecting the surrounding area;</p> <p>(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;</p> <p>(e) capable of being provided with full municipal physical services and emergency services; and</p> <p>(f) facilitating a gradual transition from Low Profile residential development to Medium and/or High Profile development and vice versa, where appropriate, in accordance with Design Guidelines approved by Council.</p>	<p>terms of scale, massing, height and siting.</p> <p>Full municipal services can be provided.</p> <p>The setbacks and the design features incorporated into the proposed development provide for seamless integration between abutting uses.</p>
7.0 - Infrastructure	The provision of proper infrastructure provides a safe, healthy and efficient living	The proposed development is close to nearby transit, off a major transportation corridor



OP Policy #	Policy	Response
	<p>environment. In order to accommodate transportation and physical service needs in Windsor, Council is committed to ensuring that infrastructure is provided in a sustainable, orderly and coordinated fashion.</p>	<p>and has access to full municipal services.</p>
<p>8.7.2.3 – Built Form, Infill Development</p>	<p>Council will ensure that proposed development within an established neighbourhood is designed to function as an integral and complementary part of that area’s existing development pattern by having regard for:</p> <ul style="list-style-type: none"> <li>(a) massing;</li> <li>(b) building height;</li> <li>(c) architectural proportion;</li> <li>(d) volumes of defined space;</li> <li>(e) lot size;</li> <li>(f) position relative to the road;</li> <li>(g) building area to site area ratios;</li> <li>(h) the pattern, scale and character of existing development;</li> <li>(i) exterior building appearance; and</li> <li>(j) Council adopted Design Guidelines that will assist in the design and review of applications for development in accordance with the policies noted above. (h) the pattern, scale and character of existing development; and</li> <li>(i) exterior building appearance,</li> <li>(j) Council adopted Design Guidelines that will assist in the design and review of applications for development</li> </ul>	<p>The Site provides for an infilling opportunity, allowing a seamless integration between uses.</p> <p><b>Massing</b> – The proposed development fits well into this Site, contributing to the overall architectural blend in the area.</p> <p><b>Building height</b> – the height of the proposed development is appropriate.</p> <p><b>Architectural proportion</b> – The proposed development embraces the south Windsor area design standard.</p> <p><b>Volume of defined space</b> – The proposed building maintains an active street frontage.</p> <p><b>Lot size</b> – This design approach strengthens the continuity and cohesive identity of the lot.</p> <p><b>Building area</b> – The design considerations of the proposed development demonstrate a balance between fitting into the existing context and adding a</p>

OP Policy #	Policy	Response
	in accordance with the policies noted above	<p>similar architectural contribution to the area.</p> <p><b>Pattern, scale and character</b> – The Site is capable of accommodating the proposed development in terms of scale, massing, height and siting.</p> <p><b>Exterior building appearance</b> – The proposed development takes inspiration from the surrounding area for the design aesthetic.</p>

Therefore, the proposed development will conform to the City of Windsor OP.

**5.1.3 Zoning By-law**

The City of Windsor Zoning By-Law (ZBL) #8600 was passed by Council on July 8, 2002, and then a further Ontario Municipal Board (OMB) decision was issued on January 14, 2003.

A ZBL implements the PPS and the City OP by regulating the specific use of property and provide for its day-to-day administration.

According to Map 8 attached to the ZBL the Site is currently zoned Residential District 1.4 (RD1.4) category (see Figure 4 – Zoning).



Figure 4 –Zoning

The zoning for the Site is proposed to be changed to a site specific Residential District 1.2 (RD1.2 - S.20(1)(XXX)) category as shown on Map 8 of the City of Windsor Zoning By-Law (ZBL) in order to permit a single detached dwelling.

A review of the RD1.2 zone provisions, as set out in Section 10.2.1 of the ZBL is as follows:

Zone Regulations	Required RD 1.2 Zone	Proposed	Compliance and/or Relief Requested with Justification
Permitted Uses	Existing Duplex Dwelling	One Single Unit Dwelling (one on each lot)	Complies

Zone Regulations	Required RD 1.2 Zone	Proposed	Compliance and/or Relief Requested with Justification
	Existing Semi-Detached Dwelling <b>One Single Unit Dwelling</b> Any use accessory to the preceding uses		
Min Lot Frontage	12.0 m	12.19 m	Complies
Min Lot Area	360.0 m <sup>2</sup>	12.19 m x 34.62 m = 422.02 m <sup>2</sup>	Complies
Max Lot Coverage	45.0 %	41.8 %	Complies
Max Building Height	9.0 m	6.0 m	Complies
Min Front Yard Depth	6.0 m	6.0 m	Complies
Min Rear Yard Depth	7.50 m	8.1 m From rear of porch	Complies
Min Side Yard	1.20 m	1.20 m	Complies
Max Gross Floor Area – main building	400 m	189.89 m <sup>2</sup>	Complies
Garage 5.11.5	In any residential district, for a <b>single unit dwelling</b> , semi-detached dwelling, duplex dwelling or townhome dwelling, the maximum width of a carport or garage forming part of the main building <b>shall not exceed 60.0 percent of the maximum permitted width of the main building on the lot.</b>	<b>68%</b>	Relief required.  An increase from 60 % to 68 % is requested.  Relief is considered minor and will allow a 2 car garage to be constructed on each of the proposed single detached dwellings.  Driveway widths will comply with the City regulations.

Zone Regulations	Required RD 1.2 Zone	Proposed	Compliance and/or Relief Requested with Justification
Parking Spaces Required (Table 24.20.20.5.1)	Single Detached Dwelling:  1 parking spaces required for each dwelling unit	2 per unit	Complies

Therefore, in addition to the change in zoning for the single detached dwellings, the proposed development will comply with all zone provisions set out in the RD1.2 Zone except for the following, which requires site specific relief:

1. *increase the garage width from the required maximum of 60.0% to the proposed 68.0%.*

## **6.0 SUMMARY AND CONCLUSION**

### **6.1 Context and Site Suitability Summary**

#### **6.1.1 Site Suitability**

The Site is ideally suited for residential development for the following reasons:

- The land area is sufficient to accommodate the proposed development,
- The Site is flat, which is conducive to easy vehicular movements,
- The Site will be able to accommodate municipal water, storm and sewer systems,
- There are no anticipated traffic concerns,
- There are no natural heritage concerns,
- There are no cultural heritage concerns,
- There are no hazards, and
- The location of the proposed development is appropriate.

#### **6.1.2 Compatibility of Design**

The proposed development has been designed to be compatible with the existing built up area.

The proposed development is a low-profile form of development that incorporates sufficient setbacks to allow for appropriate landscaping and buffering.

The Site is capable of accommodating the proposed development in terms of scale, massing, height and siting.

#### **6.1.3 Good Planning**

The proposal represents good planning as it addresses the need for the City to provide infilling, which contributes to new housing.

Residential use on the Site represents an efficient development pattern that optimizes the use of land.

The proposed development will not change lotting or street patterns in the area.

Smaller lots will make housing more affordable and attainable.

#### **6.1.4 Natural Environment Impacts**

The proposal does not have any negative natural environmental impacts.

### **6.1.5 Municipal Services Impacts**

Full municipal services are available, which is the preferred form for development.

### **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, open space and community amenities.

Infilling in an existing built-up area of the City contributes toward the goal of 'live, work and play' where citizens share a strong sense of belonging and a collective pride of place.

The 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.

Based on the Site area, the proposed development will result in a total gross density, which is appropriate for the area.

There will be no urban sprawl as the proposed development is within the existing settlement area and is an ideal infilling opportunity.

There are no cultural heritage resources that impact the Site.

## **6.2 Conclusion**

In summary, it would be appropriate for Council for the City of Windsor to approve the ZBA to permit the proposed development on the Site as it is appropriate for infilling and will offer residential in an area of mixed uses.

The Site will provide for new housing.

This PRR has shown that the proposed development is consistent with the PPS, conforms with the intent and purpose of the City of Windsor OP and represents good planning.

The report components for this PRR have set out the following, as required under the City of Windsor OP:

*10.2.13.2 Where a Planning Rationale Report is required, such a study should:*

- (a) Include a description of the proposal and the approvals required;*
- (b) Describe the site's previous development approval history;*
- (c) Describe major physical features or attributes of the site including current land uses(s) and surrounding land uses, built form and contextual considerations;*
- (d) Describe whether the proposal is consistent with the provincial policy statements issued under the Planning Act;*

- (e) Describe the way in which relevant Official Plan policies will be addressed, including both general policies and site-specific land use designations and policies;*
- (f) Describe whether the proposal addresses the Community Strategic Plan;*
- (g) Describe the suitability of the site and indicate reasons why the proposal is appropriate for this site and will function well to meet the needs of the intended future users;*
- (h) Provide an analysis of the compatibility of the design and massing of the proposed developments and land use designations;*
- (i) Provide an analysis and opinion as to why the proposal represents good planning, including the details of any methods that are used to mitigate potential negative impacts;*
- (j) Describe the impact on the natural environment;*
- (k) Describe the impact on municipal services;*
- (l) Describe how the proposal will affect the social and/or economic conditions using demographic information and current trends; and,*
- (m) Describe areas of compliance and non-compliance with the Zoning By-law.*

**Planner's Certificate:**

I hereby certify that this report was prepared by Tracey Pillon-Abbs, a Registered Professional Planner, within the meaning of the Ontario Professional Planners Institute Act, 1994.



**Tracey Pillon-Abbs, RPP  
Principal Planner**





# APPENDIX "G"

## Existing Tree Inventory and Preservation Plan

Existing Tree List and Condition					
TREE NO.	BOTANICAL NAME	COMMON NAME	SIZE	CONDITION	REMARKS
1	PLATANUS ACERIFOLIA	ASHLEAF PLATANUS	40'	GOOD	TREE TO REMAIN
2	ACEQUILLONIA	WATER BUTTE	6'	FAIR	RELOCATE TO NEW SITE TO PRESERVE TREE

**Existing Tree Protection** 1/75

**EXISTING TREE INVENTORY AND PRESERVATION PLAN**  
ORIGINAL SHEET SIZE 24" x 36"

SCALE: AS NOTED  
DRAWN BY: [Signature]  
CHECKED BY: [Signature]  
APPROVED BY: [Signature]  
DATE: NOV. 2023  
DRAWING NO: LA-1  
CAD FILE: 902.TPP

PROJECT: CHURCH STREET RESIDENTIAL DEVELOPMENT  
1440 CHURCH ST. UNDER CHPT-400

PROJ. NO. 2023-0001  
DATE: 11/15/23  
SCALE: AS NOTED  
DRAWN BY: [Signature]  
CHECKED BY: [Signature]  
APPROVED BY: [Signature]  
DATE: NOV. 2023  
DRAWING NO: LA-1  
CAD FILE: 902.TPP

**From:** C Bissonnette  
**Sent:** February 29, 2024 3:22 PM  
**To:** clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>  
**Subject:** Notice of Amendment to Zoning By-Law 8600 File Number ZNG/7165 Z-002/24

**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.

Dear Ms Ciacelli, Deputy City Clerk,

My husband and I received the City of Windsor letter to consider an amendment of the zoning by-law. We are concerned about the proposed zoning change for the property located at 3445 Church Street. We do not support this By-Law change from Residential District 1.4 (RD1.4) to Residential District 1.2 (RD1.2) allowing for construction of two single unit dwellings. This is an existing established residential neighbourhood, which should remain as such.

I did plan to attend the meeting Monday, March 4 2024 but now we will be out-of-town.

Sincerely,

Richard & Cynthia Bissonnette

**From:** Karen Nicoletti  
**Sent:** February 22, 2024 1:14 PM  
**To:** clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>  
**Subject:** Proposed amendment to zoning by-law for 3445 Church St

**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 writing to state that I oppose the proposed amendment to the zoning of 3445 Church St. I feel it will change the look and feel of the neighbour hood, which is currently all single home dwellings, and will set a precedent for the future. The scheduled meeting for this is March 4, 2024.

Sincerely,  
Karen Nicoletti



**Subject: Stormwater Financing Project Update - City Wide**

**Reference:**

Date to Council: March 18, 2024

Author: Marc Di Domenico

Project Administrator

(519) 255-6100 ext. 6452

[mdidomenico@citywindsor.ca](mailto:mdidomenico@citywindsor.ca)

Engineering – Corporate Projects

Report Date: March 1, 2024

Clerk's File #: SW/13199

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

**Recommendation:**

THAT City Council **RECEIVE FOR INFORMATION** the Stormwater Financing Project Update report; and further,

THAT City Council **APPROVE** the Stormwater Financing Credit Policy Manual attached in Appendix A; and further,

Whereas the 2024 Operating Budget was approved on February 2, 2024 via Mayor Decision MD05-2024 and subsequently it has been determined that two regular full-time positions within the Engineering Department staff complement are required to be in place by the Fall 2024 as follows:

- a. Supervisor of Right-of-Way Programs;
- b. Programs Coordinator; and further,

THAT City Council **SUPPORT** the addition of the two noted positions and **DIRECT** the City Treasurer to fund the salaries and other related staffing costs for the above two positions estimated at \$71,000 for 2024 and \$238,000 annually thereafter to be fully funded from the Stormwater Financing Operating Fund.

**Executive Summary:**

N/A

## Background:

The City of Windsor (City) has a flat topography with predominately clay underlying soils that requires a substantial and effective stormwater management system (pumping stations, sewers, retention infrastructure, etc.) to mitigate flooding by moving water towards natural waterways during weather events, which have become more frequent and aggressive in recent years. In addition to this, industry standards have been evolving in recent years, placing a bigger emphasis on managing stormwater at the source. The City has adopted the Windsor/Essex Region Storm Water Standards Manual in support of efforts to reduce the risk of flooding within the City.

Due to this increased emphasis on sewer infrastructure, the City's capital program for both wastewater and stormwater has grown from approximately \$5 million in 2002 to the current \$62.9 million in 2024. The City uses sewer surcharge and grants to fund operational, maintenance and capital improvement costs associated with **both** sanitary and stormwater sewer systems, where the sewer surcharge model is based on water consumption. In response to flooding events in 2016 and 2017, the City sought to identify a dedicated funding model for the stormwater sewer budget that is separate from the sanitary sewer model. The following is a summary of the milestones taken to achieve this objective. Council reports, the Stormwater Financing Study report and video presentation, along with other information can be found on the project website page at <https://letstalk.citywindsor.ca/stormwater-financing>.

- 2018-2020: WSP E&I Canada Limited (formerly known as Wood Environmental & Infrastructure Solutions), and sub-consultant Watson & Associates Economists Ltd., undertook the Stormwater Financing Study (Study) to provide an assessment of Windsor's existing stormwater management level of service (LOS) and explore potential funding models.
- January 2021: Council endorsed the Study which included key elements: segregation of stormwater from wastewater funding; proposed level of service program; five-year phase-in period for an enhanced future stormwater program; and proposed new user-fee funding model.
- December 2021: Council approved the plan to implement a dedicated stormwater financing model towards a more equitable model based on impervious area.
- June 2023: Council approved postponing the program launch date to January 2025 (an extension of 12 months) in order to perform additional public outreach and education activities (Appendix B – Council Report C95/2023).

This proposed stormwater model is not an additional fee. The model breaks down and separates the existing sewer surcharge into two distinct sewer system revenue streams: wastewater (sanitary) sewer surcharge, which is calculated using the existing sewer surcharge method based on water consumption; and a stormwater fee, which is calculated based on the amount of impervious surface area on a property.

Impervious surfaces prevent water infiltration into the ground, thus increasing runoff. As such, basing the stormwater fee to the amount of impervious surfaces on a property has proven to be a fairer and more equitable methodology than basing it on the current water usage method. The resulting cost apportionment between residential and non-residential property classifications is improved since non-residential properties generally

contain larger impervious surface areas. These impervious surfaces contribute to more water runoff, yet non-residential uses currently pay a smaller contribution of the overall sewer surcharge revenue compared to residential properties.

### **Discussion:**

This report serves as an update on the work performed to date and the planned activities as defined in the Implementation timeline and based on the core working group pillars.

### **Program Policies & Legal**

This pillar is responsible for the establishment of policies related to distribution of costs, definitions, exemptions, credit policies, incentives and billing. Key definitions were endorsed in the previous Council update (Appendix B – Council Report C95/2023). Establishing and gaining approval for key definitions allowed the project to continue towards developing a stormwater fee based on the methodology of measured impervious area and based on property designations established.

The property designation determines the billing methodology as follows:

- Residential properties are billed under a 3-tier system based on measured impervious area;
- ‘Multi-Residential, Non-Residential & Other’ properties are billed in direct proportion to the amount of measured impervious area on the property.

Based on this, work continued in coordination with the Data Management pillar to determine the fee structure for over 77,400 parcels within Windsor.

A fundamental principle of the City’s stormwater fee is its application to all properties as it is a charge for a public service that benefits everyone. As such, the fee is applicable regardless of direct connection to a stormwater sewer. This encourages reasonable distribution of cost for flood reduction mitigation and proper functioning of all City infrastructure.

A credit policy has been developed as a method to recognize significant investment by ‘Multi-Residential, Non-Residential & Other’ property designated owners to manage stormwater runoff from their property to a greater degree than industry standards require. Administration worked with WSP to develop the credit policy framework and accepted feedback from the Stakeholder Advisory Group (SAG) and Enhanced Education sessions with property owners. A copy of the proposed credit policy manual can be found in Appendix A.

The credit is not a reimbursement, but rather a refund of part of the expense undertaken to implement and maintain the enhanced stormwater management structure to ensure it performs as designed. The credit policy was developed such that a rational relationship exists between the credit and the benefit to the City’s stormwater management program, particularly as it pertains to stormwater runoff retention and peak flow attenuation to manage water volume during heavy storm events which overload the stormwater system and cause flooding. As a result, a 40% credit for Peak Flow Reduction, 40% credit for Runoff Volume Reduction, and 10% credit for Water Quality

Treatment will be available for new developments and existing properties that qualify based on specific criteria, as outlined in Appendix A. The credit policy places a cap of 50% of a property's stormwater fee in recognition that there are ongoing costs that the City must maintain regardless of the private investment. This approach is in keeping with the fundamental principal that the stormwater fee is applicable to all properties.

To receive a credit, an applicant must apply and submit engineering design drawings and calculations stamped by a Professional Engineer licensed in Ontario. A pre-consultation process by Administration will provide applicants guidance and confirm targets for the property/site under consideration. Administration recommends administering the credit policy as soon as Council approval is received, in order to provide property owners the opportunity to investigate and apply for the credit in 2024 in anticipation of the January 2025 launch. Additional staffing will be required to support this service, which is discussed in the Financial Matters section.

The City is considering incentive programs to encourage residential property owners to install simple stormwater management best practices on their properties, providing residential owners a way to directly engage in the stormwater program and provide a benefit to the environment and stormwater management.

A review of legal precedents and policy recommendation is underway to ensure compliance with local and provincial regulations, and to review processes such as administration, enforcement, appeals, credits, exemptions, etc. The resulting bylaw recommendations will be brought forth to Council for approval at the next update.

## **Data Management**

Details related to definitions, policy rationale and fee calculation methodology were included in the previous Council update and can be referenced in Appendix B – Council Report C95/2023. To summarize briefly, a data-centric approach was taken to administer this proposed model. Aerial photography of each property was taken and an overlay of impervious surface layers was added to the aerial photos. From this, the Data team calculated impervious area and merged it with property details within the City's parcel databases.

Stormwater billing variables were determined through this dataset and used to derive the Billing Unit Fee, which serves as the basis for both the residential tier fee structure and flat rate structure. The Billing Unit Fee is a function of the required stormwater revenue budget needed to construct new and maintain existing stormwater management assets. Administration will propose the Billing Unit Fee to Council during the rate setting approval process later this year.

Residential properties will be billed under a three-tier fee structure based on the amount of measured impervious area on their property. 'Multi-Residential, Non-Residential & Other' property designations will be subject to a rate proportional to the amount of impervious surface area on their property. Note that with this new stormwater model, the City's current sewer surcharge budget will remain in effect to specifically fund operating and capital costs for the wastewater (sanitary) system, which remains based on a water consumption model.

With the launch of the stormwater financing program extended to January 2025, Administration was able to:

- evaluate pilot processes to import new aerial images,
- troubleshoot change processes (change in ownership, impervious area increase/decrease, address changes, credit issuance, etc.),
- exchange data with ENWIN, and
- configure software to provide Administration the ability to review individual parcels using VertiGIS software.

Work continues to finalize these processes and work with ENWIN to establish the final variables of the stormwater parcel database.

### **Revenue Needs and Rates**

This pillar is responsible for the separation of the existing Sewer Surcharge model into individual Stormwater and Wastewater models and the establishment of the respective annual rates, which will be recommended to City Council for approval.

As mentioned, the current sewer surcharge model is based on water usage, and funds both the stormwater and wastewater (sanitary) systems. With the new proposed stormwater financing model now funding the operating and capital costs for the stormwater system, the City's sewer surcharge budget, along with the respective rates will be reduced to only reflect the sanitary sewer component of the costs and will continue to be based on the current water usage model. As a result, most residential and small to medium sized non-residential businesses will experience an initial fee reduction in overall sewer surcharge / stormwater financing costs compared to the current model.

Administration is working to finalize the Stormwater Rate Model to properly fund the stormwater management budget, and will bring this forth to Council for approval at the next project update.

### **Level of Service (LOS) Implementation**

As part of the Revenue Needs and Rates pillar, the LOS analysis performed during the Stormwater Financing Study has been revisited to:

- confirm applicability of all needs previously identified,
- ensure alignment with current stormwater sewer management needs as informed by the Sewer Master Plan, and
- address inflationary pressures currently being experienced.

Administration will implement the LOS program over a 5-year phase-in period for an increase of \$15.9 million in total over the 5 years. During the annual budget processes, the LOS allocations will be reviewed and updated based on current City needs and brought to Council for approval.

Through the LOS implementation review, it has been determined that two of the full-time equivalent (FTE) positions identified are required to begin prior to the launch of the



stormwater fee in order to support the implementation and ongoing administration, including providing support in addressing property owner questions and processing credit applications. Administration is recommending that Council approve the addition of one regular full time Supervisor of Right-of-Way Programs and one regular full time Programs Coordinator within the Engineering Department. Additional positions required in January 2025 will be brought forward in the next Council update report.

### **Billing Methodology**

The stormwater fee will be administered to property owners through the ENWIN utility bill, and will be shown as a separate line item to provide the breakdown between sanitary sewer and stormwater sewer surcharges. The fee will be billed monthly, similar to the current billing frequency for sanitary surcharge and electricity. Using ENWIN's billing program allows for all utility service fees to be consolidated on a single bill and brings familiarity with a known and reliable billing process. ENWIN is working closely with Administration to integrate the stormwater fee into the billing process, which includes matching existing accounts, creating new accounts for those that don't currently have water or electricity service, processing account and fee changes, and establishing the customer service triage process to effectively manage questions and inquiries.

### **Public Involvement (Communication and Engagement)**

Public communication and education continues to be informed by the Communication and Engagement Plan which was prepared by WSP, where activities are added based on program findings and feedback from property owners. Education and transparency have served as guiding principles in developing this plan.

The Stormwater Advisory Group (SAG) was formed in 2022 and is comprised of stakeholders from manufacturing, business, retail, institutional, residential and environmental groups. The purpose of the SAG is to provide a forum for in depth discussions of implementation progress, bring transparency to activities associated with the fee, help foster good community relations and to share information with the community. Meetings were held in December 2022, May 2023, and most recently on February 15, 2024, where the SAG was updated on progress on the program, credit policy and feedback heard from the Enhanced Education sessions further described below.

As reported in the previous update through C95/2023 (Appendix B), Administration undertook an Enhanced Education and communication program with property owners expected to experience a higher financial impact compared to current fee levels. Administration worked with WSP to identify property owners that would be most affected through the use of aerial data and impervious area layers to produce preliminary fee calculations. Private one-on-one sessions were planned for those having the largest amount of impervious area, and group sessions were planned for those in the retail and manufacturing sectors, condo associations, Business Improvement Associations, and properties that are primarily parking lot, logistics and equipment storage. Over 110 participants were contacted through mail, email and phone calls and were provided with information packages. The Enhanced Education sessions took place in November 2023 with 26 organizations and property owners in attendance. A comprehensive summary

of the program was provided, including: background, Study recommendations, review of current and proposed funding model, draft credit policy, and overall sanitary and stormwater sewer fee impact for their respective properties.

A summary of the feedback received from these sessions is provided below:

- Acknowledged purpose of program and having a dedicated stormwater fee, and that the cost increase could be significant for some.
- Understanding of how impervious surfaces contribute to increased stormwater management requirements and how it is used as the basis, or meter, to calculate the stormwater fee.
- Interest in the proposed credit policy and how existing stormwater management structures can be considered to reduce their fee. Feedback from participants was taken and used to modify the proposed credit policy.
- Applicability of the fee for those that don't directly use the sewer system.

The Enhanced Education sessions focused on multi-residential and non-residential properties. Education and communication with residents is planned through a Public Information Centre open house to be held in May 2024. Open houses can be an effective means for communicating important information to the general community and hearing feedback about their priorities and interests. As well, bill inserts will be included in ENWIN utility bills (paper and online versions) and property tax bills over the coming months to achieve wider exposure and outreach to all residents to raise awareness of the program and the upcoming fee on the utility bill. As discovered through the Study, it is expected most residential property owners will see a reduction on their overall sewer fees once the stormwater fee takes effect on January 2025.

Administration is currently developing an online self serve stormwater fee estimator tool to provide the public details related to their individual property. The tool will provide an aerial view of the property with the impervious area layers applied to it, and display the associated stormwater fee. The estimator tool is scheduled for release in fall 2024 and will be made available on the project website (<https://letstalk.citywindsor.ca/stormwater-financing>), which continues to serve as the primary resource and source of information for this new program.

### Implementation Timeline

At the last Council update, Council endorsed extending the implementation period by 12 months in order to perform additional public outreach and education activities. This allowed for focused meetings with ratepayers to provide information on the program and provide time to budget and financially plan for the new stormwater fee model. Table 1 lists the key milestones dates since the last Council update and for the balance of the implementation period:

**Table 1: Implementation Phase Key Milestone Target Dates**

Key Milestone	Target Dates
Communication and Education Plan & Public Outreach	Spring 2023 – Spring 2025

Enhanced Education Sessions	November 2023
Stormwater Advisory Group #3	February 2024
<b>Council Check-In #2</b>	<b>March 2024</b>
Public Information Centre	May 2024
Council Check-In #3 (Rate Approval)	September 2024
1 <sup>st</sup> Billing	January 2025
Post-Billing Period	January 2025 – Spring 2025
Phase-in Proposed Level of Service Changes	2025 – 2029

### **Risk Analysis:**

The risk associated with approving the recommendations in this report is at a low level. Stormwater fees provide a dedicated, stable and equitable funding source and are used by many municipalities across Ontario and Canada. A well designed stormwater fee can give property owners an economic incentive to reduce run-off from their property thereby reducing the costs associated with maintaining the overall stormwater system.

While this new funding model breaks out the existing single sewer surcharge into a sanitary sewer fee and stormwater sewer fee, there is risk of criticism that this is a new tax. As well, with the proposed funding model based on impervious surface area, large commercial/industrial properties may see increased fees due to having large buildings and parking lot footprint. In an attempt to mitigate these concerns, three touch points with the Stormwater Advisory Group occurred during the Implementation Phase to ensure sufficient public consultation and education is available with all affected sectors (residential, commercial and industrial). Administration has also undertaken focused education sessions with property owners expected to see fee increases compared to their current sewer surcharge rates. An in-person public information centre is scheduled in May 2024 to provide additional education. Other public outreach and education methods will continue to occur over the coming months.

In order to support pre-launch activities and on-going support for the implementation of the stormwater fee, the two regular full time positions are required by the Fall of 2024 and therefore cannot wait until the next City Council Stormwater Update or the 2025 Budget process. Both permanent FTE positions are new and will require joint job evaluation reviews and discussions with applicable unions before the positions can be posted. There is a risk that the evaluation of the positions could result in higher salary bands than predicted. Further, notification to CUPE L543 will be required as both are new positions, there is a possibility that CUPE L543 may request a review of both positions.

### **Climate Change Risks**

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

There will be no notable impacts to the City's greenhouse gas inventories or mitigation actions as a result of implementing the Stormwater financing program.

**Climate Change Adaptation:**

Local climate change projections indicate that Windsor’s annual mean precipitation will continue to increase, as will the intensity of extreme precipitation events. This trend is already documented as Windsor’s annual mean precipitation baseline (1970-1999) was 918 mm, while the last decade (2010 – 2019) saw the annual average mean precipitation equal 1023 mm.

The City’s Climate Change Adaptation Plan, Action 7.2, recommends that the City explore options to implement stormwater financing mechanisms including effectively communicating and educating the public of any stormwater financing implementation decisions. As noted above, stormwater financing is one method to encourage property owners to minimize impermeable surfaces allowing for stormwater to infiltrate where it falls, reducing flow into the City’s sewer system. Understanding that Windsor’s climate change projections show increasing annual rainfall amounts, managing stormwater where it falls will add resiliency of the current system.

**Financial Matters:**

Currently, the total approved funding for the Stormwater Implementation phase of the project is \$1,847,957, to be funded from future stormwater fees. The project remains on-budget and sufficient funding exists to continue implementing this project.

Through the implementation phase of this project, it has been determined that two (2) FTE positions are required to begin prior to January 1, 2025. Administration is recommending that Council approve the addition of one regular full time Supervisor of Right-of-Way Programs and one regular full time Programs Coordinator within the Engineering Department. These positions will be fully funded through the Stormwater Financing Fee and therefore will have no increase to the tax levy. The Supervisor of Right-of-Way Programs is expected to be required by September 2024 and the Programs Coordinator by October 2024.

The table below summarizes the overall estimated first charge to the Stormwater Financing Fee to implement these positions in the Fall of 2024 as well as the annual increase required as part of the LOS increase that was recommended in the study:

	<b>First Charge to Stormwater Financing Fee</b>	<b>Annual Operating Budget Increase</b>
New Supervisor of ROW Programs (Salary & Fringe) estimated at salary band NU12, Step 4	\$47,569	\$145,394
New Programs Coordinator (Salary & Fringe) estimated at salary band CUPE L543, Class 13, Step 4	21,779	88,758
Staff Equipment & Other Associated Expenses	1,652	3,848
<b>Total – Stormwater Sewer Surcharge</b>	<b>\$71,000</b>	<b>\$238,000</b>

In order to fund these positions before the implementation date of January 1, 2025, Administration is recommending that up to a maximum of \$71,000 be funded as a first charge to the Stormwater Sewer Surcharge Budget. These costs will be tracked through the Stormwater Financing Implementation project and will increase the total funding for the project implementation to \$1,918,957.

**Consultations:**

Carrie McCrindle – Financial Planning

Mark Spizzirri – Financial Planning

Kathy Buis – Financial Planning

Adam Pillon – ROW

Megan Howells – Human Resources

Karina Richters – Asset Planning

Aaron Farough – Legal

**Conclusion:**

Administration continues to develop the new stormwater financing model with a launch date of January 2025. Given the nature of the program and financial impact it may have on some categories of properties, Administration has been executing a plan that focuses on Enhanced Education and consultation with property owners most affected, and also communicates and informs the general public of this fee. The City has a responsibility to effectively manage stormwater infrastructure and protect the environment. Implementing a dedicated and equitable funding model towards maintaining and constructing new stormwater management infrastructure aligns with meeting that goal. Administration will provide further updates to Council as the project progresses.

**Planning Act Matters:**

N/A

**Approvals:**

Name	Title
Mark Spizzirri	Manager, Performance Measurement & Business Case Development
Colleen Middaugh	Manager of Corporate Projects
Stacey McGuire	Executive Director of Engineering / Deputy City Engineer
Vincenza Mihalo	Executive Director of Human Resources
Mark Winterton	Commissioner, Infrastructure Services – City Engineer
Dana Paladino	Acting Commissioner, Corporate Services
Janice Guthrie	Commissioner, Finance and City Treasurer
Joe Mancina	Chief Administrative Officer

**Notifications:**

Name	Email
SAG Project Notification List (List provided to Clerks)	

**Appendices:**

- 1 Appendix A - Stormwater Financing Credit Policy Manual (36 pages)
- 2 Appendix B - Council Report C95/2023 (15 pages)

# City of Windsor

## STORMWATER FEE CREDIT PROGRAM MANUAL



**Draft – January 19, 2024**





# STORMWATER FEE CREDIT PROGRAM MANUAL

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## Appendices

Appendix A – Stormwater Structure Credit Application Form

Appendix B – Engineering Certification Template

Appendix C – Maintenance Commitment Template

Appendix D – Maintenance Verification Form

Appendix E – Credit Calculation Examples

# FREQUENTLY ASKED QUESTIONS

<p><b>Is my property eligible for credit?</b></p>	<ul style="list-style-type: none"> <li>• Eligible properties include multi-family residential (three or more residential units, including condominiums) and non-residential properties.</li> </ul>
<p><b>What do I need to do for my property to receive credit?</b></p>	<ul style="list-style-type: none"> <li>• Credit is granted for the installation, operation, and maintenance of physical stormwater management structures that control and/or treat runoff from impervious (hard) areas on your property.</li> <li>• The structures must control and/or treat runoff beyond that required by regulatory requirements.</li> </ul>
<p><b>How much credit can I get?</b></p>	<ul style="list-style-type: none"> <li>• The maximum credit is 50% of your stormwater fee.</li> <li>• The exact amount depends on how well stormwater structures on your property meet the performance criteria in Table 1 of this manual.</li> </ul>
<p><b>Will I automatically get credit for a qualified structure?</b></p>	<ul style="list-style-type: none"> <li>• No, a property owner must apply for credit and the City must approve the credit.</li> </ul>
<p><b>How do I apply?</b></p>	<ul style="list-style-type: none"> <li>• An application form is included in the appendix and is available online.</li> <li>• A professional engineer (PEng) will need to verify that your structures are functioning as designed.</li> <li>• The City reserves the right to inspect your structures.</li> </ul>
<p><b>What are the long-term responsibilities?</b></p>	<ul style="list-style-type: none"> <li>• You will need to commit to ongoing maintenance of the qualifying structure and report performance condition the City as required in this policy document.</li> <li>• This commitment will attest to the level and frequency of maintenance for your structures and reporting requirements to the City.</li> </ul>
<p><b>When does the credit go into effect?</b></p>	<ul style="list-style-type: none"> <li>• Credit goes into effect once the application is approved and is applied to the next billing cycle.</li> <li>• An exception is made for conditional pre-approvals before January 1, 2025. See the manual for details.</li> </ul>
<p><b>Who do I contact if I have any questions?</b></p>	<ul style="list-style-type: none"> <li>• Contact the <b>Stormwater Charge Manager</b> at <b>[ENTER CONTACT INFORMATION]</b>.</li> </ul>

# DRAFT STORMWATER FEE CREDIT PROGRAM MANUAL

## 1. INTRODUCTION

The City of Windsor (the City) has implemented a stormwater fee to provide a stable, adequate, and equitable source of revenue to rehabilitate and improve the City's aging stormwater management infrastructure. **This manual provides guidance for how eligible property owners can reduce their stormwater fee through participation in the City's Stormwater Fee Credit Program.**

Stormwater management is key to protecting public safety and health by reducing flood risk, controlling erosion, and maintaining water quality. The City's stormwater program includes planning, designing, constructing, operating, and maintaining a wide range of stormwater management structures. The program also includes system mapping, regulatory compliance, spill and dumping response, street sweeping, and public education and outreach.

The credit program recognizes that certain private on-site stormwater management investments can enhance public safety and reduce the cost of the City's stormwater program over the long-term.



### Windsor's Stormwater Infrastructure

- Over 1,025 kilometres of pipe
- Over 15,300 manholes
- Over 22,615 catch basins
- 29 stormwater management ponds
- 39 pump stations
- Approximately 124 kilometres of municipal drains
- Approximately 254 kilometres of roadside ditches

**The City’s credit program was developed with the assistance of a Stormwater Advisory Group and is based on the following guiding principles:**

- There must be a rational relationship between the credit amount and the benefit to the publicly funded stormwater management program.
- Credit should be targeted to meet the most pressing needs of the City.
- Credit should be approved only for private investments that go beyond what is required to meet minimum regulatory standards.
- Stormwater management benefits must be verifiable.
- The program should not place an unreasonable administrative burden on City staff.
- The amount of credit should not diminish the purpose of the charge, which is to adequately fund the public stormwater management program/system.

**2. ELIGIBLE PROPERTIES AND CREDIT SCHEDULE**

***Eligible Properties***

All multi-family residential (three or more residential units, including condominiums) and non-residential properties (for example, parking lots, mixed-use, institutional, industrial, and commercial properties) are eligible to participate in the credit program, except for any portion of a property that is exempt from the stormwater fee.

Single-family residential properties, which pay a flat fee based on three tiers of density, are not eligible for the credit program.

Participation in the credit program is by application only. Credit will not be granted without an application and approval by the City.

***Eligible Structures and Technical Criteria***

Only stormwater management structures are eligible for credit. A stormwater management structure (often referred to as a structural stormwater best management practice “BMP”) is defined as a permanent physical device or practice that is installed to control stormwater runoff. Controls include the capture, management, and/or treatment of stormwater to reduce flooding, prevent erosion, and/or improve water quality.

**To be eligible for credit, structures must meet the following criteria:**

- 1** Exceed minimum regulatory requirements in place at the time of original installation.
- 2** Designed in accordance with a City-recognized standard such as the Ministry of Environment, Conservation, and Parks (MECP) Stormwater Management Planning and Design Manual and Windsor/Essex Region Stormwater Management Standards Manual.
- 3** Fully maintained and operated by the property owner. Structures that have been assumed by the City for maintenance are not eligible for credit.

The following are common structures that may be eligible for credit.



**Common Stormwater Structures**



**Wet Pond**



**Permeable Pavers**



**Urban Filter Strip**



**Tree Box Filter**



**Oil/Grit Separator**



**Cistern/Greywater**

**Credit Amount**

The credit amount is based on how well stormwater structures on a property achieve the performance criteria in Table 1. The level of control required to achieve credit depends on whether the project controls stormwater runoff from existing impervious (hard) surfaces or controls stormwater runoff from new or expanded impervious surfaces associated with a new development/site expansion:

- **Voluntary Control of Existing Impervious Surface:** No new impervious surface is proposed. The property owner controls stormwater runoff from existing impervious surfaces above requirements at the time of initial development (structures that have already been installed) or above existing conditions (new structures).
- **New Development/Site Expansion:** New impervious surface is created as part of new development or a site expansion. Control is required by regulation, but the property owner voluntarily enhances control above minimum standards.

Credit is not available for controlling off-site impervious area for which the property owner is not assessed a stormwater fee.

**Table 1 – Stormwater Structure Credit Schedule**

Category	Voluntary Control of Existing Impervious Surface	New Development/ Site Expansion	Total Credit (50% Maximum)	Total of no more than 50%
<b>Peak Flow Reduction</b>	Percentage reduction of 100-year peak flow from the contributing impervious area to pre-development conditions.	Allowable peak flow for the site reduced by 10% to 40% during the 100-year and Climate Change 150 mm events.	Up to 40%	
<b>Runoff Volume Reduction</b>	Percentage reduction of runoff volume from the contributing impervious area through capture of the first 0.015 metre (m) to 0.03 m of rainfall during a single rain event.	Percentage of capture for the first 0.03 m to 0.05 m of rainfall during a single rain event for the site.	Up to 40%	
<b>Water Quality Treatment</b>	Improve water quality controls (or implement new controls where none exist) to an enhanced level of treatment (80% Total Suspended Solids (TSS) removal).	Design water quality controls for the site to an enhanced level of treatment (80% TSS removal); or, exceed the minimum Regional SWM Standard at the time of design for new development or site expansion areas where no quality control currently exists.	Up to 10%	

Note: **Peak Flow Reduction Category:** Voluntary Control of Existing Impervious Surfaces to consult with the City at the pre-consultation stage to confirm the storm event target to be used for pre-development peak flows.

**The maximum available credit summed across all categories cannot exceed 50%.** The weighting of credits in each category reflects the priorities within the City’s stormwater management program, with flood protection being the largest component, followed by erosion protection and water quality protection.

The City reserves the right to modify the credit schedule (evaluation criteria, credit amount for each category, and total credit) or to eliminate the credit program altogether. The City will honor credit, subject to the credit program at the time of approval, to a property owner for a minimum of twenty (20) years provided that the structure continues to be operated and maintained as designed.

---

**Detailed Evaluation Criteria**

The following calculations are used to determine credit amount depending on whether the subject site currently has controls in place to control existing impervious surfaces or new impervious surfaces as part of a new development/site expansion. Examples are shown in the appendix.

**Peak Flow Reduction – Voluntary Control of Existing Impervious Surface**

The amount of credit, up to 40%, is based on how well the 100-year post-development flow from impervious areas is controlled compared to the estimated pre-development condition flows based on the target control storm event approved by the City. A runoff co-efficient of 0.25 is used to establish pre-development conditions. Calculations should reflect only the impervious area controlled by stormwater structures.

- Existing = Existing flow from impervious area in L/s (Litres per second)
  - To account for an existing structure that controls stormwater beyond minimum requirements at the time of installation, increase flow by that amount (e.g., if the calculated existing flow is 100 L/s but would have been 110 L/s without control beyond minimum requirements, then use 110 L/s for the calculation)
- Pre-development = Flow from impervious area using 0.25 runoff co-efficient in L/s
- Proposed Voluntary = Flow from impervious area based on new stormwater structure or new enhancement to existing structure in L/s

$$\frac{\text{existing} - \text{proposed voluntary}}{\text{existing} - \text{predevelopment}} * 40\% = \% \text{ credit}$$



The percent of credit is applied to the stormwater fee generated by the impervious area controlled by stormwater structures.

**Peak Flow Reduction – New Development/Site Expansion**

The amount of credit, up to 40%, is based on reducing the allowable peak flow for the entire site by between 10% and 40% during the 100-year and Climate Change 150 mm events. The site is defined as the geographic area required to meet the City’s stormwater management requirements at the time of development/expansion. Credit is based on the reduction amount, with 10% credit for a reduction of 10% up to 40% credit for a reduction of 40%. Calculations apply to all impervious areas on the site.

- Percent Reduction = Allowable peak flow reduction percentage

$$percent\ reduction\ (max\ 40,\ min\ 10) = \% \ credit$$

The percent credit is applied to the stormwater fee generated by the site.

**Runoff Volume Reduction – Voluntary Control of Existing Impervious Surface**

The amount of credit, up to 40%, is based on how much volume of stormwater runoff from impervious areas can be retained or re-used on the site at the onset of a storm event. Credit is scaled depending on the reduction amount. No credit is provided for less than a 0.015 m reduction of volume falling over the area from any single storm event. Full credit is provided for a 0.03 m reduction or greater of volume over the area. A storm event is defined as an event preceded by and followed by 24 hours of no measurable rainfall. The property owner may take credit for existing stormwater detention or volumetric re-use controls that go beyond minimum regulatory requirements. Calculations should reflect only the impervious areas where volumetric controls are proposed.

$$rainfall\ (m) * impervious\ area\ (m^2) = volume\ reduction\ (m^3)$$

- Existing = Existing runoff reduced (m<sup>3</sup>) from impervious area beyond the minimum requirements based on the proposed mm rainfall target.
  - For example, if existing initial volume runoff reduced from the site is during the first 0.01 metre (m) of a storm event, however it would have been 0.005 m without detention volume controls beyond the minimum requirements, then use 0.005 m for the calculation.
- Proposed Voluntary = Proposed runoff reduced (m<sup>3</sup>) from impervious area by new detention or re-use systems, or an enhancement to the existing system in mm.

$$\frac{(existing\ m^3 + proposed\ voluntary\ m^3) - \text{min volume reduction } m^3}{\text{max volume reduction } m^3 - \text{min volume reduction } m^3} * 40\% = \% \text{ credit}$$

*Note: The applicant must also provide accompanying calculations of existing and proposed runoff volumes (m<sup>3</sup>) from the impervious area based on the rainfall target and the expected reduction off the site. The above equation is to be used as a general summary of runoff reduction for credit review.*

The percent of credit is applied to the stormwater fee generated by the impervious area controlled by stormwater structures.

**Runoff Volume Reduction – New Development/Site Expansion**

The amount of credit, up to 40%, is based on how much volume of stormwater runoff from the entire site can be retained or re-used at the onset of a storm event. The site is defined as the geographic area required to meet the City’s stormwater management requirements at the time of development/expansion. Credit is scaled depending on the reduction amount. No credit is provided for less than a 0.03 m reduction of volume falling over the area from any single storm event. Full credit is provided for a 0.05 m reduction or greater of volume over the area. A storm event is defined as an event preceded by and followed by 24 hours of no measurable rainfall. Calculations apply to all impervious areas on the site.

$$rainfall\ (m) * impervious\ area\ (m^2) = volume\ reduction\ (m^3)$$

- Proposed = Proposed runoff reduced (m<sup>3</sup>) by new stormwater detention or re-use systems from the entire site in mm

$$\frac{(proposed\ m^3) - \text{min volume reduction } m^3}{\text{max volume reduction } m^3 - \text{min volume reduction } m^3} * 40\% = \% \text{ credit}$$

*Note: The applicant must also provide accompanying calculations of existing and proposed runoff volumes (m<sup>3</sup>) from the impervious area based on the rainfall target and the expected reduction off the site. The above equation is to be used as a general summary of runoff reduction for credit review.*

The percent credit is applied to the stormwater fee generated by the site.

**Water Quality Treatment**

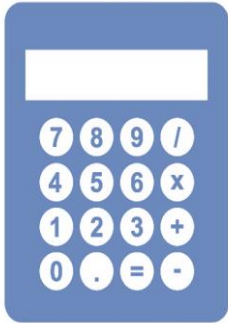
The amount of credit, up to 10%, is based on achieving enhanced water quality levels (80% removal of TSS) in accordance with the MECP Stormwater Management Planning and Design Manual. There is no credit for a structure that does not achieve enhanced water quality treatment.

For voluntary control of existing impervious surfaces, the 10% credit is applied to the stormwater fee generated by the impervious area controlled by stormwater structures.

For a new development/site expansion, the entire site must meet the enhanced level of treatment. The 10% credit is applied to all impervious areas on the site.

**3. TOTAL CREDIT CALCULATOR**

The following calculation is used to determine the total credit given to a property owner. Separate calculations should be made for properties with multiple structures with different credit amounts.



<b>(A)</b>	Sum of Credit Amounts (Maximum of 50%)	%
<b>(B)</b>	Impervious Area Controlled on the Property	ha
<b>(C)</b>	Total Impervious Area on the Property	ha
<b>(D)</b>	Proportion of Impervious Area Eligible for Credit = (B)/(C)	%
<b>(E)</b>	Percent Reduction on Total Fee = (A)*(D)	%

**4. FUNCTION VERIFICATION AND MAINTENANCE COMMITMENT CERTIFICATION**

Stormwater management structures must function as designed to receive credit. This requirement is initially satisfied through certification by a professional engineer or other professional designated by the City using the Engineering Certification Template.

The Maintenance Verification Form must be submitted to and approved by the City at least once every five years after initial certification for the property owner to continue to receive credit.

The property owner must agree to maintain the structure so that it continues to function as designed using the Maintenance Commitment Template. As part of the commitment, the property owner must authorize City staff to enter the premises to verify that the structure is functioning as designed. The City may establish structure-specific maintenance requirements, more frequent submittal of the Maintenance Verification Form, and any other requirements deemed appropriate at the discretion of the City.

The City may require an existing Maintenance Commitment to be updated as a condition for continued credit based on changes in maintenance best practices or the result of an inspection by City staff.

If the property owner fails to abide by the commitment terms, the City will revoke the credit if corrective actions are not taken within the time specified by the City.

## 5. INITIAL APPLICATION AND APPROVAL PROCESS

### Application Form

The City will accept a completed application form by mail or online and will accept supporting documentation in either hard-copy or digital (PDF) format. Applications may be submitted at any time. The application form is located in the appendix and can be accessed online at [www.citywindsor.ca/](http://www.citywindsor.ca/) [INSERT LINK HERE].

The applicant is solely responsible for costs incurred in the preparation of the required documentation and/or the submission of the credit application. There is no application fee.

### Approval Process

Once an application is received by the City, the Stormwater Fee Manager or designee will conduct an initial screening to ensure completeness. An application is deemed complete when it is verified that all appropriate sections of the application form have been filled out and the applicant has submitted the relevant supporting documents and reports. The applicant may be contacted to provide missing or additional information or documents.

A complete application will be registered as such, and the applicant notified that a technical review is being undertaken to verify the proposed stormwater management structures and associated credit calculations. The technical review of an application is expected to be completed within 60 calendar days following registration.

An applicant may be requested to submit additional information to enable review and evaluation of their application. If an applicant fails to provide the necessary information within 60 calendar days of the request to submit, the application will be rejected.



If the review results in a request for additional information or clarification on matters from the applicant, a 30-calendar day period will be added to the review period upon receipt of all information requested.

By submitting the application, the applicant grants the City permission to conduct a site inspection during normal business hours (9:00 a.m. to 5:00 p.m. Monday through Friday) to verify that a structure is in conformance with the documentation provided and is operating in accordance with documented performance criteria. Failure to provide access to the site for inspection will result in the credit application being closed.

**Conditional Pre-Approval**

Applicants are strongly encouraged to be conditionally pre-approved in advance of the construction of stormwater management structures. The credit will not become effective until such time that it has been demonstrated by the applicant, to the satisfaction of the Stormwater Fee Manager, that the structures approved for credit have been installed, meet the objectives of their approved design, and are in service.

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***Effective Date of Approved Credit***

The stormwater fee is billed monthly. Once approved by the City, the credit adjustment will be applied to the next monthly bill, or the following month’s bill if the adjustment is approved past the bill print date.

**Conditional Pre-Approvals Before January 1, 2025**

Credit for a structure that is conditionally pre-approved before January 1, 2025, and where the structure is certified by the City to be in service before January 1, 2026, will be retroactive to the first date of billing. Charges paid by the property owner will be reimbursed by the City.

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***Stormwater Fees Billed During Application Review***

A pending credit application shall not constitute a valid reason for non-payment of the current Stormwater Fee. Any Stormwater Fee bill that is received during the credit application process must be paid in full.

## 6. CREDIT UPDATE APPLICATION

A credit holder is responsible for notifying the City of any material change to the stormwater management structure for which a credit was approved and is in effect. Material change means actions taken by a property owner, those occurring through lack of action by a property owner, or actions taken by others unrelated to any action of the property owner. Material change includes, but is not limited to, alteration, improvement, deficiency, or failure.

No later than 90 calendar days after any material change has been undertaken or occurs, the holder of a stormwater credit must submit an updated application form (see appendix and online at [www.citywindsor.ca/](http://www.citywindsor.ca/) [INSERT LINK HERE]). Late submission of the application may result in a discontinuance of the credit amount. The City shall have full and absolute discretion to adjust (increase or decrease) the credit amount.

## 7. COMPLIANCE INSPECTIONS

The City may, during normal business hours (9:00 a.m. to 5:00 p.m. Monday through Friday), enter and inspect any property with an approved credit for purposes of assessing whether stormwater management structures are being maintained as to function, are in a state of good repair, and are operating in accordance with the performance criteria established in the credit approval. If the structure fails a City inspection, or the owner fails to submit documents as required in the maintenance agreement, the City will revoke the credit if corrective actions are not taken within the time specified by the City.



# APPENDICES

APPENDIX A – STORMWATER STRUCTURE CREDIT APPLICATION FORM

APPENDIX B – ENGINEERING CERTIFICATION TEMPLATE

APPENDIX C – MAINTENANCE COMMITMENT TEMPLATE

APPENDIX D – MAINTENANCE VERIFICATION FORM

APPENDIX E – CREDIT CALCULATION EXAMPLES



## **APPENDIX A**

# **STORMWATER STRUCTURE CREDIT APPLICATION FORM**



# STORMWATER STRUCTURE CREDIT APPLICATION FORM

Use this form for an initial credit application or to update information about an existing credit.

## Section 1. Applicant Information

Applicant Name:  Date:

Mailing Address:

Email Address:

Phone Number:

- I am the owner of the property.
- I am the authorized agent for the property (if agent, provide owner information below).

Owner Name:

Mailing Address:

Email Address:

Phone Number:

## Section 2. Site Information

Property Address:

Property ID:

## Section 3. Credit Application Type

- New Credit – if new credit:
  - Pre-Approval
  - Structure in Service
- Updated Credit

## Section 4. Property Eligibility

- I confirm that the property type is multi-family residential or non-residential.

## Section 5. Structure Eligibility and Project Description

Structure Type:

Structure Maintenance:

- I confirm that the City is not responsible for maintaining the structure.

Type of Project:

- Existing impervious surface – existing structure provides control above regulatory minimum at time of installation.
- Existing impervious surface – proposed new structure.
- New impervious surface – proposed enhancement above current regulatory minimum.

Project Summary:

Impervious Area:

Total On-Site Impervious Area

m<sup>2</sup>

Impervious Area Controlled by Structure

m<sup>2</sup>

**Section 6. Credit Proposal**

Credit Type	Maximum Possible	Percent Applied For
Peak Flow Reduction	40%	<input style="width: 80%; height: 20px;" type="text"/> %
Runoff Volume Reduction	40%	<input style="width: 80%; height: 20px;" type="text"/> %
Water Quality	10%	<input style="width: 80%; height: 20px;" type="text"/> %
Total Maximum	50%	<input style="width: 80%; height: 20px;" type="text"/> %

**Section 7. Supporting Documentation**

- Site Plan
- Engineering Drawings
- Details of Stormwater Structure(s)
- Supporting Calculations
- Operation and Maintenance Plan
- Engineering Certification (if the structure is in service)
- Maintenance Commitment

**Section 8. Certification and Inspection Agreement**

- I am the legal owner, or I am duly authorized to act on behalf of the legal owner.
- I have reviewed the information contained in this application and the supporting documentation, and to the best of my knowledge believe that it is true and accurate.
- If this is an application for pre-approval, I understand that I must submit an Engineering Certification prior to final credit approval.
- I authorize the City or its representative to enter the site for the sole purpose of visually inspecting the stormwater management structure.
- I understand that if I fail to implement the terms of the maintenance commitment, or if an inspection by the City indicates that the structure is not properly maintained, that the structure will no longer be eligible for credit if deficiencies are not corrected within the timeframe provided by City staff.

Name/Title:

Signature \_\_\_\_\_ Date \_\_\_\_\_

**Return this form and supporting documentation to:**

City of Windsor  
XXXXX  
XXXXX  
XXXXX  
XXXXX



# **APPENDIX B**

## **ENGINEERING CERTIFICATION TEMPLATE**

# ENGINEERING CERTIFICATION TEMPLATE

Use this template to certify a new structure or changes to an existing structure. Completion of this certification is required prior to final approval of credit.

Date:

To: City of Windsor  
XXXXX  
XXXXX  
XXXXX

Attention: XXXXX

Subject: Stormwater Structure Certification  
[Credit Application Number]  
[Address]  
[Property ID]  
[Structure Type]

---

This letter confirms that I/we have inspected [stormwater structure] on the above noted property and do hereby certify that all systems have been designed and constructed in accordance with [drawing number \_\_\_\_\_, dated \_\_\_\_\_].

I/we further certify that all structure components are completed and operational in accordance with sound engineering practices and principles and are based on guidance from [applicable design and/or standards manual].

Further, I/we hereby confirm that the [structure type] has been implemented into service and is operational as of [date].

Should you have any questions or concerns regarding this letter, please do not hesitate to contact me/this office at [phone number and email].

Sincerely,  
[Company Name]

Signature

Printed Name

Professional Engineer Stamp



# **APPENDIX C**

## **MAINTENANCE COMMITMENT TEMPLATE**

# MAINTENANCE COMMITMENT TEMPLATE

Use this template to establish general maintenance responsibilities and any additional structure-specific maintenance requirements.

Property Owner:

Property Address:

Property ID:

Mailing Address:

Email Address:

Phone Number:

The property owner commits to the following in consideration of being granted a credit by the City against the stormwater fee charged to the above referenced property:

- The structure will not be altered from the site plan, engineering drawings, or stormwater structure details referenced in the Stormwater Structure Credit Application Form approved by the City unless the property owner has been given prior written approval by the City.
- The structure will be maintained in good working order in accordance with the operations and maintenance plan referenced in the Stormwater Structure Credit Application Form approved by the City.
- If applicable, the following additional maintenance requirements (reference manual, manufacturer's recommendations, additional City instructions, etc.) will apply to the structure:

- The Maintenance Verification Form in the most recent version of the Stormwater Fee Credit Program Manual must be submitted to the City at least once every five years after initial credit approval.
- If applicable, the following additional maintenance verification requirements (documentation, reporting frequency, sampling, etc.) will apply to the structure:

*City of Windsor Draft Stormwater Fee Credit Program Manual*

- The City may, during normal business hours (9:00 a.m. to 5:00 p.m. Monday through Friday), enter the property for the sole purpose of assessing whether the structure is being maintained in good working order and that the structure has not been altered from the approved site plan, engineering drawings, or stormwater structure details.
- The City may require a new or updated maintenance commitment as a condition for continued credit based on alterations to the structure, changes in maintenance best practices, or the result of an inspection by the City.
- If the structure fails a City inspection, the owner fails to provide access to the structure for inspection, or the owner fails to submit documents as required in this commitment, the City will revoke the credit if corrective actions are not taken within the time specified by the City.

Name/Title:

Signature \_\_\_\_\_ Date \_\_\_\_\_

**Return this form to:**

City of Windsor  
XXXXX  
XXXXX  
XXXXX  
XXXXX





## **APPENDIX D**

# **MAINTENANCE VERIFICATION FORM**

# MAINTENANCE VERIFICATION FORM

*This form may be used to verify that a stormwater management structure has been properly maintained and is operating in accordance with original design specifications. Verification is required at least once every five years after initial certification or more frequently at the discretion of the City. Alternative forms specific to the structure may be utilized provided that the form is stamped by a professional engineer.*

Property Address:

Property ID:

Structure Type :

General Condition:	Yes	No	N/A
Is the primary outfall pipe/ ditch clear and functioning?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Are the inflow pipes/ ditches clear and functioning?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is the water quality pool at the correct height (if present)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Are structure components such as control weirs, pipes, etc. working properly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Are emergency overflow devices clear and functional (if present)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is the structure clear of sediment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is the structure clear of trash?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Are embankments free of erosion, woody vegetation (unless called for in the design), animal burrows, or signs of deterioration?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is vegetation being managed in a manner appropriate to the facility?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If the structure is a bioretention facility, is the water quality control filter media and/or water quantity soakaway pit in good working condition and clear of debris?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## Certification

This certification must be made by a licensed professional engineer or other licensed professional recognized by the City to make this certification.

Based on an inspection of the above structure conducted on ,  
I certify that the structure is currently operational and functioning as designed.

**Attach documentation of the structure inspection, including photographs.**

Name:

Qualification

Address of Inspector:

Email:


Phone:

Signature \_\_\_\_\_ Date \_\_\_\_\_

Professional Stamp or  
Certification Number

**Return this form and supporting documentation to:**

City of Windsor  
XXXXX  
XXXXX  
XXXXX  
XXXXX



# **APPENDIX E**

## **CREDIT CALCULATION EXAMPLES**

## CREDIT CALCULATION EXAMPLES

### Example 1 – Installation of Bioretention Facility to Control Existing Impervious Surface

An existing commercial property has total uncontrolled impervious area of 10,000 m<sup>2</sup>. The property owner proposes a new bioretention facility that will treat runoff from 4,000 m<sup>2</sup> of impervious area.

The existing condition peak flow from the impervious area proposed to be controlled is 370 L/s. Through pre-consultation with the City, the pre-development target storm event was determined to be the 1:25 year event. The pre-development peak flow is calculated to be 100 L/s. Proposed peak flow will be 200 L/s.

The bioretention facility achieves a runoff volume reduction of 0.02 m but only achieves a TSS reduction of 70% (below enhanced). Any volume runoff reduction is contingent of infiltration testing of the underlying soils and type of plant species.

The following shows the credit for each category, the total credit, and the percent reduction on the total stormwater fee for the property.

#### Peak Flow Reduction - Control of Existing Impervious Surface (Up to 40% Credit)

Existing Flow (L/s)	Proposed Voluntary Flow (L/s)	Pre-Development Flow (L/s)	
370	200	100	

$$\frac{370 \text{ L/s existing} - 200 \text{ L/s proposed voluntary}}{370 \text{ L/s existing} - 100 \text{ L/s predevelopment}} * 40\% = 25\% \text{ credit}$$

Percent of 40% Credit	63%		
Credit Applied	25%		

#### Runoff Volume Reduction - Control of Existing Impervious Surface (Up to 40% Credit)

Impervious Area Draining to Retrofit (m <sup>2</sup> )	4,000	
Existing Rainfall Retention (m)	0	
Additional Rainfall Retention (m)	0.02	
Total Rainfall Retention (m)	0.02	

$$0.02 \text{ m rainfall} * 4,000 \text{ m}^2 \text{ impervious area} = 80 \text{ m}^3 \text{ volume reduction}$$

Total Proposed Volume Reduction (m <sup>3</sup> )		Min. Retention for Credit Based on 0.015 m Rainfall (m <sup>3</sup> )	Max. Retention for Credit Based on 0.03 m Rainfall (m <sup>3</sup> )
80		60	120

$$\frac{80 \text{ m}^3 - \text{min } 60 \text{ m}^3}{\text{max } 120 \text{ m}^3 - \text{min } 60 \text{ m}^3} * 40\% = 13\% \text{ credit}$$

Percent of 40% Credit	33%		
Credit Applied	13%		

**Water Quality Treatment (Up to 10% Credit)**

Proposed Treatment		Minimum Treatment for Credit	
70		80	
Percent of 10% Credit	0%		
Credit Applied	0%		

<b>Credit Summary - Control of Existing Impervious Surface</b>	
Sum of Credits	39%
Sum of Credits (Max 50%)	39%
Impervious Area - Structure (m <sup>2</sup> )	4,000
Impervious Area - Property (m <sup>2</sup> )	10,000
Proportion Property IA Treated	40%
Percent Reduction on Total Charge	15%

**Example 2 – Enhancement of Structures Installed for New Development**

A vacant property is being developed for commercial purposes. The total impervious area will be 10,000 m<sup>2</sup>. The property owner proposes to design and install multiple structures that will treat all runoff from the site.

The allowable peak flow (as determined by the 100-year and Climate Change 150 mm events) will be reduced by 20%.

The structures achieve a runoff volume reduction of 0.04 m and a TSS reduction of 80% (enhanced water quality level).

The following shows the credit for each category, the total credit, and the percent reduction on the total stormwater fee for the property.

**Peak Flow Reduction - New Development/Site Expansion (Up to 40% Credit)**

Percent Reduction Proposed Above Required		Minimum Reduction for Credit (%)	Maximum Reduction for Credit (%)
20		10	40
Credit Applied	20%		

**Runoff Volume Reduction - New Development/Site Expansion (Up to 20% Credit)**

Impervious Area of Site (m <sup>2</sup> )	10,000	
Additional Rainfall Retention Above Required (m)	0.04	
Total Rainfall Retention (m)	0.04	

$$0.04 \text{ m rainfall} * 10,000 \text{ m}^2 \text{ impervious area} = 400 \text{ m}^3 \text{ volume reduction}$$

Total Proposed Volume Reduction (m <sup>3</sup> )		Min. Retention for Credit Based on 0.03 m Rainfall (m3)	Max. Retention for Credit Based on 0.05 m Rainfall (m3)
400		300	500

$$\frac{400 \text{ m}^3 - \text{min } 300 \text{ m}^3}{\text{max } 500 \text{ m}^3 - \text{min } 300 \text{ m}^3} * 40\% = 20\% \text{ credit}$$

Percent of 40% Credit	50%		
Credit Applied	20%		

**Water Quality Treatment (Up to 10% Credit)**

Proposed Treatment		Minimum Treatment for Credit	
80		80	
Percent of 10% Credit	100%		
Credit Applied	10%		

<b>Credit Summary - New Development/Site Expansion</b>	
Sum of Credits	50%
Sum of Credits (Max 50%)	50%
Impervious Area - Structure (m <sup>2</sup> )	10,000
Impervious Area - Property (m <sup>2</sup> )	10,000
Proportion Property IA Treated	100%
Percent Reduction on Total Charge	50%



**Example 3 – Aesthetic Pond with Existing Peak Flow Reduction**

An existing commercial property has total impervious area of 10,000 m<sup>2</sup>.

An existing aesthetic pond, not built for regulatory purposes, drains 4,000 m<sup>2</sup> of impervious area. Existing peak flow from the impervious area is 370 L/s. However, after analysis, the property owner can demonstrate that peak flow without the pond would be 400 L/s. As a result, the property owner may take credit for the 30 L/s reduction.

The aesthetic pond does not achieve a runoff volume reduction and does not achieve enhanced water quality for TSS.

The following shows the credit for each category, the total credit, and the percent reduction on the total stormwater fee for the property.

**Peak Flow Reduction - Control of Existing Impervious Surface (Up to 40% Credit)**

Existing Flow (L/s)	Proposed Voluntary Flow (L/s)	Pre-Development Flow (L/s)	
400	370	100	

$$\frac{400 \text{ L/s existing} - 370 \text{ L/s proposed voluntary}}{400 \text{ L/s existing} - 100 \text{ L/s predevelopment}} * 40\% = 4\% \text{ credit}$$

Percent of 40% Credit	10%		
Credit Applied	4%		

**Runoff Volume Reduction - Control of Existing Impervious Surface (Up to 40% Credit)**

Impervious Area Draining to Retrofit (m <sup>2</sup> )	4,000	
Existing Rainfall Retention (m)	0	
Additional Rainfall Retention (m)	0	
Total Rainfall Retention (m)	0	

$$0.00 \text{ m rainfall} * 4,000 \text{ m}^2 \text{ impervious area} = 0 \text{ m}^3 \text{ volume reduction}$$

Total Proposed Volume Reduction (m <sup>3</sup> )	Min. Retention for Credit Based on 0.015 m Rainfall (m3)	Max. Retention for Credit Based on 0.03 m Rainfall (m3)
0	60	120

$$\frac{0 \text{ m}^3 - \text{min } 60 \text{ m}^3}{\text{max } 120 \text{ m}^3 - \text{min } 60 \text{ m}^3} * 40\% = 0\% \text{ credit}$$

Percent of 40% Credit	0%		
Credit Applied	0%		

**Water Quality Treatment (Up to 10% Credit)**

Proposed Treatment		Minimum Treatment for Credit	
0		80	
Percent of 10% Credit	0%		
Credit Applied	0%		

<b>Credit Summary - Control of Existing Impervious Surface</b>	
Sum of Credits	4%
Sum of Credits (Max 50%)	4%
Impervious Area - Structure (m <sup>2</sup> )	4,000
Impervious Area - Property (m <sup>2</sup> )	10,000
Proportion Property IA Treated	40%
Percent Reduction on Total Charge	2%

**Subject: Stormwater Financing Project Update, City Wide**

**Reference:**

Date to Council: June 12, 2023  
Author: Marc Di Domenico  
Project Administrator  
(519) 255-6100 Ext. 6452  
[mdidomenico@citywindsor.ca](mailto:mdidomenico@citywindsor.ca)  
Corporate Projects - Engineering  
Report Date: May 26, 2023  
Clerk's File #: SW2023

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

**Recommendation:**

- I. THAT City Council **RECEIVE FOR INFORMATION** the Stormwater Financing Project Update report, including the revised timeline; and,
- II. THAT City Council **ENDORSE** the Stormwater Financing Definitions and Policies described in Appendix A; and,
- III. THAT City Council **APPROVE** an additional \$100,000 to support the necessary activities required to extend the Implementation Phase, including for additional notice and enhanced public engagement and education, to be funded as the first charge to the Stormwater Budget; and,
- IV. THAT City Council **PRE-APPROVE** and **AUTHORIZE** Administration to use available funds within the project budget for any amendment(s) or change requirement(s)/directive(s) and additional documents relating to executed agreement(s), pursuant to the Purchasing By-Law 93-2012 and amendments thereto, satisfactory in legal form to the Commissioner of Legal & Legislative Services, in financial content to the Commissioner of Corporate Services CFO/City Treasurer, and in technical content to the Commissioner of Infrastructure Services.

**Executive Summary:**

N/A

## **Background:**

The City currently uses sewer surcharge, grants and development charges to fund the operational, maintenance and capital improvement costs associated with the stormwater sewer system. The City's sewer surcharge budget funds operating and capital costs for *both* sanitary and stormwater systems. Due to the increased emphasis on sewer infrastructure in recent years as a result of more frequent and aggressive rainfall weather events, the City's capital program for both wastewater and stormwater has grown from approximately \$5 million in 2002 to the current \$48.3 million in 2023.

A Study was performed in 2018 by WSP E&I Canada Limited (formerly known as Wood Environmental & Infrastructure Solutions) to provide an assessment of Windsor's existing stormwater management level of service (LOS) and funding model, and report on new funding options capable of providing dedicated and better distributed funding models.

In January 2021, City Council endorsed the Stormwater Financing Study (Council Report C243/2020, Council Decision CR42/2021) which included the following key elements: segregation of stormwater from wastewater funding; proposed level of service program and five-year phase-in period for an enhanced future stormwater program; and a new user-fee funding model. A copy of the Study report and video presentation can be found on the project website page: <https://letstalk.citywindsor.ca/stormwater-financinghttps://www.citywindsor.ca/residents/building-Windsors-Future/Pages/stormwater-financing-our-future-needs.aspx>.

In December 2021, Council approved the implementation of a dedicated stormwater financing model to fundamentally change funding towards a more distributable model (Council Report C163/2021, which can also be found at the project website, Council Decision B31/2021). This new stormwater model is not an additional fee, but breaks down the existing sewer surcharge into two distinct sewer system revenue streams: wastewater (sanitary) sewer surcharge, which is calculated using the existing sewer surcharge method based on water consumption; and a stormwater fee, which is calculated using a new stormwater model based on the amount of impervious surface area on a property, which contributes to runoff. Basing the stormwater fee to a property's impervious surfaces has proven to be a fairer and more equitable methodology than basing it on the current sewer surcharge calculation (i.e. water usage), and better aligns with the notion of billing by the amount of stormwater runoff generated by each property. By minimizing the amount of paved land and properly maintaining the runoff from these surfaces, all property owners can help manage stormwater demands. The fairness in cost apportionment between residential and non-residential property classifications is also improved as non-residential properties generally contain larger impervious area surfaces and contribute more water runoff into the stormwater management system, yet currently pay a smaller contribution of the overall sewer surcharge revenue compared to residential properties.

## **Discussion:**

This report serves as an update on the work performed to date and to establish the plan moving forward based on early findings.

An Executive Committee was established at the onset to oversee progress of the implementation work plan and provide direction throughout the project. The Commissioner, Corporate Services – CFO/City Treasurer serves as the Project Sponsor and where the Executive Committee is represented by Engineering, Finance, Asset Planning and Legal departments. The Corporate Projects division is administering the project alongside the Finance Department. The Implementation Timeline developed in the previous phase grouped activities through core working group pillars where an update on the progress achieved by each is outlined below:

### **Program Policies & Legal**

This pillar is responsible for the establishment of policies related to distribution of costs, definitions, exemptions, credit policies, and billing. Work commenced to establish several key definitions necessary to process and quantify newly captured aerial data and begin formulating the basis of the stormwater fee calculation, including: impervious area; residential property type; multi-residential, non-residential & other property types; owner; developed property; and undeveloped/vacant property. All applicable definitions and policy rationale are described in Appendix A, and will be used to inform the stormwater bylaw. As well, 19 impervious area types were defined and where qualification towards a property's impervious area calculation was determined, including building, patio, driveway, parking lot, sidewalk, shoulder, compacted ground and material stockpiles, among others. Each of these impervious area types were assigned a discrete layer in the dataset and the surface types marked accordingly, as described below in Data Management. Property Codes were used to assign designation between one of two property types for billing purposes: Residential; or Multi-Residential, Non-Residential & Other. The billing methodology for each of these two property types differs, necessitating that the property code aligns with the property type definition for billing accuracy. Residential properties are billed under a tiered system, whereas Multi-Residential, Non-Residential & Other properties are billed in direct proportion of the amount of impervious area on the property. Development of the calculation methodologies are described in Data Management.

Legal, technical and policy-driven exemptions were studied to understand the property types that might be exempt from the stormwater charge. Sanitary sewer surcharge exemptions were used as a guide to inform the stormwater exemption policy. Currently, City-owned sites are subject to sewer surcharge, and it was decided stormwater-related fees would also apply to City-owned properties. Administration is of the view that the stormwater system and service is not provided on the basis of metering the charge or use of the system but rather that this is a charge for a public service that is used and contributed by everyone. This encourages fair distribution of cost for flood reduction mitigation and proper functioning of the City's infrastructure assets as everyone benefits from a well operating drainage system and supports an equitable policy. To that end, only those subject to mandatory exclusion were determined to be exempt from the stormwater fee. Legislative review identified that through section 58 of the Education Act, primary and secondary school boards having a registered board number are exempt from paying the stormwater fee. This is consistent with the position taken by the Ontario Ministry of Education in 2013, when it wrote to the Cities of Kitchener and Waterloo stating that school boards within those cities would be exempt under the Education Act from paying the stormwater fees proposed by those municipalities.

Work is underway with developing a credit program for the stormwater fee to reward property owners that implement stormwater stewardship practices that complement and assist function of the stormwater management system. Since the stormwater fee is a charge for service, it is imperative a rational relationship exists between the credit and the benefit to the City's stormwater management program. The basic principle of providing a credit is not the reimbursement for a one-time investment, but to recognize the cost of ongoing operation and maintenance of a structure, where these practices can ultimately reduce the cost of publicly delivered stormwater services. Administration is working with WSP to develop a credit policy framework which identifies and addresses key criteria to form the structure of the policy, including: property type eligibility; qualifying stormwater management practices; credit amount; meets or exceed regulatory requirements; voluntary or mandatory implementation; cap on eligibility; and administrative oversight. Credits offered will align with the City's needs and the conditions sought to better manage and improve the function and efficiency of the stormwater management system, with efforts focusing on stormwater runoff retention, peak flow attenuation and water volume management being prioritized. Similarly, an incentives program is being considered to provide residential property owners one-time financial assistance for investments in stormwater management practices that align with the City's objectives. An incentives program provides residential owners a way to directly engage in the stormwater program and provide a benefit to environment and stormwater system. Development of these programs continue and will be presented to Council at the next project update.

Legal review of key policy recommendations occurs to ensure compliance with local and provincial regulations, where findings will form the basis of the stormwater fee by-law.

## **Data Management**

This pillar is responsible for identifying and capturing parcel data required to quantify the preferred rate structure and billing process. Aerial photography of all properties within Windsor was taken in spring 2021 and impervious layers added by the vendor. The data was reviewed extensively for orthographic anomalies, impervious area layer accuracy and definition, and property information. Properly designating impervious area surfaces appropriately on each property is critical for implementing this funding model that is founded on data-based principles. This data was merged with other City databases to develop a parcel database for stormwater fee billing purposes, itemizing each parcel with property details (address, owner, property code, roll number, etc.) and the corresponding stormwater fee variables such as impervious area. The parcel database evolved as additional billing variables were developed in coordination with the Program Policies group, where the considerable amount of available and applicable data was used to determine the Billing Unit, residential tier structure and Billing Unit fee through a statistical empirically based approach. Following similar principles set forth in other municipalities of letting the data define the billing parameters, the Billing Unit was calculated as the average impervious area value for single family detached properties and serves as the basis of establishing the residential tier structure. It also informs the minimum impervious area threshold for which properties below this value are excluded from paying a stormwater fee, and represents 10% of the Billing Unit value. Please note all applicable definitions and policy rationale are described in Appendix A.

A histogram of single family detached data was plotted to begin formulating a tiered billing structure based on a rational and representative distribution. Multiple billing structures (3-tier, 5-tier) were conceived and analyzed, where it was ultimately determined that a three-tier structure would be more efficient to administer and represented a simpler and more balanced distribution of costs across the varying residential property sizes in Windsor. Residential properties will be billed according to the applicable tier based on the amount of impervious area on the property, where the stormwater charge is composed of a ratio of the Billing Unit Fee (refer to Appendix A Residential Tier Fee Structure for a preliminary tier definition). The Billing Unit Fee is a function of the required stormwater revenue budget needed to construct new and maintain existing stormwater management assets. Administration will propose a Billing Unit Fee to Council during the rate setting approval process in 2024. Multi-Residential, Non-Residential & Other properties will be subject to a rate commensurate with the amount of impervious surface area, thus paying an amount directly proportional to the number of Billing Units. Note that with this new model, the City's sewer surcharge budget will continue to fund operating and capital costs for the wastewater (sanitary) system, which is based on the current water consumption model.

## **Revenue Needs and Rates**

This pillar is responsible for the separation of the existing Sewer Surcharge model into a separate Stormwater model and Wastewater model and the establishment of the respective annual rates. The allocations for separation into Stormwater and Wastewater are continuously being reviewed and will be updated on an annual basis. As the budget process begins for the year of implementation (i.e. 2025 Budget Year) the finalization of the separation of existing budgets, as well as creation of new budget issues will occur during budget development. Additionally, as recommended within the Stormwater Financing Study, a LOS review occurred and the initial 5-year phase-in plan for the suggested increase of \$15.9 million was confirmed. During the 2025 budget process, this LOS increase will again be reviewed and updated based on current City needs and brought to council for approval. Administration is working closely with the consultants at WSP in developing a Stormwater Rate Model for both Residential and Multi-Residential, Non-Residential & Other customers.

## **Billing Methodology**

Council endorsed administering the stormwater charge using the existing Enwin Utility bill, maximizing the efficiencies of using an established billing process and providing property owners with a familiar, consistent and known billing service. Other municipalities that have implemented a stormwater financing program have typically used the local utility company to bill this charge with success. Administration signed an updated Master Services Agreement and is working with Enwin to establish the necessary stormwater accounts, bill format setup and develop procedures related to addressing data sharing protocols, account changes, customer complaints, and public communications. The stormwater charge will be billed monthly, similar to sanitary sewer surcharge, and will appear as a separate line item on the bill. The City will provide Enwin the stormwater charge amount for each property as determined by the

process outlined in earlier sections of this report, where impervious vector layers from satellite imagery will be used to calculate the charge for each property.

### **Public Involvement (Communication and Engagement)**

A Communication and Engagement Plan was prepared by WSP to provide details around the design and implementation of the engagement activities. An important component of this was the formation of a Stormwater Advisory Group (SAG), which is comprised of stakeholders from residential, manufacturing, business/retail, institutional and environmental groups. The SAG convened to understand the City's stormwater management services and challenges and the need to implement a new funding methodology. The SAG has been updated on progress and has the opportunity to share their feedback as we advance to implement the program. Meetings with the SAG have occurred on December 7, 2022 and May 10, 2023.

Recent efforts have focused on data processing and impervious area layer modelling, billing analysis, and finance activities. However, the project website was transitioned to the Let's Talk Windsor site to serve as a hub where information can be shared as it becomes available and will allow residents the opportunity to access more information as the project progresses. The site is available to connect, share and interact with residents and is located at <https://letstalk.citywindsor.ca/stormwater-financing>.

Additionally, work has commenced to develop a stormwater fee estimator tool to provide property owners the opportunity to view details of their property while understanding how it aligns within the principles of the new stormwater funding model.

### **General Findings and Fee Impact**

A primary outcome of the Study performed in 2018 focused on identifying and proposing alternate funding models dedicated to supporting stormwater management costs. As is normally done for studies, several assumptions and comparisons with other similarly sized municipalities were made to arrive at several estimates, including impervious area coverage, runoff coefficients and billing units. However, during detailed data analysis of aerial imagery and impervious area layer modelling performed in 2022, which represents actual real-world conditions, it was noted that Windsor has a lower than average impervious surface area in both the residential and non-residential sectors compared to other municipalities. The Study referenced other southwestern Ontario (SWO) municipalities in developing Windsor's estimate for runoff coefficients, which is based on urban density and impervious area metrics. Analysis of the acquired detailed data revealed Windsor's actual runoff coefficient was significantly lower than estimated. Since impervious area forms the basis of the billing calculation and derives the Billing Unit figure, a lower impervious area results in less Billing Units overall and requires a larger contribution of costs, meaning stormwater fees will be higher than expected for all property owners. Compounding this is Windsor's reliance on substantial stormwater management infrastructure to control stormwater runoff during rain events in order to mitigate flooding. Windsor's flat topography demands an effective stormwater management system by requiring more stormwater pumping stations and retention infrastructure compared to other SWO municipalities such as Mississauga and Vaughan, which are more populous and have a larger area. Further, Windsor has a



large combined sewer system, aging infrastructure and large municipal drains that those municipalities do not, leading to a much higher stormwater management budget.

Administration developed preliminary estimates of the stormwater and sanitary sewer fees through the new program for all properties in order to understand the fee impact between the current and new funding models. Residential and small to medium sized (by area) non-residential businesses will experience an initial fee reduction in sewer surcharge rates compared to the current program. This aligns with findings of the Study, and is due to using impervious area to derive the funding model rather than through water consumption, where the modestly sized nature of these properties results in a lower fee compared to using water consumption rates, and better reflects their charge to the amount of stormwater runoff created.

The financial impact to properties with high impervious areas, such as those having large building footprints and/or parking lots, is higher and aligns with the principle of fairly distributing the cost based on the amount of stormwater runoff produced. It is noted that parking lots, which currently may not pay any sewer surcharge, will now be subject to the stormwater fee since these properties are primarily paved (i.e. impervious surfaces) and thus produce stormwater runoff that is collected by the stormwater sewer system.

With the estimated financial impact on properties having large impervious area being significant compared to current rates, Administration is proposing the following:

1. reschedule the launch of the program (first billing) to January 2025, from January 2024; and
2. provide an enhanced education and communication program to property owners most affected.

The additional 12 months will provide time to perform the necessary education and public outreach activities while providing ratepayers sufficient time to budget and financially plan for the new billing structure. Table 1 lists the key milestones dates for the balance of the project:

**Table 1: Proposed Implementation Key Milestone Target Dates**

Key Milestone	Target Dates
Public Outreach and Enhanced Education & Communication Program	Spring 2023 – Spring 2025
Stormwater Advisory Group #3	Winter 2023/2024
Council Check-In #2	Winter 2023/2024
Ongoing Program Development	Winter – Spring 2024
Public Information Centre	Spring 2024
Council Check-In #3 (Rate Approval)	Spring/Summer 2024
1 <sup>st</sup> Billing	Winter (January) 2025
Post-Billing Period	Winter - Spring 2025

Phase-in Proposed Level of Service Changes	2025-2029
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**Risk Analysis:**

The risk associated with approving all of the recommendations in this report is at a low level. Stormwater fees provide a dedicated, stable, fair and equitable funding source. A well designed stormwater fee can give property owners an economic incentive to reduce the run-off from their property thereby reducing the costs associated with maintaining the overall stormwater system.

With the proposed funding model shifting to a concept centred on impervious surface area and some commercial/industrial properties expected to pay an increased share of the burden compared to existing level, there is risk of criticism from this sector, particularly those with large building and parking lot footprints. A minimum of three touch points with the Stormwater Advisory Group are scheduled in the Implementation Plan to ensure sufficient public consultation and education is available with all affected sectors (residential, commercial and industrial). Additionally, Administration is planning more focused consultations with property owners seeing significant increases compared to their current sewer surcharge rates.

**Climate Change Risks**

**Climate Change Mitigation:**

There will be no notable impacts to the City’s greenhouse gas inventories or mitigation actions as a result of implementing the Stormwater financing program.

**Climate Change Adaptation:**

Local climate change projections indicate that Windsor’s annual mean precipitation will continue to increase, as will the intensity of extreme precipitation events. This trend is already documented as Windsor’s annual mean precipitation baseline (1970-1999) was 918 mm, while the last decade (2010 – 2019) saw the annual average mean precipitation equal 1023 mm.

The City’s Climate Change Adaptation Plan, Action 7.2, recommends that the City explore options to implement stormwater financing mechanisms including effectively communicating and educating the public of any stormwater financing implementation decisions. As noted above, stormwater financing is one method to encourage property owners to minimize impermeable surfaces allowing for stormwater to infiltrate where it falls, reducing flow into the City’s sewer system. Understanding that Windsor’s climate change projections show increasing annual rainfall amounts, managing stormwater where it falls will add resiliency of the current system.

**Financial Matters:**

Council previously approved funding of \$1,630,000 to implement the new stormwater funding model, to be funded from future stormwater fees. Additionally, funds of \$117,957 were transferred from 7181013 (Phase 1 and Phase 2 of the Stormwater Financing project) through the capital variance process, as budget surpluses were realized in those phases. The total approved funding for the Stormwater

Implementation is \$1,747,957. Due to the enhanced public engagement and education as noted above, additional funds of \$100,000 are estimated to be required to support the necessary activities required to extend the Implementation Phase. Administration recommends the additional amount to be funded as a first charge to the Stormwater Budget bringing the total committed expenditures to \$1,847,957 for this project.

**Consultations:**

- Carrie McCrindle – Financial Planning
- Mark Spizzirri – Financial Planning
- Janelle Coombs – Engineering
- Adam Pillon – ROW
- Karina Richters – Asset Planning
- Natasha Gabbana – Asset Planning
- Aaron Farough – Legal
- Tony Ardovini – Deputy Treasurer - Financial Planning

**Conclusion:**

Administration continues with executing the implementation of a new stormwater financing model based on measured impervious area. Given the increased financial burden to some categories of properties, Administration has put forth a plan that focuses on enhanced education and consultation with property owners most affected. Funding stormwater system services through a property specific funding model remains equitable and more fairly allocates costs between residential and non-residential property. Administration will provide further updates to Council as outlined in the proposed timeline shown above.

**Planning Act Matters:**

N/A

**Approvals:**

Name	Title
Colleen Middaugh	Manager of Corporate Projects
France Isabelle-Tunks	ED Engineering / Deputy City Engineer
Chris Nepszy	Commissioner, Infrastructure Services – City Engineer
Shelby Askin Hager	Commissioner, Legal & Legal Services – City Solicitor
Janice Guthrie	Acting Commissioner, Corporate Services – CFO/City Treasurer

Name	Title
Joe Mancina	Chief Administrative Officer

**Notifications:**

Name	Email
Elizabeth Treadway, Senior Vice President, WSP	<a href="mailto:elizabeth.treadway@wsp.com">elizabeth.treadway@wsp.com</a>
Samantha Stokke, Senior Environmental Planner, WSP	<a href="mailto:samantha.stokke@wsp.com">samantha.stokke@wsp.com</a>
Peter Simcisko, Managing Partner, Watson & Associates Economists Ltd.	<a href="mailto:simcisko@watsonecon.ca">simcisko@watsonecon.ca</a>
Jeff Predote, Manager, Customer Care, ENWIN Utilities Ltd	<a href="mailto:jpredote@enwin.com">jpredote@enwin.com</a>
Chris Routliffe, Manager, Billing, ENWIN Utilities Ltd	<a href="mailto:croutliffe@enwin.com">croutliffe@enwin.com</a>

**Appendices:**

- 1 Appendix A - Stormwater Financing Definitions and Policies (5 pages)

## Appendix A: Stormwater Financing Definitions and Policies

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Policies and definitions derived to develop the new stormwater financing funding model.

### **Property Type Classification: Residential Property**

A property that contains residential homes, including:

- single detached homes
- townhomes
- rowhouses
- semi-detached homes
- linked homes

### **Property Type Classification: Multi-Residential, Non-Residential & Other Property**

A property that satisfies either condition:

a) contains three or more residential units, including:

- multi-residential
- condominium

or,

b) contains, or is zoned for, industrial, commercial or institutional uses, including:

- non-residential
- mixed-use properties
- institutional
- industrial
- commercial
- parking lots

### **Owner**

The registered owner of property or any person, firm or corporation having control over or possession of the property or any portion thereof, including a property manager, mortgagee in possession, receiver and manager, trustee and trustee in bankruptcy, and may extend to any occupant, lessee, tenant or any other persons.

### **Developed Property**

A property (Residential or Multi-Residential, Non-Residential & Other) exceeding the Billing Unit Minimum Threshold value for impervious area.

### **Undeveloped/Vacant Property**

A property (Residential or Multi-Residential, Non-Residential & Other) having less than the Billing Unit Minimum Threshold value for impervious area is exempt from the stormwater charge.

### **Impervious Area**

Total area of paved or hard surfaces, disturbed or compacted soil stripped of vegetation and other surfaces on a property which decreases the amount of water that infiltrates into the ground, increasing stormwater runoff. Please refer to Appendix A for Impervious Area Layer Definition and Rationale.

### **Property Type Designation**

Each property is designated an MPAC Property Code based on its classification and use. The Property Code was used as the first criteria to determine the appropriate Property Type designation: Residential; or Multi-Residential, Non-Residential & Other. Parcels were then further reviewed by their zoning designation and ownership type to confirm they were appropriately allocated to the correct Property Type designation.

### **Billing Unit**

Calculated as the average impervious area for single family detached homes. *Currently, the Billing Unit is 251 square meters.*

### **Billing Unit Minimum Threshold**

Calculated as 10% of the Billing Unit. Properties having Impervious Area value below the Billing Unit Minimum Threshold are not subject to the stormwater charge. *Currently, the Billing Unit Minimum Threshold is 25.1 square meters.*

### **Residential Tier Fee Structure**

Three-tier fee structure was selected as it better balances and proportions property sizes, by impervious area, across the sample size. This balanced distribution across each tier is shown in the table below. A three-tier fee structure was also deemed to be less complex and more efficient to administer.

<b>Item</b>	<b>Tier-1</b>	<b>Tier-2</b>	<b>Tier-3</b>
Percentile (# properties*)	Smallest 25%	Next 50%	Largest 25%
Impervious Area Range	25 - 175 sqm	176 - 300 sqm	301+ sqm
Tier Ratio	0.6	1	1.6
Charge (\$) = Tier Ratio x Billing Unit Fee	0.6 x Billing Unit Fee	1 x Billing Unit Fee	1.6 x Billing Unit Fee

\* parcel size by impervious area

Note: preliminary tier structure ranges; subject to change upon data refinement

### **Legal Exemptions**

#### **Education Properties**

- Section 58 of the Education Act states “a by-law imposing fees and charges passed under those provisions does not apply to a board”. As a result, primary and secondary school boards in Windsor are exempt from the stormwater fee, and include the property owners listed below:
  - **Greater Essex County District School Board** – English public school board
  - **Windsor Essex Catholic District School Board** – English Catholic school board

- **Conseil Scolaire Catholique Providence** – French Catholic school board
- **The Conseil Scolaire Viamonde** – French public school board
- The Ontario Ministry also notes “John McGivney Children’s Centre School Authority” as a board located in Windsor (Board Number B80047), and thus the property owner listed below is exempt from the stormwater fee:
  - **John McGivney Children’s Centre**

**Appendices:**

- A. Impervious Area Layer Definition and Rationale (2 pages)

## Appendix A: Impervious Area Layer Definition and Rationale

Layer Name	Layer Definition (Consultant - First Base)	Layer IA Eligible	Rationale
Building_Area	All building structures that prevent water from penetrating the ground including houses, buildings, separate garages, workshops, and permanent/semi-permanent structures (gazebos, shed, dog houses, etc)	Yes	Hard surface, per Impervious Area definition
Driveway_Area	All asphalt, interlocking brick, concrete or gravel driveways	Yes	Paved or hard surface, per Impervious Area definition
Patio_Area	Private patios in backyards made up of asphalt, brick, concrete, etc	Yes	Paved or hard surface, per Impervious Area definition; excludes non-compacted gravel surfaces
Pool_Area	Both in-ground and above ground pools (public and private)	Yes	Hard surface which prevents water infiltration into the ground, per Impervious Area definition
Accessway_Area	Long gravel driveways in rural areas >25m in length. Found in existing Windsor 2019 DTM data	Yes	Paved or hard surface, compacted soil, compacted gravel, per Impervious Area definition
ParkingLotGravel_Area	All public, private, commercial, industrial lots that are gravel	Yes	Compacted soil, compacted gravel from vehicle use, per Impervious Area definition
ParkingLotPaved_Area	All public, private, commercial, industrial lots that are asphalt, concrete, interlocking brick, etc	Yes	Paved or hard surface, per Impervious Area definition
RoadGravel_Area	All public gravel roads. Found in existing Windsor 2019 DTM data.	Yes	Hard surface, compacted soil or compacted gravel from vehicle use, per Impervious Area definition; includes unassumed or private road
RoadPaved_Area	All public asphalt roads captured at outer edges. Found in existing Windsor 2019 DTM data.	Yes	Paved or hard surface, per Impervious Area definition; any property (non-ROW) with a road on it qualifies; includes unassumed or private road
Shoulder_Area	Extent of paved, gravel, or combination of the two shoulders.	Yes	Paved or hard surface shoulder adjacent to road; if Shoulder on private road then it will be assessed; public road Shoulder encroaching on private property will be excluded from IA value
Sidewalk_Area	All sidewalks made up of gravel, asphalt, concrete, brick, etc	Yes	Includes any sidewalk or hard surface located on private property such as private sidewalk, walking area, parking lot island, etc
SiloFarmIndustrial_Area	All silos	Yes	Hard surface, per Impervious Area definition; silo requires a building permit, so should be treated as a Building
TankPetroleum_Area	All tanks	Yes	Hard surface which prevents water infiltration into the ground, per Impervious Area definition



TankWater_Area	All tanks	Yes	Hard surface which prevents water infiltration into the ground, per Impervious Area definition
Sidewalk Private	All sidewalks made up of gravel, asphalt, concrete, brick, etc	Yes	Includes any sidewalk or hard surface located on private property such as private sidewalk, walking area, parking lot island, etc
Compacted Ground and Material Stockpiles	All compacted ground such as that used for transportation (parking lot, roads, accessways) and areas covered by material stockpiles	Yes	Ground compacted from vehicle use or prolonged storage of material (aggregate, stone, sand, etc) preventing water from infiltrating ground beneath the stockpile, per Impervious Area definition
Artificial Turf (stadium)	All artificial turf surfaces used in stadiums or sports fields	Yes	Used in situations where a drainage system exists under the artificial turf and water flows into a stormwater asset
Artificial Turf (permeable)	All artificial turf surfaces used in residences, parks or non-sports field use	No	Used in situations where a drainage system does not exist under the artificial turf; artificial grass is typically permeable and laid over screening, which allows for water infiltration
RoadUnderConstruction_Area	All public under construction roads captured at outer edges. Found in existing Windsor 2019 DTM data.	No	Surfaces under construction will become a road or new structure in near future at which time City will assess IA impact



## Council Report: C 167/2023

### Subject: Capital Variance Report - September 30, 2023 - City Wide

#### Reference:

Date to Council: March 18, 2024

Author: Mike Dennis

Manager, Strategic Capital Budget Development & Control

519-255-6100 x6343

mdennis@citywindsor.ca

Asset Planning

Report Date: November 14, 2023

Clerk's File #: AF/14585

To: Mayor and Members of City Council

#### Recommendation:

1. THAT City Council **RECEIVE** for information the 2023 Life-to-Date Capital Variance Report as at September 30, 2023; and,
2. Whereas on February 2, 2024, the Capital Budget was deemed approved via Mayoral Decision MD05-2024 and subsequently as a result of the requests outlined in this report that will allow projects to proceed in an efficient and effective manner, that City Council **DIRECT** the City Treasurer to effect the following transfers and commitments:
  - a. Transfers to and from existing capital projects/reserves as identified within Appendix A – Summary of Capital Project Variances; and,
  - b. Additional capital funding requests listed below:
    - i. An allocation of \$40,000 in available Pay-As-You-Go funding, Fund 169, to the Development Charges – Study and Bylaw Update project, 7183004, and a return of \$40,000 in Development Charge – General funding, Fund 121 from the same project
    - ii. A pre-commitment of \$60,000 in 2026 Service Sustainability funding, Fund 221, from the Technology Replacements – Emergency Operations Centre project, FRS-001-20, for immediate use
    - iii. A transfer of currently available funds of approximately \$507,500, including \$87,500 approved in the 2024 Capital Budget, from the Sanitary Sewer Inflow and Infiltration Program, 7219011, to the Locate and Mitigate Inflow and Infiltration in Existing Neighbourhoods project, 7224004
    - iv. Transfers of \$87,500 and \$100,000, respectively, in 2025 and 2026 Sewer Surcharge funding, Fund 153, from the Inflow and Infiltration

- Program (SMP), ENG-009-21, to the Sewer Master Plan Implementation (SMP) project, ENG-002-19
- v. An allocation of \$113,500 in available Pay-As-You-Go funding, Fund 169, to the Purchase of Fleet Additions and Upgrades project, OPS-022-07
  - vi. An allocation of \$800,000 in available Sewer Surcharge Reserve funding, Fund 153, to the Sunset / Wyandotte W / Cul-de-Sac Sewer Rehabilitation project, 7171003
  - vii. Commitment of placeholder funding from the Sewer Master Plan Implementation project, ENG-002-19, to the SMP Lauzon Parkway Sewer & Road Rehabilitation project, 7201032, as follows:
    - 1. \$530,000 in 2021 Sewer Surcharge Reserve funding, Fund 153
    - 2. \$3,970,000 in 2022 Sewer Surcharge Reserve funding, Fund 153
    - 3. \$3,970,000 in 2023 Sewer Surcharge Reserve funding, Fund 153
    - 4. \$5,230,000 in 2024 Sewer Surcharge Reserve funding, Fund 153
  - viii. Commitment of placeholder funding from the Sewer Master Plan Implementation project, ENG-002-19, to the SMP St. Rose Pump Station project, 7219002, as follows:
    - 1. \$1,270,000 in 2024 Sewer Surcharge Reserve funding, Fund 153
    - 2. \$714,529 in 2025 Sewer Surcharge Reserve funding, Fund 153
  - ix. Transfer and pre-commitment of \$5,000,000 of 2028 Sewer Surcharge funding, Fund 153, from the DMAF/SMP – Riverside Dr Vista project, 7196000, to the SMP-St Rose Pump Station project, 7219002
  - x. Change in \$5,000,000 of 2029 Sewer Surcharge funding in the Sewer Master Plan Implementation project, ENG-002-19 to the DMAF/SMP – Riverside Dr Vista project from SMP-St Rose Pump Station project
  - xi. Transfer and pre-commitment of \$2,915,471 of 2028 Sewer Surcharge funding, Fund 153, from the Enhanced Flooding Mitigation Program – DMAF 1 project, ENG-005-19, to the SMP-St Rose Pump Station project, 7219002
  - xii. Transfer of \$2,915,471 of 2030 Sewer Surcharge funding, Fund 153, from the Sewer Master Plan Implementation project, ENG-002-19, to the Enhanced Flooding Mitigation Program – DMAF 1 project, ENG-005-19
  - xiii. Transfer of \$1,000,000 in Service Sustainability funding, Fund 221, from the 2024 Road Rehab project (7241000) to the 2022 Road Rehab project (7221001).
  - xiv. Transfer of \$1,000,000 in Canada Community-Building Fund funding, Fund 153, from the 2022 Road Rehab project (7221001) to the 2024 Road Rehab project (7241000).

**Executive Summary:**

Not applicable.

## **Background:**

Administration reports to City Council semi-annually on the status of all open/active capital projects. City Council approved the last semi-annual Capital Variance Report ending March 31, 2023, with CR277/2023. While this report, reflects the status of projects as at September 30, 2023 and is typically brought to Council prior to the end of the year, as a result of budget development the report was delayed and now also incorporates various reallocations, transfers, pre-commitments and other funding recommendations as necessary, in order to ensure capital works can proceed as planned, in an efficient and effective manner.

## **Discussion:**

There are currently 573 capital projects that are open/active. Projected variances are based on information as at September 30, 2023 and may continue to fluctuate until projects are officially completed and closed, with all costs being fully accounted for. This is especially true for projects that have not started or are just starting. Based on current available information, the City has 504 projects that are projected to be materially on budget, 37 projected to be completed with a surplus and 32 projected to be in a deficit position. A summary of the surpluses and deficits are laid out in a table which can be found in the Financial Matters section of this report.

Appendix A – Summary of Capital Project Variances provides details of projects within each Program/Category which are projecting or have realized a surplus or deficit upon project completion. It is important to emphasize that most project surpluses or deficits are merely projections based on the current status of the project until such time that they are fully complete and closed. Those projects which are able to be closed will include recommendations regarding their surplus or deficit. Standard practice is to return any surpluses back to the original funding source; however capital programs such as road rehabilitation, sidewalk rehabilitation, bridge rehabilitation, etc. have annual approved allocations which over the years are consolidated when completed. In some instances, Administration has also recommended closing out surpluses to other projects where there is an expected deficit. For all other projections, the financials as noted can, and very likely will, change prior to the project being closed. In these cases, the projects are closely monitored by Project Leads, Financial Planning and Asset Planning, monthly.

Further to the above noted process, any projects which meet the criteria established per the Capital Project Reporting Policy (CR429/2010) will also be reported to Council in a separate report. CR429/2010 states: “Capital projects whose final financial position is a deficit greater than 10% of net budget AND greater than \$500,000, will BE SUBJECT to a separate report to Council outlining the reasons for the deficit”.

Despite Administration’s best efforts to project anticipated variances, it should be noted that 181 of 573 (32%) of the total open projects have incurred expenditures of only 25% or less of their approved budget. Given that these projects are in their early stages, there is still the very real likelihood of shifts in the current variance projections as the projects proceed to completion. Further, in instances, where the project is close to completion and the surpluses are reasonably certain, Administration provides recommendations to reallocate a portion of these surpluses to offset other projects which are facing funding challenges, thus mitigating the funding shortfall risks. Any remaining surpluses, once fully realized, are returned back to the original funding source for future use.

**Inflation Considerations**

Although Administration considers inflationary pressures in all capital project estimates, current economic conditions have caused a significant increase in inflation that has resulted in several recent tenders exceeding project budgets. Canada’s September 2023 Consumer Price Index figure was 3.8%, as reported by Statistics Canada, exceeding the Bank of Canada’s target inflation rate of 1.0% to 3.0%. These inflation figures, however, are not reflective of the City’s experience with construction tenders, as tenders have far exceeded City budgets in upwards of 15% to 20%.

Through the budget process, all projects in the capital plan are reviewed annually for inflationary impacts and while contingencies have been helpful in the past where minor to modest price fluctuations have been encountered, this is no longer the case with some recent tendered results. In instances where tenders exceed a given project budget, Administration often takes the following approaches:

- Negotiating with contractors
- Transferring surplus funding from other projects
- Transferring available funding from reserves
- Pre-committing future funding
- Redesigning the project to reduce the scope and/or scale of the work and re-tendering
- Delaying work until additional funding can be found

An additional exposure risk that Administration continues to monitor is with respect to certain long-term funding agreements. While the successful approval of several longer term grants has allowed for the acceleration of a significant amount of much-needed work for the City, these agreements tend to be fixed in their contribution amount. Inflationary pressures due to cost increases experienced from the time of budget submission to project execution will require additional City funding in order to ensure project completion. This puts pressure on existing budgets and reserves in order to ensure our Contribution Agreement obligations are met.

In addition to these measures, Council approved, as part of the 2023 Capital Budget, the creation of the Corporate Inflation Mitigation project, 7235001. This project was established with \$5,000,000 in each of Sewer Surcharge (Fund 153), Pay-As-You-Go (Fund 169), and Service Sustainability (Fund 221) funding, for a total of \$15,000,000, specifically to mitigate overages in tender pricing resulting from excess inflation. Accessing these funds is permitted through a CAO report with a requirement to report use of these funds to Council. The below table provides information on the recently approved use of these funds to date:

Report	Description	Sewer Surcharge - Fund 153	Pay-As-You-Go - Fund 169	Service Sustainability - Fund 221	Total
Opening Balance		5,000,000	3,102,584	5,000,000	13,102,584
Less: Approved Funding					
CAOP 63/2023	7213004 - Laing / McEwan Sewer Rehab	(64,824)			(64,824)
	7213003 - Albert - Seminole / Metcalf Sewer Rehab	(760,606)			(760,606)
	7213002 - Aubin - Alice / Guy Sewer Rehab	(687,335)			(687,335)
CAOP 104/2023	7231017 - LRPCP EA Expansion	(75,000)			(75,000)
<b>Remaining Funds</b>		<b>3,412,235</b>	<b>3,102,584</b>	<b>5,000,000</b>	<b>11,514,819</b>

While use of these funds to cover unexpected inflationary impacts has been successfully mitigated within a number of 2023 capital projects, preliminary indications for 2024 indicate

that these funds will continue to be required through 2024 as a number of capital projects work towards completion. Administration has continued to work on developing further strategies and guidelines that can be used to deal with significant price increases in the market and these strategies were considered as part of 2024 budget discussions and assisted in formulating the 2024 Capital Budget 10-year Plan.

**Risk Analysis:**

The Capital Project Variance Report continues to reflect a low risk to the organization as capital projects are generally managed within budget and available surpluses are generally able to offset any projected deficits. Monthly monitoring by the Project Leads, Financial Planning and Asset Planning ensure any issues are addressed immediately and, if necessary, reported to Council.

As of September 30, 2023, there are approximately \$563 million in approved budgeted expenditures which have yet to be incurred. Asset Planning and Project Leads provide updated projections on expenditures for significant projects to ensure cash flow projections include this information. The City continues to have a strong cash flow position to internally finance projects without a significant need for borrowing.

Where there are anticipated surplus projections of capital projects, it is recognized that these early estimates can fluctuate significantly throughout the remaining duration of the project. Caution is given to redeploying anticipated project surpluses given the uncertainty surrounding the final costs of such projects. To allocate these anticipated surplus funds at this stage could risk not completing the project within budget.

**Climate Change Risks**

**Climate Change Mitigation:**

Not applicable.

**Climate Change Adaptation:**

Not applicable.

**Financial Matters:**

There are currently 573 open/active capital projects with total budgeted expenditures of approximately \$1.6 billion. The amounts in this report are reflected as at September 30, 2023 and therefore may vary from current figures. The following table summarizes the number of projects that are projected to be on budget, how many are trending or have come in under budget, and how many are trending or have come in over budget.

Number of Projects	Projected Final Variance Trend	Current Estimated Cumulative Projection Surplus / (Deficit)
504	On Budget <i>(Based on currently known information. Unforeseen circumstances may result in significant variances.)</i>	\$0
37	Surplus	\$9,333,404

32	Deficit	-\$3,953,407
573	Net Surplus/(Deficit) Projection	\$5,379,997
	Re-Allocation to Road Rehabilitation Program	-\$3,556,456
	<b>Projected Surplus Funds Returned to Original Funding Source</b>	<b>\$1,823,541</b>

As detailed in Appendix A, the noted surplus funds have been allocated to offset the projected project deficits of \$3,953,407. A further \$3,556,456 has been redirected from older Road Rehabilitation projects to more recent Road Rehabilitation projects. The remaining \$1,823,541 will be returned to original funding sources and is available for use.

Note that not all projects are currently able to be closed, therefore the reported final position should be viewed as an estimate as there is the potential that these amounts could materially change should other unforeseen circumstances occur which result in additional cost or savings.

As previously noted, Appendix A – Summary of Capital Project Variances highlights the details of those projects which are projected to or have realized a surplus or deficit position and provides recommendations on transfers to close out the projected project balances.

Further to the recommended transfers presented in Appendix A, and as a result of this report coming forward after the 2024 10-year capital plan was approved the following requests have come forward from departments and are being supported by way of transfers and commitments noted below:

1. Development Charges – Study and Bylaw Update, Project 7183004 \$40,000 – Administration recommends a swap in funding which will transfer \$40,000 in currently available funding in the Pay-As-You-Go Reserve, Fund 169, to this project and that previously approved funding of \$40,000 from Development Charge – General, Fund 121, be returned. Bill 23, the More Homes Built Faster Act, 2002, passed by the Provincial government, prevents municipalities from using development charge funds to pay for studies. Through previous capital budget approvals, the project was allocated a total of \$140,000 in development charge funding to use for various studies. Of these funds, just over \$100,000 was spent prior to Bill 23 taking effect. The funds returned to Fund 121 will remain until an alternative use of these funds is identified.
  
2. Technology Replacements – Emergency Operations Centre (EOC) project, FRS-001-20 – For the purposes of implementing technology upgrades in the EOC in 2024, the Emergency Planning Officer is requesting that \$60,000 of the \$150,000 in Service Sustainability funding for 2026 be pre-committed and made available for immediate use. The upgrades include the addition of video conferences capabilities in the Policy Room, along with various minor upgrades throughout the EOC.
  
3. The City of Windsor currently has two ongoing projects (7219011 - Sanitary Sewer Inflow and Infiltration Program & 7224004 - Locate and Mitigate Inflow & Infiltration in Existing Neighbourhoods) which aim to further delineate sources of Inflow and Infiltration (I&I) and support future mitigation measures to reduce I&I in the sanitary sewer system and reduce basement flooding risk. Both projects relate to the

recommendations laid out within the Sewer and Coastal Flood Protection Master Plan (SMP) and together, can achieve a common goal to develop an action and work plan to support future mitigation measures to reduce I&I in the City's sanitary system.

The partial consolidation of budget between the two projects will allow administration to issue an RFP for consulting services to develop a Citywide workplan to further investigate and determine sources of I&I, and develop a strategy to reduce I&I through tailored mitigation programs. The budget consolidation to support the Citywide Workplan study will enhance the City's efficiency to achieve the SMP goals, which is anticipated to result in exceeding the goals of both projects.

To accommodate this request, Administration recommends approval of the following:

- Transfer of currently available funds of approximately \$507,500, including \$87,500 approved in the 2024 Capital Budget, from the Sanitary Sewer Inflow and Infiltration Program, 7219011, to the Locate and Mitigate Inflow & Infiltration in Existing Neighbourhoods project, 7224004
  - Transfers of \$87,500 and \$100,000, respectively, in 2025 and 2026 Sewer Surcharge funding, Fund 153, from the Inflow and Infiltration Program (SMP), ENG-009-21, to the Sewer Master Plan Implementation (SMP) project, ENG-002-19
4. Administration maintains a project, OPS-022-07, for the Purchase of Fleet Additions and Upgrades. With the approval of the 2024 Operating Budget, there were impacts to this project that were not captured within the approved 2024 Capital Budget. In addition to the \$150,000 of approved funding for 2024 for this project, funding of an additional \$50,000 and \$63,500, respectively, for the conversion of one ice resurfacer to an electric unit and for the addition of one hybrid Chrysler Pacifica is required. These funds will be sourced from available funding in the Pay-As-You-Go Reserve, Fund 169.
  5. Construction on the Sunset / Wyandotte W / Cul-de-Sac Sewer Rehabilitation is scheduled to take place this year. Work has been tendered and Administration has determined that an additional \$800,000 is required to complete this work. Funding for this request will be addressed through a transfer of funding from the Sewer Surcharge Reserve Fund, Fund 153. This reserve has sufficient unencumbered funds to absorb this charge.
  6. Construction of the SMP Lauzon Parkway Sewer & Road Rehabilitation project, 7201032, is planned to start in the summer of 2024 with design currently underway and tendering anticipated in the spring of 2024. Administration has determined that additional funding is required to complete this project. A commitment of the placeholder funding from the Sewer Master Plan Implementation Project, ENG-002-19, that includes \$530,000 in 2021, \$3,970,000 in 2022, \$3,970,000 in 2023 and \$5,230,000 in 2024, all from the Sewer Surcharge Reserve Fund, Fund 153, to the SMP Lauzon Parkway Sewer & Road Rehabilitation project, 7201032, will address the additional required funding. In total, \$17,140,000 will be available for this project.



7. Construction of the SMP St. Rose Pump Station project, 7219002 – In February 2021, Council approved the St. Rose Pumping Station project as a priority under the Sewer Master Plan Implementation Program (C 5/2021, B13/2021). In that same council report (C 5/2021), a project budget estimate of \$30,300,000 was identified, and Council approved future placeholder funding. A Municipal Class Environmental Assessment (MCEA) was completed in April 2023, and detailed design is now well underway. A request is being made now to commit the remaining placeholder funding outlined below. The tender will be issued shortly, and construction is expected to commence in 2024. As part of the MCEA process an opinion of probable cost was provided, however this was a high-level estimate and is subject to change based on final scope, design and market conditions. A report would be brought back to council in the event the tender results exceed the project budget.

To date, \$20,400,000 in funding has been budgeted for this project. Administration recommends that the remaining \$9,900,000 required for this project be pre-committed and made available for immediate use, with the following transfers of funding:

- Transfer and pre-commitment of \$5,000,000 of 2028 Sewer Surcharge funding, Fund 153, from the DMAF/SMP – Riverside Dr Vista project, 7196000, to the SMP-St Rose Pump Station project, 7219002. Both the DMAF/SMP Riverside and St Rose projects are funded with the Sewer Master Plan Implementation project, ENG-002-19. To make the DMAF/SMP Riverside project whole, Administration also recommends that \$5,000,000 in 2029 Sewer Surcharge funding held as a placeholder for the St Rose project be instead set aside as placeholder funding for the DMAF/SMP Riverside project. **Council should be aware that timelines for the DMAF/SMP Riverside project will not be impacted by this change in funding.**
  - Transfer and pre-commitment of \$2,915,471 of 2028 Sewer Surcharge funding, Fund 153, from the Enhanced Flooding Mitigation Program – DMAF 1 project, ENG-005-19, to the SMP-St Rose Pump Station project, 7219002. To make the Enhanced Flooding Mitigation Program – DMAF 1 project whole, Administration also recommends that \$2,915,471 in 2030 Sewer Surcharge funding held as a placeholder for the St Rose project in the Sewer Master Plan Implementation project, ENG-002-19, be instead transferred to the Enhanced Flooding Mitigation Program – DMAF 1 project. **Council should be aware that timelines for the Enhanced Flooding Mitigation Program, DMAF 1 project will not be impacted by this change in funding.**
8. Transfers of funding between the 2022 Road Rehab project, 7221001, and the 2024 Road Rehab project, 7241000. The guidelines for use of Canada Community-Building Fund (“CCBF”), while generally broad in nature, do carry some restrictions that deem expenses to be ineligible, such as internal salaries and land acquisitions. As a result, Administration typically funds each of the road rehabilitation projects with CCBF funding, as well as a portion of Service Sustainability funding to cover CCBF-ineligible expenses. While the 2022 Road Rehab project is not anticipated to report a deficit upon completion, it is anticipated that CCBF-ineligible expenses will exceed the amount of Service Sustainability funding, Fund 221, available in the project. The

2024 Road Rehab project has in excess of \$4,000,000 worth of Service Sustainability funding. With this in mind, Administration recommends that \$1,000,000 of Service Sustainability funding, Fund 221, be transferred from the 2024 Road Rehab project, 7241000, to the 2022 Road Rehab project, 7221001. In return, \$1,000,000 of CCBF Funding, Fund 176, would be transferred from the 2022 Road Rehab project, 7221001, to the 2024 Road Rehab project, 7241000. **Council should be aware that total budgets for both the 2022 Road Rehab project, 7221001, and the 2024 Road Rehab project, 7241000, will not be impacted as a result of these transfers.**

**Consultations:**

All project leads and their respective Financial Planning Administrators provided capital project status updates to augment the analysis performed by the Financial Manager, Asset Planning. Additional consultations are as follows:

- Ray Mensour – Commissioner, Community Services
- Mark Winterton – Commissioner, Infrastructure Services (Acting)
- Andrew Daher – Commissioner, Human & Health Services
- Jelena Payne – Commissioner, Economic Development
- Dana Paladino – Commissioner, Corporate Services (Acting)

**Conclusion:**

A comprehensive report on all open/active capital projects indicates that overall, the 573 projects are currently trending towards an overall net surplus position. Given the number of projects and the fact that construction of many will continue into the following year and beyond, significant fluctuation in the projections is likely. Regular reports will keep Council apprised of the projects’ status as they proceed.

**Planning Act Matters:**

Not applicable.

**Approvals:**

Name	Title
Mike Dennis	Manager, Strategic Capital Budget Development & Control
Natasha Gabbana	Senior Manager, Asset Planning
Janice Guthrie	Commissioner, Finance / City Treasurer
Joe Mancina	Chief Administrative Officer

**Notifications:**

Name	Address	Email

**Appendices:**

Appendix A – Summary of Capital Project Variances – September 30, 2023

**APPENDIX A – Summary of Capital Project Variances – September 30, 2023**

Listed below is a summary by Department/Program as to the status of each capital project portfolio. Projects with any projected final variance are detailed in a table within the respective Department/Program summary.

Project explanations denoted with “Project surplus/deficit” are projects that are in a position to be closed and the variance is likely to materialize. Those denoted with “Anticipated surplus/deficit” are projects that are still ongoing and not completed, as such the preliminary variance is merely an estimate which may fluctuate significantly before the project is complete.

**Mayor’s Office**

Mayor’s Office:

There are three active capital projects in this area that are being administered by the Mayor’s Office, with no projected variance to report at this time.

**Office of the Commissioner of Economic Development**

Economic Development:

There are two active capital projects in this area that are being administered by the Economic Development department. No project variance is anticipated at this time.

Information Technology:

There are 19 active capital projects in this area that are being administered by the Information Technology department. In total, there are five projects with a net projected deficit of (\$375).

<b>Projects with Projected Deficit/Surplus</b>	<b>(Deficit)/Surplus Amount</b>	<b>Brief Explanation</b>
Payroll Business Process Review (7112007)	\$926,881	Project is complete and can be CLOSED. Administration recommends that surplus funds be used to fund the anticipated deficit in the ERP Sustainability project (7074018) to ensure future maintenance and updates of the WFM system are met.
Online Access for Non Network Users (7183017)	\$171,983	Project is complete and can be CLOSED. Administration recommends that surplus funds be transferred to mitigate the deficit in Network Infrastructure Improvement project (7059903) to fund future needs in upgrading and securing networking equipment to ensure only authorized users have access to corporate resources.

AAF Grant- Intake 3 (7222008)	(\$375)	Project is complete and can be CLOSED. The Digital Modernization Review is complete and funds have been received from the Ontario government. The small deficit of (\$375) is a result of temporary financing costs incurred before grant funds were received. Administration recommends funding this shortfall with funds from the Pay-As-You-Go reserve, Fund 169.
Network Infrastructure Improvement (7059903)	(\$171,983)	Anticipated deficit of (\$171,983) is due to the increased use and ongoing changes within our technology environment. Administration recommends that surplus funds from the Online Access for Non Network Users project (7183017) be transferred to help fund current and future networking needs within ongoing projects.
ERP Sustainability (7074018)	(\$926,881)	This project is ongoing to enable support as subsequent work plans are approved. Administration is requesting this deficit be offset with a transfer of surplus funds in the Payroll Business Process Review project (7112007).

Planning Development:

There are 22 active capital projects in this area that are being administered by the Planning and Building department. No project variance is anticipated as all of these projects are currently expected to come in on budget.

**Office of the Commissioner of Infrastructure Services**

Roadways:

There are 30 active capital projects in this area that are being administered by the Engineering department. No project variance is anticipated at this time.

Sewer Rehabilitation:

There are 40 active capital projects in this area that are being administered by the Engineering department. In total, there are two projects with a net projected surplus of \$157,125.

Projects with Projected Deficit/Surplus	(Deficit)/Surplus Amount	Brief Explanation
Olive Rd- Milloy to Tecumseh (7201027)	\$92,187	Project is complete and can be CLOSED. Administration recommends that surplus funds be transferred to Herb Gray Pkw Drainage Studies project (7169006) in Corporate Projects, with the balance of funds being returned to the Sewer Surcharge Reserve, Fund 153.
Parent- Erie E./Wyandotte E. (7092009)	\$64,938	Project is complete and can be CLOSED. Administration is recommending that this surplus be returned to its' original funding source, the Sewer Surcharge Reserve, Fund 153.

Storm Sewers:

There are 13 active capital projects in this area that are being administered by the Engineering department. No project variance is anticipated at this time.

Sanitary Sewers:

There are three active capital projects in this area that are being administered by the Engineering department. No project variance is anticipated at this time.

Corporate Projects:

There are 28 active capital projects in this area that are being administered by the Corporate Projects division. Four projects, with a net surplus of \$518,662, are detailed below.

Projects with Projected Deficit/Surplus	(Deficit)/Surplus Amount	Brief Explanation
Edward St. Centre-Redevelopment (7109902)	\$542,895	Project is complete and can be CLOSED. Administration is recommending to return this surplus in funds to the Pay-As-You-Go reserve, Fund 169.
Bridge Assessment Study (7111011)	\$212,775	Project is complete and can be CLOSED. Administration recommends surplus funding in this project be transferred to Riverside Guardrail-Retaining Wall project (7201024) to fund ongoing work.
Herb Gray Pkw Drainage Studies (7169006)	(\$24,233)	Project is complete and can be CLOSED. Studies are complete and all eligible funding has been received from Windsor Essex Mobility Group (WEMG). Administration

		recommends that surplus funds from Olive Rd – Milloy to Tecumseh (7201027) be transferred to this project to mitigate the shortfall.
Riverside Guardrail-Retaining Wall (7201024)	(\$212,775)	The RFP for guardrail and retaining wall repairs will be issued in late 2023 to early 2024. Administration is requesting to fund the anticipated deficit by a transfer in surplus funding from the Bridge Assessment Study project (7111011).

Corporate Facilities:

There are 22 active capital projects in this area that are being administered by Corporate Facilities. No project variance is anticipated at this time.

Development:

There are five active capital projects in this area that are being administered by the Design & Development division. No project variance is anticipated at this time.

Pollution Control:

There are 90 active capital projects in this area that are being administered by the Pollution Control department. The majority of these projects are funded from the dedicated Pollution Control Reserve. The division does not anticipate a net surplus or deficit, however, individual anticipated project surpluses and deficits are detailed below:

Projects with Projected Deficit/Surplus	(Deficit)/Surplus Amount	Brief Explanation
LRPCP Aeration Cell Refurb Piping (7232002)	\$400,000	Project can be CLOSED. This project was determined to no longer be needed. Administration recommends reallocating this surplus to fund an addition to existing piping in the LRPCP Aeration Blower Replacement project (7172011).
LRWRP Biorem Rehabilitation (7191029)	\$354,816	Project is complete and upon release of final holdback can be CLOSED. Administration recommends transferring this surplus to the Sodium Hype projet (7222004).
LRWRP Channel Refurbishment (7231013)	\$250,000	Project can be CLOSED. This project was determined to no longer be needed. Administration is recommending this surplus be used to fund the anticipated deficit in the LRWRP-PST/Channel Refurbishment project (7172002).

LRWRP Alum Dosing Repiping (7202000)	\$99,360	Project is complete and can be CLOSED. Design and construction have been completed with a surplus in funding. Administration recommends transferring this surplus to fund the anticipated deficit in the Sodium Hype project (7222004).
Howard Grade Pumping Station (7219007)	\$98,994	Project can be CLOSED. This project was determined to no longer be needed. Administration is recommending this be reallocated to the Drouillard- MCC Upgrade/Repl. project (7222005).
LRPCP-Core Intake (7211028)	\$79,644	Project is complete and can be CLOSED. This project was determined to no longer be needed. Administration is recommending to reallocate this surplus in funds to be used to mitigate the anticipated deficit in LRPCP-Dewatering Odor Control project (7211027).
Pump Stations- Gen Repair Costs (7169003)	\$75,516	This project was established to track annual infrastructure repairs at pump stations as required. Administration is recommending to reallocate this surplus to fund the deficits in the LRWRP Diesel #2 Dist Switch Gear project (7162006) and the LRWRP Dry Well Reliability project (7161069).
Grating, Hatches, and Painting (7212006)	\$72,729	Project is complete and can be CLOSED. Work on exterior grating has finished resulting in surplus funds. Administration is recommending this be reallocated to the Drouillard- MCC Upgrade/Repl. project (7222005).
Peter St Pumping Station (7211029)	\$28,071	Project is complete and can be CLOSED. This project has been placed on hold due to the future removal of the pumping station. Administration recommends reallocating this surplus to fund current needs at the St. Paul Pumping Station project (7212009).



LRWRP Dry Well Reliability CWWF (7161069)	(\$11,936)	This project is complete and can be CLOSED. Current deficit is a result of construction work. Administration is recommending this be funded by surplus funding in the Pump Stations-Gen Repair Costs project (7169003).
St. Paul Pumping Station (7212009)	(\$28,071)	This project had design work recently approved through the Disaster Mitigation and Adaptation Fund Program. As a result of this, administration recommends surplus funding in the Peter St Pumping Station project (7211029) be reallocated to support work at this site.
LRWRP Diesel #2 Dist Switch Gear (7162006)	(\$63,580)	This project is complete and can be CLOSED. The deficit is a result of cost efficiency opportunities that resulted in work on switchgears and transformers. Administration is recommending this be funded from the surplus in Pump Stations- Gen Repair Costs project (7169003).
LRPCP-Dewatering Odor Control (7211027)	(\$79,644)	This project is ongoing. Administration is requesting to use the surplus in LRPCP-Core Intake (7211028) to assist the anticipated deficit in this project to fund improvements in existing odour control on truck bay and centrifuge exhausts.
Drouillard - MCC Upgrade/Repl. (7222005)	(\$171,723)	This project is ongoing and has an anticipated deficit. The Drouillard platform needs replacement as well as addressing electrical classification issues in the confined space. Administration recommends funding this shortfall with transfers in surplus funding from the Grating, Hatches, and Painting project (7212006) for \$72,729 and the Howard Grade Pumping Station project (7219007) for \$98,994.
LRWRP-PST/Channel Refurbishment (7172002)	(\$250,000)	This project is ongoing as PST #3 rake arm needs to be rebuilt. Administration recommends funding this rebuild with surplus amounts in

		the LRWRP Channel Refurbishment project (7231013).
LRPCP Aeration Blower Replemet (7172011)	(\$400,000)	The existing piping is failing and resulting in leaks. Administration is requesting a transfer from LRPCP Aeration Cell Refurb Piping project (7232002) to fund the anticipated deficit resulting from this repair work.
Sodium Hype (7222004)	(\$454,176)	This projects tender will be published in early 2024 and anticipates a deficit due prices coming in higher than initially budgeted. Administration is requesting this deficit be funded by surplus funding in LRWRP Alum Dosing Repiping project (7202000) and the LRWRP Biorem Rehabilitation project (7191029).

Environmental Services:

There is one capital project being administered by the Environmental Services division, which is expected to come in on budget.

Contracts & Field Services:

There are four active capital projects in this area that are being administered by the Public Works Operations department. No project variance is currently expected.

Road Rehabilitation:

There are 10 active capital projects in this area that are being administered by the Public Works Operations department. There is one project as identified in the table below anticipating an overall surplus of \$3,556,456.

Projects with Projected Deficit/Surplus	(Deficit)/Surplus Amount	Brief Explanation
2021 City Wide Road Rehab (7211000)	\$3,556,456	Project is complete and can be CLOSED. Surplus is a result of scope of work changes. Rehabilitation work was completed on several roadways throughout the City including Cameron, Labelle, Ypres, Tecumseh, Matchette, Lauzon, Kildare, Campbell, Bruce and EC Row. Upon release of final holdback, project can be CLOSED. Administration recommends transferring surplus funds to the 2023 Road Rehab project (7231000) to complete as much priority work as possible.

Transportation Planning:

There are seven active capital projects in this area that are being administered in the Transportation Planning area. This division does not anticipate a net surplus or deficit, however, individual anticipated project surpluses and deficits are detailed below:

Projects with Projected Deficit/Surplus	(Deficit)/Surplus Amount	Brief Explanation
Cabana Roseland Ped Signal (7221060)	\$51,939	Project is complete and can be CLOSED. Administration recommends transferring the remaining surplus funds to the Pedestrian Crossover Project (7191010) to complete as much priority pedestrian crossing work as possible.
Pedestrian Crossovers (7191010)	(\$51,939)	Work in this project is ongoing. Currently, the list of locations that meet warrant for a pedestrian crossover exceeds the number that can be installed with the available funds. Administration is recommending funding shortfall to be addressed with a transfer from surplus funds in the Cabana Roseland Ped Signal project (7221060).

Traffic Operations and Parking Services:

There are 15 active capital projects in this area that are being administered by the Traffic Operations and Parking Services division, and in total is expecting to come in on budget.

Fleet Operations:

There are 18 active capital projects in this area that are being administered by the Public Works Operations department. Administration has one variance, for (\$6,389), to report at this time.

Projects with Projected Deficit/Surplus	(Deficit)/Surplus Amount	Brief Explanation
ZEVIP – Light Duty Vehicle Fleet (7215005)	(\$6,389)	Project can be CLOSED. Administration recommends mitigating this deficit with a transfer of funds from the Pay-As-You-Go Reserve, Fund 169.

PW Maintenance:

There are seven active capital projects in this area that are being administered by the Public Works Operations department. There are two projects as identified in the table below anticipating a combined overall surplus of \$484,282.

Projects with Projected Deficit/Surplus	(Deficit)/Surplus Amount	Brief Explanation
2023 Sidewalk Rehab Program (7231023)	\$276,745	Project can be CLOSED. Administration recommends transferring 2023 approved amounts to the 2024 Sidewalk Rehab

		project (7241013) to provide adequate funding for a future tender. Funding allotment for 2023 was insufficient for a tender.
2022 Sidewalk Rehab Program (7221011)	\$207,537	Work is complete and project can be CLOSED pending the final release of a holdback. Administration recommends transferring surplus funds in this project to the 2024 Sidewalk Rehab project (7241013) to complete as much work as possible.

Technical Support:

There is only one active capital project in this area that is being administered by the Technical Support division. The Information IPS Hansen Asset Management System project (7209001) is expected to come in on budget.

Transit Windsor:

There are 22 active capital projects in this area that are being administered by Transit Windsor. Administration is not currently reporting a variance on these projects.

**Office of the Commissioner of Corporate Services**

Legal Services:

There are 11 active capital projects in this area that are being administered by the Legal Department. Two projects are reporting a combined surplus of \$3,816 as detailed below.

Projects with Projected Deficit/Surplus	(Deficit)/Surplus Amount	Brief Explanation
EnWin Substation (Avon & Mark) (7184004)	\$20,530	Project is complete and can be CLOSED. Transactions were completed in August 2023 and the City now owns these lands. Administration recommends the surplus in funds to cover the deficit in WFCU Lands-Parking project (7181020) before transferring the remaining surplus back to its original funding source, Pay-As-You-Go reserve, Fund 169.
WFCU Lands- Parking (7181020)	(\$16,714)	Project is complete and can be CLOSED. The current deficit is due to additional cleanup costs the City agreed to take on at the site. Administration is recommending this deficit be mitigated by surplus funds in the EnWin Substation (Avon & Mark) project (7184004).

Records and Elections:

There are two active capital projects in this area that are being administered by the Council Services department. Both projects are anticipated to come in on budget.

Human Resources:

There are six active capital projects in this area that are being administered by the Human Resources department. This division does not anticipate a net surplus or deficit, however, individual anticipated project surpluses and deficits are detailed below:

Projects with Projected Deficit/Surplus	(Deficit)/Surplus Amount	Brief Explanation
Accessibility - ODA Requirements (7086008)	\$50,000	This project is ongoing and was established to pay for accessibility improvements to assist with addressing barriers to those with disabilities. Administration is recommending the anticipated surplus be used to fund ongoing legislative requirements in the AODA Implementation project (7091017).
AODA Implementation (7091017)	(\$50,000)	This project is ongoing due to the need for filing accessibility reports with the Ministry to show legislated requirements are being met for each standard. Most of the currently legislated deadlines have now passed resulting in ongoing requirements and their associated costs. Administration recommends funding this compliance need with surplus funds in the Accessibility- ODA Requirements project (7086008).

SAC Division:

There is one active capital project in this area that is being administered by the Security, City Hall Campus and Special Activities area. There is no variance to report in the Fire Prevention Renovations project (7231030) at this time.

**Office of the Commissioner of Finance & City Treasurer**

Corporate Asset Planning:

There are 31 active capital projects in this area that are being administered by the Asset Planning department. Four projects are reporting a combined surplus of \$24,155 and is detailed below.

Projects with Projected Deficit/Surplus	(Deficit)/Surplus Amount	Brief Explanation
Enhanced Interim Financing Fund (7145005)	\$24,578	This project is ongoing and was designed to fund any temporary financing costs for those enhanced capital projects approved by Council which could not be absorbed within the allotted budget. Project can be CLOSED once construction of impacted projects is complete.

DEER Program Design (7224001)	\$5,273	The Deep Energy Efficiency Retrofit Program Design project has received funding from the Federation of Canadian Municipalities (FCM 17571) to support the program design. Administration recommends redirecting funds initially allocated to this project to fund the deficit in Corp & Comm Climate Chng Mitig project (7159001).
Audit & Accountability- DC Review (7211014)	(\$423)	This project is complete and can be CLOSED. The review was 100% grant funded and resulted in a slight deficit due to the timing of when grant funds were received. Administration recommends this be funded by a transfer from the Pay-As-You-Go reserve, Fund 169.
Corp & Comm Climate Chng Mitig (7159001)	(\$5,273)	This project is complete and can be CLOSED. Funds were used to support an FCM application for the development of the Deep Energy Efficiency Retrofit Program Design and resulted in a small deficit. Administration recommends funding this with surplus amounts available in the DEER Program Design project (7224001).

Financial Accounting:

There are two active capital projects in this area that are being administered by the Financial Accounting department. No project variance is anticipated as all of these projects are currently expected to come in on budget.

Financial Planning:

There are six active capital projects in this area that are being administered by the Financial Planning division. No project variance is anticipated as all of these projects are currently expected to come in on budget.

Taxation and Financial Projects:

There are five active capital projects in this area that are being administered by the Taxation and Financial Projects department. One project, Meadowbrook Housing (7192001), is reporting a deficit of (\$37).

Projects with Projected Deficit/Surplus	(Deficit)/Surplus Amount	Brief Explanation
Meadowbrook Housing Project (7192001)	(\$37)	This project is complete and can be CLOSED. The small deficit is due to temporary financing costs as a result of a shortfall in funding. Administration is recommending this be funded by a transfer from the Pay-As-You-Go reserve, Fund 169.

## Office of the Commissioner of Human & Health Services

### Huron Lodge:

There are 11 active capital projects being administered by Huron Lodge. No project variance is anticipated as all of these projects are currently expected to come in on budget.

### Employment & Social Services

There is one active capital project being administered by Employment & Social Services. No project variance is currently anticipated.

### Housing and Children's Services:

There are two active capital projects being administered by Housing and Children's Services. No project variance is anticipated as both of these projects are currently expected to come in on budget.

## Office of the Commissioner of Community Services

### Fire and Rescue:

There are 14 active capital projects in this area that are being administered by the Fire and Rescue department. One project, the Fire Forcible Entry Props project (7232005), is projecting a surplus of \$829 and is detailed below.

Projects with Projected Deficit/Surplus	(Deficit)/Surplus Amount	Brief Explanation
Fire Forcible Entry Props (7232005)	\$829	Equipment was delivered and paid October 2023 while accessory tools are still being procured. This project can be CLOSED once 2024 funding is received. Surplus funding can be returned to its' original funding source, the Service Sustainability reserve, Fund 221.

### Cultural Affairs:

There are six active capital projects in this area that are being administered by the Recreation and Culture department. No project variance is anticipated as all of these projects are currently expected to come in on budget.

### Recreation Facilities:

There are 12 active capital projects in this area that are being administered by the Recreation & Culture department. Six projects are projecting a combined surplus of \$461,473 and is detailed below.

Projects with Projected Deficit/Surplus	(Deficit)/Surplus Amount	Brief Explanation
Facilities Repurposing- DRL (7159002)	\$375,310	This project is complete and can be CLOSED. Council approved this project as

		part of the 2015 Debt Reduction Levy allotment for the repurposing of facilities following the business case for the construction of the new Windsor International Aquatic Training Facility. Administration recommends returning this surplus to the Pay-As-You-Go reserve, Fund 169.
WFCU Centre (7064900)	\$46,063	Project is complete and can be CLOSED. The naming right revenues were realized in this project and costs have been fully recovered. Administration is recommending this surplus to be transferred to the WFCU Centre Capital Improvement reserve, Fund 206, for future capital needs
Water World Improvements Study (7221034)	\$40,000	Administration anticipates a surplus of \$40,000 in this project and recommends that these funds be transferred to the WFCU Centre Capital Improvements project (7161046) to fund exterior building wrap on mechanical units at the facility.
Oakwood CC SWRC Small Reno (7211056)	\$10,447	Project is complete and can be CLOSED. Work on CO2, humidity and temperature sensors, interior sliding door replacement and lobby painting has finished. Administration is recommending to transfer this surplus to the Municipal Arena Refurbishments project (7069036) to mitigate the shortfall in current funding levels.
East Windsor Community Pool (7142009)	\$100	The WFCU Centre Community Pool project was completed in June 2016 with minimal activity since and can be CLOSED. Administration recommends the surplus be transferred to the WFCU Centre Capital Improvement reserve, Fund 206, for future capital needs.
Municipal Arena Refurbishment (7069036)	(\$10,447)	Project is ongoing as funds are needed for unexpected and emergency repairs. Administration recommends funding the anticipated deficit with from Oakwood CC SWRC Small Reno project (7211056) to help sustain funding levels for future needs in this area.



Forestry:

There are three active capital projects in this area that are being administered by the Forestry division. No surpluses or deficits are projected at this time.

Horticulture:

There is one active capital project in this area, however, no variance is currently anticipated.

Parks Operations:

There are seven active capital projects in this area that are being administered by the Parks Operations division. One project, Park Drainage Improvements (7219013), is reporting a surplus of \$49,452.

Projects with Projected Deficit/Surplus	(Deficit)/Surplus Amount	Brief Explanation
Park Drainage Improvements (7219013)	\$49,452	This project is ongoing for improvements at parks with drainage issues to mitigate flooding that occurs during periods of heavy rainfall. Administration is recommending this surplus be used to fund drain improvements in the McKee Park project (7221003).

Parks Design & Development:

There are 44 active capital projects in this area administered by the Parks Design & Development division. Six projects are reporting a combined deficit of (\$49,452) and is detailed below.

Projects with Projected Deficit/Surplus	(Deficit)/Surplus Amount	Brief Explanation
Malden Park- Parking Lot (7234000)	\$40,637	This project is ongoing and anticipates being in a surplus position. Administration recommends utilizing \$40,637 to fund deficits in the Forest Glade Tennis/Pickleball project (7212007) and the Fountainebleau Splash Pad project (7214001), with the remaining surplus allocated to partially fund the Wigle Park – Phase 2 project (7186000) deficit.
Kennedy Park Improvements (7201021)	\$40,106	This project is ongoing with work on improvements to the parkland, tree planting and bench installations. Administration recommends this anticipated surplus be used to mitigate remaining deficits in Wigle Park- Phase 2 (7186000) and McKee Park (7221003).

Fontainebleau Splash Pad (7214001)	(\$10,794)	This project is complete and can be CLOSED once committed funding from 2024 are transferred into the project. Administration recommends funding shortfall with the surplus in the Malden Park- Parking Lot project (7234000).
Forest Glade Tennis/ Pickleball (7212007)	(\$19,268)	This project is ongoing. Current deficit is a result of required enhancements for fencing. Administration recommends funding this with surplus amounts in the Malden Park- Parking Lot project (7234000).
Wigle Park- Phase 2 (7186000)	(\$39,364)	This project is ongoing with additional improvements being addressed as needed. Administration is recommending surplus funding in the Malden Park- Parking Lot project (7234000) of \$10,575 and Kennedy Park Improvements project (7201021) for \$28,789 to fund the anticipated deficit in this project.
McKee Park (7221003)	(\$60,769)	This project is complete and can be CLOSED. Additional expenditures were incurred to install heritage benches and other requirements that were in excess of budgeted funding allocations. Administration is recommending this deficit be funded by surplus funding in the Kennedy Park Improvements project (7201021) for \$11,317 and \$49,452 from the Parks Drainage Improvements project (7219013).

*Facilities Operations:*

There are 11 active capital projects in this area administered by the Facilities Operations department. Eight variances projected by the area, totaling \$335,707, are detailed below.

Projects with Projected Deficit/Surplus	(Deficit)/Surplus Amount	Brief Explanation
Roof Replacement Program (7085008)	\$335,707	This project is ongoing and funds repairs to existing roofs that need replacement at various facilities. Administration previously identified a need to redirect \$335,707 for roof replacement at Roseland Golf & Curling Club to the Roseland/Little River Golf Asset

		Replacement / Improvements project (7184003) to address funding needs of the new clubhouse facility.
Health and Safety (7086007)	\$259,621	This project is ongoing and is used to address health and safety recommendations at City facilities. Administration is recommending to combine Designated Substance Remediation (7001225) with this project after funding the deficit of \$73,089. A transfer to fund the deficit in the TWEPI Relocation project (7221067) for \$186,532 is also being requested to address Health and Safety needs.
Water Back Flow Prevention Dev (7031134)	\$256,717	This project is ongoing with various backflow prevention devices needing replacement and upgrades due to Health and Safety requirements. Administration is recommending using surplus funding to facilitate restoration work at the Sandwich Fountain in the Fountain Restoration & Repairs project (7209008).
Huron Lodge- Equip. Replacement (7152003)	\$237,181	This project is complete and can be CLOSED. Work on equipment replacement at Huron Lodge has finished under budget and resulted in a surplus position. Administration is recommending these funds be used to fund ongoing equipment replacement at City facilities in the Facilities Equipment Replace project (7221038).
Designated Substance Remediatn (7001225)	(\$73,089)	This project is complete and can be CLOSED. Hazardous or designated substances encountered through maintenance or construction activities are required to be properly managed in municipal buildings. Administration is recommending to mitigate this deficit by combining the projects ongoing needs with the Health and Safety project (7086007).
TWEPI Relocation (7221067)	(\$186,532)	This project is complete and can be CLOSED. The current deficit is a result of unexpected health and safety work that occurred outside of the original

		scope of the project. Administration recommends funding this shortfall with surplus funds in the Health and Safety project (7086007).
Facilities Equipment Replace (7221038)	(\$237,181)	This project is ongoing as it provides preventative maintenance and replacement on Facilities equipment to prevent failures and extend their useful life. Administration recommends funding these needs with the surplus available in the Huron Lodge- Equip. Replacement project (7152003).
Fountain Restoration & Repairs (7209008)	(\$256,717)	This project is ongoing with current restoration and repair efforts at the Sandwich Fountain repairs that were planned for 2023. Administration recommends funding the anticipated deficit with a transfer from the Water Back Flow Prevention Dev project (7031134).

Windsor Public Library:

There are nine active capital projects in this area that are being administered by the Windsor Public Library and Corporate Projects. Three projects are reporting a combined surplus of \$180,000 and is detailed below.

Projects with Projected Deficit/Surplus	(Deficit)/Surplus Amount	Brief Explanation
WPL-Material Auto System Upgrd (7191020)	\$180,000	This project was initially established to provide funding for a new Integrated Library System; however, a full review of the upgrade system currently in place determined it to be more than adequate. Administration identified a need for \$100,000 of the current surplus to be transferred to a new project for the WPL-Central Branch Relocation and \$80,000 transferred to a new project for the WPL-Archives Project. The remaining surplus will be assessed based on additional expenses still to be charged to this project and will be recommended to be reallocated in the future.
WPL- Optimist Library (7159012)	\$43,041	This project is complete and can be CLOSED. Administration is recommending surplus funds from work

		done at Optimist Library be used to fund the anticipated deficit in the WPL - Sandwich Library project (7159013) as additional funding is needed for the remaining deficiency repairs at the facility.
WPL - Sandwich Library (7159013)	(\$43,041)	This project is ongoing and anticipates a deficit that resulted from deficiency repairs in the exterior stucco which are planned to be completed in 2024. Administration recommends funding this with a transfer in surplus funds from the WPL- Optimist Library project (7159012).

**Agencies and Boards**

Windsor Police Services (WPS):

There are 16 active capital projects in this area that are being administered by various WPS divisions. No project variance is anticipated as all of these projects are currently expected to come in on budget.

Roseland Golf and Curling Club:

There are three active capital projects in this area that are being administered by the General Manager at Roseland. One project, Roseland / Little River Golf Asset Replacement / Improvement (7184003), is reporting a deficit of (\$335,707).

Projects with Projected Deficit/Surplus	(Deficit)/Surplus Amount	Brief Explanation
Roseland / Little River Golf Asset Replacement / Improvement (7184003)	(\$335,707)	In 2020, \$405,800 worth of funds was allocated to the Roof Replacement Program project (7085008), specifically to repair the roof at the existing clubhouse. Some of these funds were used, however, the remaining \$335,707 is required for the new clubhouse facility. Administration recommends that these funds be transferred from 7085008 to the Roseland / Little River Golf Asset Replacement / Improvement project (7184003).

Windsor Airport:

There are six active capital projects in this area that are being administered by the Corporate Projects division. No project variances are anticipated at this time.

Handi-Transit:

There is only one active capital project active in this area that is being administered by Handi-Transit/Transit Windsor. The Handi-Transit Bus Acquisitions project (7191019) is expected to come in on budget.



**Subject: Disaster Mitigation & Adaptation Fund Program - City Wide**

**Reference:**

Date to Council: 2024-03-18

Author: Sonia Bajaj  
Project Administrator  
Engineering – Corporate Projects  
(519) 255-6100 ext. 6004  
[sbajaj@citywindsor.ca](mailto:sbajaj@citywindsor.ca)

and,

Natasha Gabbana  
Senior Manager, Asset Planning  
Asset Planning  
(519) 255-6100 ext. 6111  
[ngabbana@citywindsor.ca](mailto:ngabbana@citywindsor.ca)

Report Date: 2024-03-01  
Clerk's File #: SW/13822

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

**Recommendation:**

- I. THAT City Council **RECEIVE** for information this report as an overall status update on Disaster Mitigation & Adaptation Fund 1 & 4 (DMAF Program); and,
- II. **THAT** City Council **PRE-APPROVE** and **AWARD** any procurement(s) necessary that are related to the DMAF Program projects provided that the procurement(s) are within approved budget amounts, pursuant to the Purchasing By-Law 93-2012 and amendment thereto, satisfactory in legal content to the City Solicitor, in financial content to the Chief Financial Officer/City Treasurer and in technical content to the City Engineer; and,
- III. **THAT** the Purchasing Manager **BE AUTHORIZED** to issue Purchase Orders as may be required to effect the recommendations related to the DMAF Program, subject to all specifications being satisfactory in

financial content to the Chief Financial Officer/City Treasurer, and in technical content to the City Engineer; and,

- IV. **THAT** the Purchasing Manager **BE AUTHORIZED** to issue Purchase Orders for any amendment(s) as may be required related to the DMAF Program, provided that the amendment(s) are within approved budget amounts, satisfactory in financial content to Chief Financial Officer/City Treasurer, and in technical content to the City Engineer; and,
- V. **THAT** the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to execute any amendment(s) as may be required related to the DMAF Program, provided that the amendment(s) are within approved budget amounts, satisfactory in financial content to Chief Financial Officer/City Treasurer, in legal form to the City Solicitor; and in technical content to the City Engineer; and,
- VI. **THAT** Administration **BE AUTHORIZED** to take any other steps as may be required to bring effect to these resolutions related to the DMAF Program, and that the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to execute any required documentation/agreement(s) for that purpose, satisfactory in legal content to the City Solicitor, in financial content to the Chief Financial Officer/City Treasurer and technical content to the City Engineer; and,
- VII. **THAT** Administration **BE AUTHORIZED** to issue any change order(s) for any amendment(s) as may be required related to the DMAF Program, provided that the amendment(s) are within approved budget amounts, satisfactory in financial content to Chief Financial Officer/City Treasurer, and in technical content to the City Engineer, and,
- VIII. THAT with respect to the DMAF 4 Program:
  - a. THAT City Council **SUPPORT** the incremental capital costs as detailed in the Financial Matters section in an amount estimated to be \$53,800,000, plus financing costs, to effect the capital works required for the completion of the DMAF 4 – Large Scale Stream - RTB; and,
  - b. THAT subject to the incremental funding requirements being supported and a commitment to fund those costs being provided, that Administration **BE AUTHORIZED TO ADVISE** Infrastructure Canada (INFC) that discussions with respect to the development of a Contribution Agreement for the award of funding under DMAF 4 can be restarted; and,
  - c. THAT, if required, the CAO and City Clerk **BE AUTHORIZED** to execute any agreements and or applications which are deemed necessary to commence the capital works for the DMAF 4 Program, satisfactory in form to the City Solicitor, in financial content to the

Chief Financial Officer/City Treasurer, and in technical content to the City Engineer.

**Executive Summary:**

N/A

**Background:**

The City has a responsibility to provide effective and reliable stormwater management and wastewater treatment infrastructure. The Canadian government's Disaster Mitigation & Adaptation Fund (DMAF) program funded through Infrastructure Canada (INFC) provides federal funding for new infrastructure aimed at mitigating harmful effects from climate change and increasing resiliency to handle the impacts of more frequent and severe storms.

**DMAF 1 – Suite of Projects**

In 2018, the City was successful in receiving funding to deliver the DMAF 1 Program. The City's suite of DMAF 1 projects are located in the north-east section of Windsor and include studies, environmental assessments, sewer works, stormwater management works, pumping station works and road works to this area of the City that is prone to flooding, drainage complications and overall storm sewer capacity issues. The DMAF 1 Agreement with INFC was signed in March 2019, and the projects are well underway.

In a February 13, 2023 Council update, Administration reported on the significant cost escalations seen in the construction industry and the higher-than-expected rate of inflation experienced. Administration was directed to hold off awarding construction tenders for DMAF 1 projects and hold off signing the DMAF 4 Agreement while a funding strategy to implement projects under both DMAF programs was developed.

Through the work performed following that meeting, Administration recommended presenting a reduced scope option to INFC to work towards amending the existing DMAF 1 Agreement, which would allow the City to build the necessary stormwater infrastructure deemed priority while doing so in a fiscally responsible manner to address the funding deficit caused by the recent cost escalations.

At the September 5, 2023 meeting, City Council authorized Administration (CR383/2023, Appendix A) to formally submit an amendment request to INFC regarding the original DMAF 1 Agreement for a reduced scope option. This would allow for the implementation of specific high priority projects such that DMAF 1 Agreement performance targets would continue to be maintained while deferring the remaining projects, with an aim to fund them outside of the DMAF 1 Program.

**DMAF 4 – Windsor West Retention Treatment Basin**

As previously communicated to Council (report C138/2021), the City was successful in receiving funding for the DMAF 4 Program for the large-scale



stream project – the Retention Treatment Basin (RTB) near the southeast corner of Ojibway Parkway and Sandwich Street.

The Windsor Riverfront West Combined Sewer Overflow (CSO) Control Schedule C Environmental Assessment (EA) was completed by Stantec Consulting in 2019 to identify means for controlling combined sewer overflows along the west Windsor waterfront between Caron Avenue and the Lou Romano Water Reclamation Plant (LRWRP) as well as assist in wet weather control at the LRWRP. This EA's Environmental Study Report (ESR) identified the construction of a Retention Treatment Basin (RTB) at the end of the riverfront trunk sewer near the LRWRP as the preferred option for CSO control. The size and scope of this RTB project is significant due to the number of homes in the drainage area (approximately 40,000 with basements) and anticipated flood risk reduction under the 1:5 year, 1:100 year and climate change storm scenarios. The ESR included an opinion of probable cost for the preferred option, which formed the basis of the DMAF 4 application funding request.

In the September 5, 2023 Council update (C128/2023, CR383/2023), Administration reported similar inflationary pressure concerns with the DMAF 4 Program. At the time of application in 2021, the DMAF 4 project could not have contemplated the higher-than-expected rate of inflation or rise in construction costs currently experienced. These cost escalations have far exceeded the budgeted amounts for most projects, where conventional contingency estimates for rates of inflation and financing were insufficient to cover the extreme price increases.

## **Discussion:**

### **DMAF 1 – Suite of Projects**

Administration submitted the reduced scope amendment proposal to INFC in October 2023, along with the rationale for the amendment request. The reduced scope amendment proposal was approved by INFC via email on January 18, 2024, with no changes to the overall contribution amount. The corresponding amending agreement is currently under review by INFC and Administration expects the agreement to be fully executed in the coming weeks.

### **DMAF 4 – Windsor West Retention Treatment Basin**

There are significant benefits anticipated immediately after commissioning the Windsor West RTB as summarized in Table A.

Table A: Anticipated Benefits of West Windsor RTB Systems

Category	
Regulatory*	City would enhance compliance with the Ministry of Environment, Conservation and Parks' regulatory requirements for combined sewage treatment (procedure F-5-5) for the majority of its combined sewer infrastructure.
Emergency Relief*	In the event of an intense storm or in the event of a catastrophic plant failure, the RTB systems would provide emergency storm relief for the LRWRP's service area, approximately 140,000 people in Windsor.
Basement Flood Risk Reduction**	A reduction in sewer surcharge basement flooding risk in nearly 1/3 of the City.
Health & Safety	Reduced risk of sanitary sewer surcharge which causes raw sewage backup into basements.

\*Source: 2019 Combined Sewer Overflow (CSO) Control Schedule C Environmental Assessment, Environmental Study Report

\*\*Source: 2020 Sewer and Coastal Flood Protection Master Plan

As per CR70/2023 (Appendix B), Administration has delayed the signing of DMAF 4 Agreement until resolution of the DMAF 1 and DMAF 4 funding strategies have been reached. Similar to DMAF 1, the DMAF 4 program provides a federal contribution of 40% of total eligible expenditures for projects that are substantially complete by March 31, 2033. The City was successful in receiving preliminary funding approval for the DMAF 4 program for this RTB representing a maximum of \$32,740,800 in contribution funding, or 40% of eligible original Program costs. This RTB is a high priority project within the Sewer and Coastal Flood Protection Master Plan (SMP) and remains an important recommendation of that study.

With the resolution of the DMAF 1 Program imminent, Administration is seeking approval to sign the DMAF 4 Contribution Agreement, however similar inflationary pressure concerns apply to this Program and updated projected cost estimates have exceeded the value of the overall Program budget.

Refer to the Financial Matters section for additional analysis regarding funding strategy options.

### **Risk Analysis:**

#### **DMAF 4 - Windsor West Retention Treatment Basin**

The anticipated costs previously reported to Council for DMAF 4 were based on estimates and anticipated inflationary increases for the future years of the DMAF Program. Although these estimates have been updated in this report to reflect the most current information available, there is the potential that the overall project estimates could materially change should other unforeseen circumstances occur, resulting in additional cost or savings. As with any multi-year project, project costs will be monitored and estimates will be adjusted as the Program progresses.

There is a risk of further delays in signing the DMAF 4 Contribution Agreement with INFC which could result in the loss of federal funding and jeopardize the City's implementation of a high priority project identified in the SMP. This risk is being mitigated by Administration bringing forth the recommendations of this report at this time.

## **Climate Change Risks:**

### **Climate Change Mitigation**

There is no significant climate change mitigation risk noted at this time. Construction will result in a minor-one-time increase to the Community greenhouse gas (ghg) inventory. The RTB will result in a small increase to the Corporate ghg emissions. To reduce this increase, the design for the RTB will be completed following the latest standards and guidelines including considerations for improved energy efficiency.

### **Climate Change Adaptation**

The DMAF Program is designed to assist municipalities in accelerating actions to adapt to climate change. The RTB project was put forward to address flood risk under current and future rainfall intensities.

As identified above, the proposed RTB in this area will improve the level of service for a significant number of homes in the LRWRP drainage area (approximately 40,000 homes with basements). The InfoWorks ICM (Integrated Catchment Modelling) prepared for the City in 2019 for the purposes of the DMAF 4 application submission, illustrates the following benefit to these homes through a predicted reduction in the risk of flooding:

- 1:5 year storm – under current conditions 42.6% of homes in the catchment area do not meet the level of service (i.e. at risk of flooding), following construction of the RTB only 9.6% of homes are projected to not meet the level of service;
- 1:100 Year storm – under current conditions 85.3% of homes in the catchment area do not meet the level of service, following construction only 31.6% of homes are projected to not meet the level of service; and
- Climate Change storm – under current conditions 94.4% of homes in the catchment area do not meet the level of service, following construction 71.8% of homes are projected to not meet the level of service construction.

Part of the evaluation criteria for selection of DMAF projects is the calculation of a return on investment (ROI). As part of this calculation, Administration evaluated the economic loss reduction for this project over the life of the asset. Based on the InfoWorks modelling, this project provides an estimated cumulative loss reduction of \$5.1 billion over the life of the asset just from the reduction in basement flooding costs. Associated costs related to social, environmental, heritage and cultural benefits expected were not estimated nor included in the DMAF 4 application.

The implementation of the SMP includes further actions to reduce the risk to homes in this area and throughout the City. Homeowners should be encouraged to participate in the City’s Basement Flooding Subsidy Program to further reduce their individual risk.

**Financial Matters:**

**DMAF 4 - Windsor West Retention Treatment Basin**

An overall budget of \$88,540,800 has been approved for the DMAF 4 Program. Of this total, a maximum of \$32,740,800 in contribution funding is expected, which represents 40% of eligible **original** Program costs. Noting the challenges encountered with the DMAF 1 Program and recent inflationary pressures, and in an effort to be prudent and consistent prior to signing the Contribution Agreement, Administration obtained an updated cost estimate from Stantec Consulting for the DMAF 4 work.

Table B summarizes the original 2021 DMAF 4 Program costs against the updated 2024 estimated costs.

Table B: DMAF 4 Estimate

	2021 Estimate (in Millions)	2024 Estimate (in Millions)
DMAF 4 Program Costs	\$88.5	\$142.3
<b>Less: DMAF 4 Funding</b>	<b>(\$32.7)</b>	<b>(\$32.7)</b>
Net DMAF 4 Program Costs	\$55.8	\$109.6
<b>Less: City Funding approved through DMAF 4 Report (CR454/2021)</b>	<b>(\$55.8)</b>	<b>(\$55.8)</b>
Estimated Additional Funding Required	\$0.0	\$53.8

Project costs have escalated significantly since the development of the original budget estimates in 2021, in a large part due to higher-than-expected rate of inflation and the rise in construction costs currently experienced. Disruptions to supply chains in the manufacturing sector and the labour market have contributed to the rise in inflation, and the impacts have been felt across the country in all sectors, particularly the construction industry. These changes are directly affecting the timing and cost of doing construction.

Additional financial impacts include the rise in land values increasing the overall cost of property acquisitions. Land acquisition costs are not eligible costs under the DMAF Program and as such, the City incurs the full impact of these increases.

While a portion of the DMAF 4 program funding needs are currently committed within the 10-year capital budget, the balance of funds needed based on the updated project costs are not. As a result, financing charges to some degree

will be incurred until such time as the increased funding needed for this work is finalized. Financing charges represent the cost of borrowing and will fluctuate based on a number of factors such as project schedule, timing of cash flows, future interest rates, and the total amount of borrowing required. Given the scope and long-term nature of the DMAF 4 program, financing calculations will be subject to a great degree of variability.

With a portion of this project already funded, coupled with the ability to first utilize the grant funding to cover a majority of the early construction costs, it is likely that the short-term funding needs can be addressed within the current funding approvals. However, as the project progresses, it is likely that some form of debt financing will need to be considered as part of the overall financing strategy for this project. The recommendations in report C128/2023 (CR383/2023, Appendix A) established a framework for the issuance of debt, if required, for the DMAF 4 program.

At this time, Council is being asked to support the estimated incremental costs of \$53.8M, plus financing costs, to allow for continued discussions with INFC as it relates to the signing of the DMAF 4 Contribution Agreement. Given the variability in the factors noted above as it relates to project timing, cashflows and interest rates, Administration will continue to monitor this project and explore all funding options and opportunities that may be available as we move towards the completion of the DMAF 4 project work. Council will continue to be provided with those options and recommendations on the ultimate financial strategy closer to the time in which the incremental project funds are needed.

**Consultations:**

Ed Valdez - Pollution Control

Fahd Mikhael – Engineering

Ryan Langlois – Engineering

Ian Wilson – Engineering

Kate Tracey - Legal

Mark Spizzirri – Financial Planning

Carrie McCrindle – Financial Planning

Mark DiPasquale – Financial Planning

Mike Dennis – Asset Planning

Karina Richters – Economic Development

**Conclusion:**

The City is committed to providing effective and reliable stormwater management and wastewater infrastructure to overcome the harmful impacts of intense storm events. The DMAF program provides cost sharing for the

implementation of these works, lessening the financial burden on the municipality.

The DMAF 1 reduced scope amendment proposal was approved by INFC with no changes to the overall contribution amount. Administration expects this agreement amendment to be fully executed in the coming weeks.

The West Windsor RTB (DMAF 4) is a high priority project within the SMP and remains an important recommendation of that study, and is anticipated to directly benefit nearly two-thirds of the City's sanitary and combined sewer system by providing emergency storm surge relief. Further, a reduction in sewer surcharge basement flooding risk is anticipated for nearly one-third of the City, mostly within the South Windsor western trunk sewer service area.

**Approvals:**

Name	Title
Alex Vucinic	Manager of Purchasing
Colleen Middaugh	Manager of Corporate Projects
Stacey McGuire	Executive Director of Engineering, Deputy City Engineer
Jake Renaud	Executive Director of Pollution Control, Deputy City Engineer
Mark Winterton	Commissioner, Infrastructure Services
Wira Vendrasco	City Solicitor
Dana Paladino	Commissioner, Corporate Services
Janice Guthrie	Commissioner, Finance and City Treasurer
Joe Mancina	Chief Administrative Officer

**Notifications:**

Name	Address	Email

**Appendices:**

- 1 Appendix A - CR383/2023 (4 pages)
- 2 Appendix B - CR70/2023 (2 pages)

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**City Council  
Decision  
Tuesday, September 5, 2023**

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

Decision Number: CR383/2023

- I. That City Council **RECEIVE** for information this report as an overall status update on the progress of the Disaster Mitigation & Adaptation Fund (DMAF) 1 Program; and,
- II. That subject to the funding strategy outlined under Recommendation III (b), the following tender be **ACCEPTED** for the St. Paul Pumping Station Upgrades project:

**TENDERER:** North American Construction (1993) Ltd.  
21 Queen Street, Morriston, ON, N0B 2C0

**TENDER NO:** 95-23

**TOTAL TENDER PRICE:** \$26,188,887.00, excluding HST; 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,

- III. That with respect to the DMAF 1 Program:
  - a. That Administration **BE AUTHORIZED** to formally submit an amendment request to Infrastructure Canada (INFC) regarding the original DMAF 1 Agreement to explore the reduced scope option as identified herein, satisfactory in form to the Commissioner, Legal & Legislative Services, in financial content to the Commissioner, Corporate Services / Chief Financial Officer / City Treasurer, and in technical content to the Commissioner of Infrastructure Services; and,
  - b. That City Council **SUPPORT** the allocation, extension, and pre-commitment of \$4,000,000 annually for the incremental allocation to the Sewer Master

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- Plan (SMP) approved as part of the 2023 Sewer Surcharge Budget in order to sufficiently address the funding required to support a reduced scope for the DMAF 1 Program such that:
- i. \$4,000,000 from previously approved funding in 2023 Sewer Surcharge Budget allocated to the Sewer Master Plan be directed to the DMAF 1 Program; and,
  - ii. \$4,000,000 in annual funding from 2024-2027 be pre-committed so that these funds are available for immediate use within DMAF 1 Program; and,
  - iii. Placeholder funding of \$4,000,000 each year from 2028 to 2035 be approved and that once funding for each year is within 5 years it be deemed pre-committed and available for immediate use within the DMAF 1 Program; and,
- c. That the CFO/City Treasurer **BE DIRECTED** to affect the above noted changes in the applicable 2024 - 2035 Budgets so that funds are available for immediate use; and,
- d. That should an agreement on scope change from Infrastructure Canada (INFC) be received with no financial impact beyond that noted above, that Council **AUTHORIZE** the City Clerk and CAO to sign an amended DMAF 1 Agreement satisfactory in form to the Commissioner, Legal & Legislative Services, in financial content to the Commissioner, Corporate Services / Chief Financial Officer / City Treasurer, and in technical content to the Commissioner of Infrastructure Services; and,
- IV. That with respect to DMAF 4 Program:
- a. That City Council **APPROVE** the capital works required for the construction of the DMAF #4 – Large Scale Stream – RTB; and,
  - b. That City Council **AUTHORIZE** the creation of a new capital account titled “DMAF 4 – Large Scale Stream - RTB” be used to track and record capital expenditures related to the proposed project; and,



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- c. That City Council **AUTHORIZE** the use of debt as a funding alternative to address any additional municipal funding requirements for purposes of securing the long-term funding associated with the DMAF 4 Program, with principal and interest payments to be incorporated as a first charge against future Sewer Surcharge Budgets; and,
  - d. That the CFO/City Treasurer **BE DIRECTED** to report back to City Council with updated information, along with any additional funding requirements, needed to allow for the full implementation of the proposed funding strategy for DMAF 4 prior to use of debt; and,
  - e. That subject to the proposed financing strategy being supported by Council that Administration **BE AUTHORIZED TO ADVISE** Infrastructure Canada (INFC) that discussions with respect to the development of a Contribution Agreement for the award of funding under DMAF 4 can be restarted; and,
  - f. That, if required, the CAO and City Clerk **BE AUTHORIZED** to execute any agreements and or applications which are deemed necessary to commence the capital works for the DMAF 4 Program, satisfactory in form to the Commissioner, Legal & Legislative Services, in financial content to the Commissioner, Corporate Services / Chief Financial Officer / City Treasurer, and in technical content to the Commissioner of Infrastructure Services; and,
- V. That Administration **BE AUTHORIZED** to issue any change order(s) for any project agreement and/or contracts for any DMAF Program projects as may be required, provided that the amendment(s) are within approved budget amounts, satisfactory in financial content to the Chief Financial Officer/City Treasurer, and in technical content to the Commissioner of Infrastructure Services.

Carried.

Report Number: C 128/2023 11.6

Clerk's File: SW/13822 & GFG/12912 & SW/14642

*Anna Ciacelli*

Deputy City Clerk  
February 26, 2024



## OFFICE OF THE CITY CLERK COUNCIL SERVICES

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CITY HALL  
WINDSOR, ONTARIO  
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### Department Distribution

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Colleen Middaugh	Manager of Corporate Projects
Natasha Gabbana	Senior Manager, Asset Planning
Alex Vucinic	Manager of Purchasing
Stacey McGuire	Executive Director of Engineering, Deputy City Engineer
Jake Renaud	Executive Director of Pollution Control, Deputy City Engineer
Shelby Askin Hager	Commissioner, Legal & Legislative Services
Chris Nepszy	Commissioner, Infrastructure Services
Janice Guthrie	Commissioner, Corporate Services
Joe Mancina	Chief Administrative Officer

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**City Council  
Decision  
Monday, February 13, 2023**

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

Decision Number: CR 70/2023

- I. That City Council **RECEIVE** for information this report as an overall status update on the progress of the Disaster Mitigation & Adaptation Fund (DMAF) 1 Program, including an update on the challenges surrounding recent economic conditions and the resulting inflationary pressures; and,
- II. That Administration **BE DIRECTED** to hold DMAF 1 construction tenders as outlined in Appendix C, pending discussions with Infrastructure Canada (INFC) to further investigate and consider strategies to address the increasing impacts of inflationary pressures on the DMAF 1 Program; and,
- III. That Administration **BE DIRECTED** to request Infrastructure Canada (INFC) for an extension to the completion date for the DMAF 1 Program, from March 31, 2028 to March 31, 2032; and,
- IV. That Administration **BE DIRECTED** to advise Infrastructure Canada (INFC) that discussions with respect to the development of a Contribution Agreement for the award of funding under DMAF 4 will be placed on hold pending further review of the strategies developed to address DMAF 1 and our commitments under that Agreement; and,
- V. That Council **SEND** a letter to the Federal Government (Minister of Intergovernmental Affairs, Infrastructure and Communities) and to our local Federal Members of Parliament, as well as the Federation of Canadian Municipalities (FCM) to request that the federal government provide additional funding to avoid the downloading of inflation-adjusted construction costs to municipal ratepayers.

Carried.

Report Number: C 17/2023  
Clerk's File: SW/13822 11.3



## OFFICE OF THE CITY CLERK COUNCIL SERVICES

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*Anna Ciacelli*

Deputy City Clerk  
March 17, 2023

### Department Distribution

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Colleen Middaugh	Manager of Corporate Projects
France Isabelle-Tunks	Executive Director of Engineering / Deputy City Engineer
Chris Nepszy	Commissioner, Infrastructure Services
Joe Mancina	Commissioner, Corporate Services
Shelby Askin Hager	Commissioner, Legal & Legislative Services
Thom Hunt	City Planner
Wira Vendrasco	Deputy City Solicitor – Legal & Real Estate
Onorio Colucci	Chief Administrative Officer
William Foot	Council Assistant
Natasha Gabbana	Senior Manager of Asset Planning

### External Distribution

**Item No. 12.2**



**Committee Matters: SCM 65/2024**

**Subject: Report of the Special meeting of Council – In-camera of its meeting held Monday, February 26, 2024**

**SPECIAL MEETING OF COUNCIL – IN CAMERA  
February 26, 2024**

**Meeting called to order at: 11:56 a.m.**

**Members in Attendance:**

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

**Members Absent:**

Councillor Fred Francis

**Also in attendance:**

Ray Mensour, Acting Chief Administrative Officer  
Andrew Daher, Commissioner, Human and Health Services  
Mark Winterton, Acting Commissioner of Infrastructure Services/City  
Engineer  
Janice Guthrie, Commissioner of Finance/City Treasurer  
Dana Paladino, Acting Commissioner of Corporate Services  
Matt Johnson, Acting Commissioner Economic Development  
Steve Vlachodimos, City Clerk  
Wira Vendrasco, Acting City Solicitor  
Abe Taqtaq, Mayor's Chief of Staff (arrives at 12:04 p.m.)  
Stacey Mcguire, Executive Director Engineering (Item 3)

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

Item No.	Subject & Section - Pursuant to <i>Municipal Act, 2001</i> , as amended
1	Property matter – sale of land, Section 239(2)(c)
2	Property matter – lease, Section 239(2)(c)
3	Property matter – economic development opportunity, Section 239(2)(c)(k)
4	Personal matter – labour relations/negotiations, Section 239(2)(d)

**Motion Carried.**

**Declarations of Pecuniary Interest:**

None declared.

**Discussion on the items of business.**

Verbal Motion is presented by Councillor Mark McKenzie, seconded by Councillor Fabio Costante, to move back into public session.

**Motion Carried.**

**Moved by Councillor Gary Kaschak, seconded by Councillor Renaldo Agostino, THAT the Clerk BE DIRECTED to transmit the recommendation(s) contained in the report(s) discussed at the In-Camera Council Meeting held February 26, 2024 directly to Council for consideration at the next Regular Meeting.**

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

2. That the recommendation contained in the in-camera report from the Lease Administrator, Manager of Real Estate Services, Acting City Solicitor, Acting Commissioner of Corporate Services, Executive Director of Employment and Social Services, Commissioner of Human and Health Services and Commissioner of Finance/City Treasurer respecting a property matter – lease **BE APPROVED**.

3. That the recommendation contained in the in-camera report from the Senior Economic Development Officer, Executive Director of Economic Development, Commissioner of Economic Development, Acting City Solicitor, Acting Commissioner of Infrastructure Services and Commissioner of Finance/City Treasurer respecting a property matter – economic development opportunity **BE APPROVED** and that Administration **FURTHER PROCEED** in accordance with the verbal instructions of Council.

4. That the confidential report from the Financial Planning Administrator Windsor Fire & Rescue, Fire Chief, Executive Director of Human Resources, Commissioner of Community Services, Acting Commissioner of Corporate Services and Commissioner of Finance/City Treasurer respecting a personal matter – labour relations/negotiations **BE RECEIVED**.

**Motion Carried.**

**Moved by Councillor Kieran McKenzie, seconded by Councillor Jim Morrison,  
That the special meeting of council held February 26, 2024 BE ADJOURNED.  
(Time: 12:25 p.m.)  
Motion Carried.**



BY-LAW NUMBER 45-2024

A BY-LAW TO ASSUME FOR SUBSEQUENT CLOSURE THE 4.57 METRE NORTH/SOUTH ALLEY AND THE 6.10 METRE EAST/WEST ALLEY LOCATED NORTH OF UNIVERSITY STREET EAST, WEST OF PARENT AVENUE AND SOUTH OF CHATHAM STREET EAST, CITY OF WINDSOR

Passed the 18<sup>th</sup> day of March, 2024.

**WHEREAS** the 4.57 metre north/south alley and the 6.10 metre east/west alley located north of University Street East, west of Parent Avenue and south of Chatham Street East, City of Windsor, more particularly described in Schedule "A" hereto annexed, is assumed for subsequent closure;

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

1. That the 4.57 metre portion of the north/south alley and the 6.10 metre portion of the east/west alley located north of University Street East, west of Parent Avenue and south of Chatham Street East, City of Windsor, more particularly described in Schedule "A" hereto annexed and forming part of this by-law, be and the same is hereby assumed for subsequent closure.
2. That this by-law shall come into force and take effect on the day of the final passing thereof.

DREW DILKENS, MAYOR

CITY CLERK

First Reading - March 18, 2024  
Second Reading - March 18, 2024  
Third Reading - March 18, 2024

**SCHEDULE "A"**  
**TO BY-LAW 45-2024**

Part Alley, Plan 143, designated as Parts 1 and 2, Plan 12R29624; Windsor

Being part of PIN 01151-0358 (LT)

City of Windsor  
County of Essex

Part Lane, Plan 141, designated as Parts 3 and 4, Plan 12R29624; Windsor

Being part of PIN 01151-0117 (LT)

City of Windsor  
County of Essex

BY-LAW NUMBER 46-2024

A BY-LAW TO CLOSE, STOP UP AND CONVEY THE 4.57 METRE NORTH/SOUTH ALLEY AND THE 6.10 METRE EAST/WEST ALLEY LOCATED NORTH OF UNIVERSITY STREET EAST, WEST OF PARENT AVENUE AND SOUTH OF CHATHAM STREET EAST, CITY OF WINDSOR

Passed the 18<sup>th</sup> day of March, 2024.

**WHEREAS** it is deemed expedient to close, stop up and convey the 4.57 metre north/south alley and the 6.10 metre east/west alley located north of University Street East, west of Parent Avenue and south of Chatham Street East, City of Windsor, more particularly described in Schedule "A" attached hereto;**THEREFORE** the Council of the Corporation of the City of Windsor enacts as follows:

1. That the 4.57 metre north/south alley and the 6.10 metre east/west alley located north of University Street East, west of Parent Avenue and south of Chatham Street East, City of Windsor, more particularly described in Schedule "A" attached hereto and forming part of this by-law, be and the same is hereby closed and stopped up.
2. That any required easements pursuant to Council Resolution CR225/2023 be registered prior to conveyance.
3. That conveyance cost be set in accordance with Council Resolution CR225/2023.
4. That the Chief Administrative Officer and City Clerk be authorized and directed to execute on behalf of The Corporation of the City of Windsor and to seal with the seal thereof, any and all documents necessary to implement the foregoing; and that the transaction be completed electronically, for property where it is available, pursuant to By-law Number 366-2003, as amended from time to time.
5. This by-law shall come into force and take effect the day upon which it is registered in the Land Registry Office for the County of Essex (No. 12).

DREW DILKENS, MAYOR

CITY CLERK

First Reading - March 18, 2024  
Second Reading - March 18, 2024  
Third Reading - March 18, 2024

**SCHEDULE "A"**  
**TO BY-LAW 46-2024**

Part Alley, Plan 143, designated as Parts 1 and 2, Plan 12R29624; Windsor

Being part of PIN 01151-0358 (LT)

City of Windsor  
County of Essex

Part Lane, Plan 141, designated as Parts 3 and 4, Plan 12R29624; Windsor

Being part of PIN 01151-0117 (LT)

City of Windsor  
County of Essex

BY-LAW NUMBER 47-2024

A BY-LAW TO PROVIDE FOR THE ABANDONMENT OF THE ENTIRE  
GRAVEL ROAD DRAIN

Passed the 18<sup>th</sup> day of March, 2024.

**WHEREAS** Section 84 of the *Drainage act, R.S.O. 1990, c.D.17* provides for the abandonment of all or part of drainage works;

**AND WHEREAS** the Gravel Road Drain constitutes drainage works constructed pursuant to the said *Drainage Act*;

**AND WHEREAS** it is deemed expedient to abandon the Gravel Road municipal drain in the City of Windsor;

**AND WHEREAS** the owners of land assessed for the Gravel Road Municipal Drain were notified of the City's intention to abandon such drainage works and no notice from any of the aforementioned owners was received requiring a report of an Engineer was made on such proposed abandonment;

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

1. THAT the entire Gravel Road Drain located in the City of Windsor be abandoned.
2. THAT hereafter the Corporation of the City of Windsor has no further obligation with respect to the said drainage works.
3. THAT this by-law shall come into force and take effect on the day of the final passing thereof.

DREW DILKENS, MAYOR

CITY CLERK

First Reading - March 18, 2024  
Second Reading - March 18, 2024  
Third Reading - March 18, 2024

BY-LAW NUMBER 48-2024

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

Passed the 18<sup>th</sup> day of March, 2024.

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

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

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

1. Item Number	2. Zoning District Map Part	3. Lands Affected	4. Official Plan Amendme nt Number	5. Zoning Symbol	6. New Zoning Symbo l
1	4	Lots 126 to 129 (inclusive) & Part of Alley, Registered Plan 973, Parts 29 to 32 (inclusive), 12R-22457 PIN 080-520-13030	n/a	HRD1.1	RD1.1

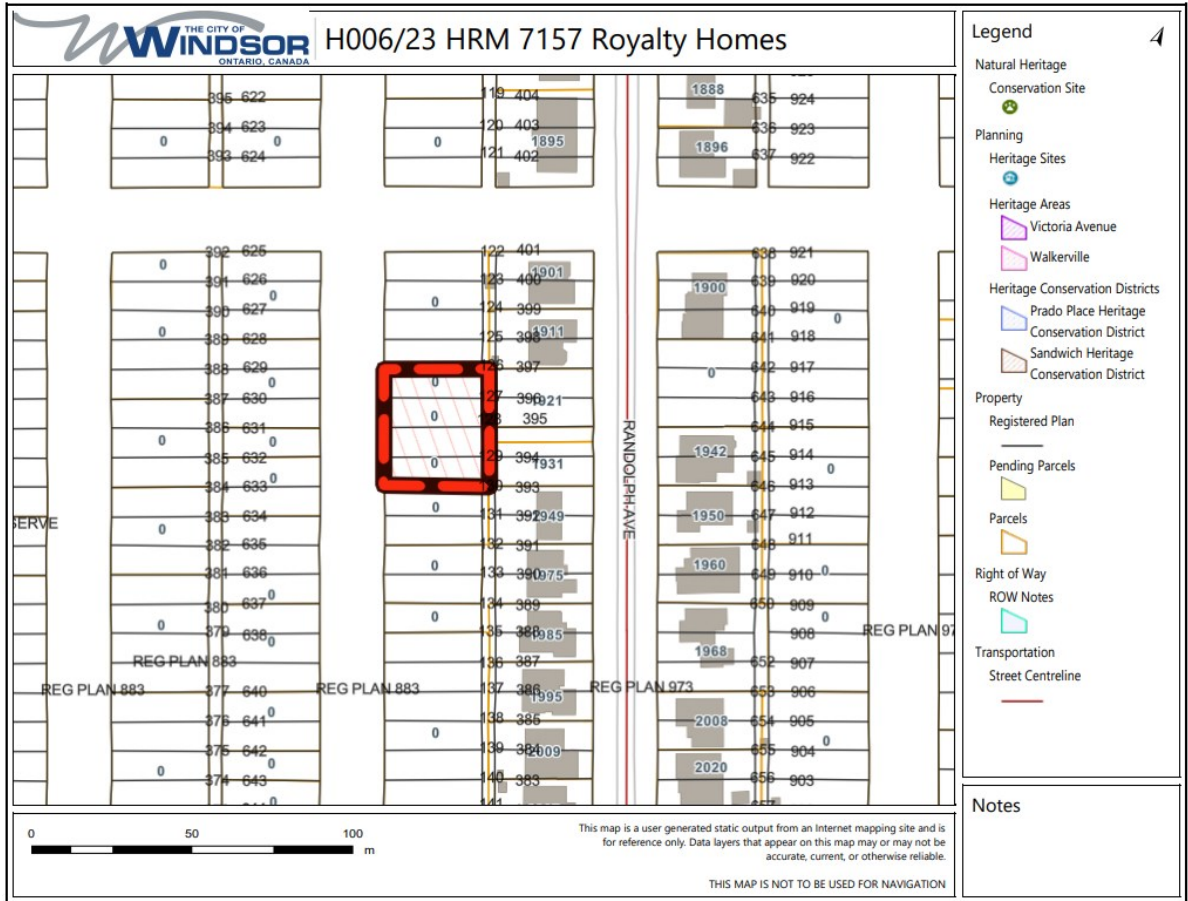
2. That Schedule 'A', attached hereto, is hereby declared to form part of this amending by-law.

DREW DILKENS, MAYOR

CITY CLERK

First Reading - March 18, 2024  
Second Reading - March 18, 2024  
Third Reading - March 18, 2024

## SCHEDULE "A" TO BY-LAW 48-2024



Area for H removal



BY-LAW NUMBER 49-2024

A BY-LAW TO ADOPT AMENDMENT NO. 169  
TO THE OFFICIAL PLAN OF THE CITY OF WINDSOR

Passed the 18<sup>th</sup> day of March, 2024.

**WHEREAS** pursuant to the provisions of Section 17(1) of the *Planning Act*, R.S.O. 1990, c. P.13 as amended, the Minister of Municipal Affairs and Housing (Minister) is the approval authority in respect of the approval of a plan as an official plan.

**AND WHEREAS** Section 17(9) of the said *Planning Act* provides that the Minister may by order exempt a proposed official plan amendment from his approval under Section 17(1) of the said Act.

**AND WHEREAS** pursuant to the provisions of Ontario Regulation 525/97 most amendments to the official plan of the City of Windsor commenced after January 19, 1998 are exempt from the approval of the said Minister.

**THEREFORE** the Council of the Corporation of the City of Windsor in accordance with the provisions of the said *Planning Act* hereby enacts as follows:  
1. That Amendment No. **169** to the Official Plan of the City of Windsor, attached hereto, is hereby adopted.

DREW DILKENS, MAYOR

CITY CLERK

First Reading - March 18, 2024  
Second Reading - March 18, 2024  
Third Reading - March 18, 2024



**AMENDMENT NO. 169**  
**TO THE**  
**OFFICIAL PLAN**  
**CITY OF WINDSOR**

Part D (Details of the Amendment) of the following text and attached Schedule D of the City of Windsor Official Plan constitute Amendment No. 169.

Also included, but not constituting part of the Amendment, are explanations of Purpose, Location, Background, and Implementation of the Amendment, and Appendix A (Results of Public Notification).

**A. PURPOSE:**

The purpose of Amendment No. 169 is to change the land use designation of Part of Lot 128, Concession 1, Sandwich East; Part of Lot 129, Concession 1 Sandwich East, Part 1, 12R-16993; T/W R1464779, known as 1460 Lauzon Road from “Industrial” to “Residential”.

**B. LOCATION:**

The amendment applies to the land described as Part of Lot 128, Concession 1, Sandwich East; Part of Lot 129, Concession 1 Sandwich East, Part 1, 12R-16993; T/W R1464779, known as 1460 Lauzon Road (Roll No. 070-720-00150), situated at the southeast corner of Lauzon Road and McHugh Street.

**C. BACKGROUND:**

The applicant’s proposal for this site includes the construction of 3 residential buildings, 2 buildings at 7 storeys and 1 building at 6 storeys each for a total of 291 residential units with 363 associated car parking spaces. The proposed development requires 1.25 parking spaces per dwelling unit, for a total of 363 spaces being required with 363 being provided.

The applicant requested that the Official Plan designation for the site be changed from Industrial to Residential. The concept plan for the site indicated that a Medium Profile development is proposed for this site.

The City of Windsor Official Plan currently designates the site Industrial Schedule D – Land Use.

An amendment to the Official Plan that would apply the Residential designation is required.

This site is flanked on the north and south by residential development on residentially designated land, the appropriate land use designation for this site is the Residential designation. The Residential designation in the City of Windsor Official Plan permits low and medium profile developments not greater than twenty-four (24) metres in height. The proposed development is 21m (7 storeys) in height which would conform to Section 6.3.1.2 of the Official Plan.

Other residential buildings of similar height and form currently exist further north, south and east of this site. This indicates that the proposed Multiple Dwelling is compatible within its context.

The proposed development is appropriate in this location as it will help to support a diverse neighbourhood that represents a sustainable community and will provide housing that is in demand. The proposed development will help to encourage a pedestrian orientated cluster of residential, commercial and employment uses. The proposed

residential development represents a complementary and compact form of housing and intensification that is near sources of transportation.

The multiple dwelling development as proposed will be subject to site plan control.

When Official Plan Amendment 169 is approved, the requested zoning amendment will conform to the Zoning Amendment Policies in Section 11.6.3 of the Official Plan and conform to the general intent of the Official Plan.

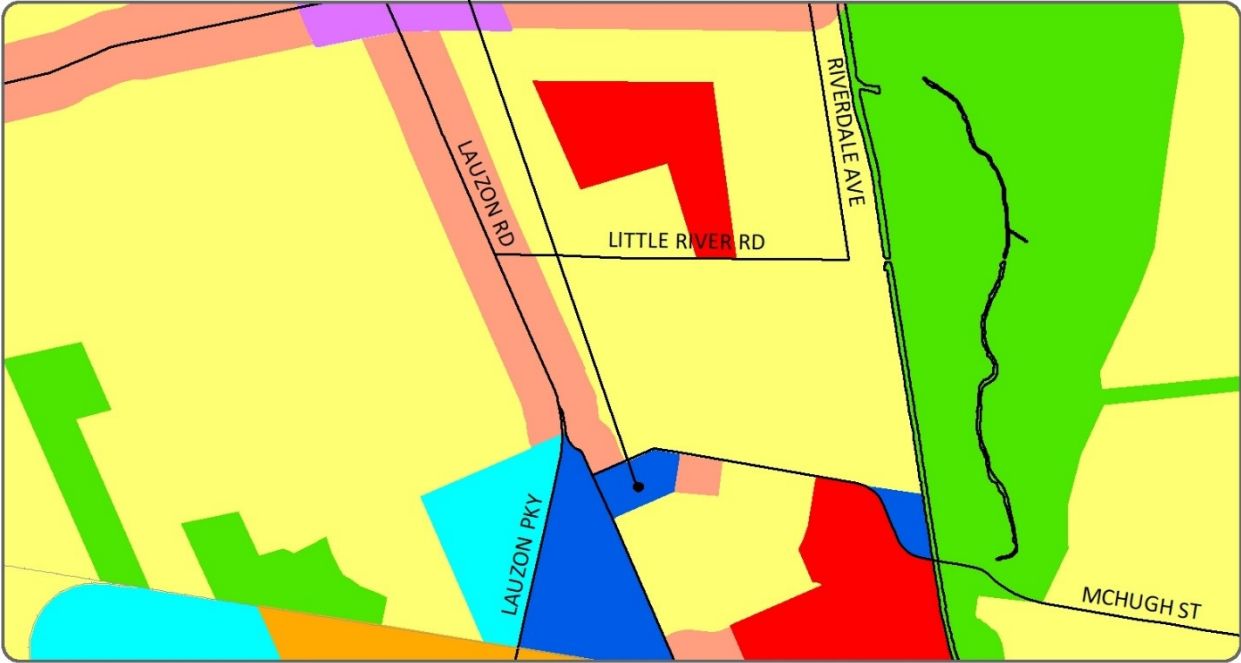
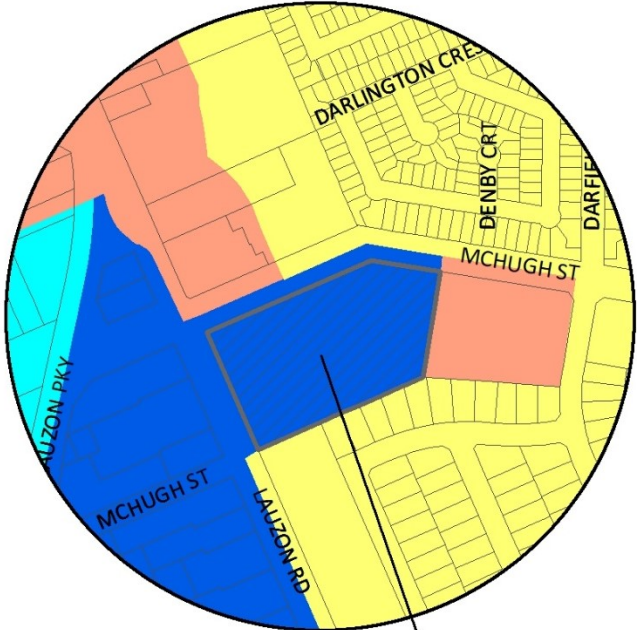
**D. DETAILS OF THE AMENDMENT:**

- 1) The land use designation of the site, comprising Part of Lot 128, Concession 1, Sandwich East; Part of Lot 129, Concession 1 Sandwich East, Part 1, 12R-16993; T/W R1464779, known as 1460 Lauzon Road as shown on Schedule "D", is changed from "Industrial" to "Residential".

**E. IMPLEMENTATION:**

- i. This amendment is to be implemented by an amendment to Zoning By-law 8600 as recommended by the Development and Heritage Standing Committee recommendation DHSC 587 and approved by Council by CR88/2024.

LANDS AFFECTED BY  
OFFICIAL PLAN AMENDMENT NO.169



**OFFICIAL PLAN AMENDMENT NO. 169**

	AREA SUBJECT TO OFFICIAL PLAN AMENDMENT NO.169		MIXED USE		INDUSTRIAL		NATURAL HERITAGE
	RESIDENTIAL		MIXED USE NODE		BUSINESS PARK		OPEN SPACE
	WATERFRONT RESIDENTIAL		MIXED USE CENTRE		MAJOR INSTITUTIONAL		WATERFRONT RECREATION

## APPENDIX A

The following are the results of public notification of the amendments and the outcome of public meetings. Comments relate to the Official Plan Amendment and the associated rezoning amendment.

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### DEVELOPMENT & HERITAGE STANDING COMMITTEE (DHSC):

A meeting of the DHSC was held on February 5, 2024 to consider the applications Z 008-23 [ZNG-6976] & OPA 169 [OPA-6977] 2830065 Ontario Ltd. (Alta Nota-Mariusz Buchcic) 1460 Lauzon Rd and Staff Report S 9/2024. This is the statutory public meeting required by the Planning Act. Below is an extract from the minutes of the meeting:

**7.2. Official Plan & Zoning Bylaw Amendments Z 008-23 [ZNG-6976] & OPA 169 [OPA-6977] 2830065 Ontario Ltd. (Alta Nota-Mariusz Buchcic) 1460 Lauzon Rd Multiple Dwelling Development – Ward 6**

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

Decision Number: **DHSC 587**

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### Minutes Development & Heritage Standing Committee Monday, February 5, 2024

Page 12 of 18

THAT an amendment to Schedule 'D'- Land Use of Volume I the City of Windsor Official Plan, **BE APPROVED**, by changing the land designation of Part of Lot 128, Concession 1, Sandwich East; Part of Lot 129, Concession 1 Sandwich East, Part 1, 12R-16993; T/W R1464779, in the City of Windsor, known municipally as 1460 Lauzon Road from "Industrial" to "Residential"; and,

THAT an amendment to City of Windsor Zoning By-law 8600 **BE APPROVED** changing the zoning of Part of Lot 128, Concession 1, Sandwich East; Part of Lot 129, Concession 1 Sandwich East, Part 1, 12R-16993; T/W R1464779, in the City of Windsor, known municipally as 1460 Lauzon Road from Manufacturing District MD1.2 and Holding Manufacturing District HMD1.2 to Residential District (RD) 3.2.; and,

THAT subsection 1 of Section 20 of the City of Windsor Zoning By-law 8600 **BE AMENDED** for Part of Lot 128, Concession 1, Sandwich East; Part of Lot 129, Concession 1 Sandwich East, Part 1, 12R-16993; T/W R1464779, in the City of Windsor, known municipally as 1460 Lauzon Road by adding site specific regulations as follow:

**499. Southeast corner Lauzon Road and McHugh Street**

For the lands described as for Part of Lot 128, Concession 1, Sandwich East; Part of Lot 129, Concession 1 Sandwich East, Part 1, 12R-16993; T/W R1464779, in the City of Windsor, known municipally as 1460 Lauzon Road, the following regulations shall apply:

Building setback from an interior lot line abutting a Residential District (RD) 1.1 zone - 24m

Carried.

Councillor Mark McKenzie was absent from the meeting when the vote was taken on this matter.

Report Number: S 9/2024  
Clerk's File: Z/14589 & Z/14588

## **CITY OF WINDSOR COUNCIL MEETING:**

A meeting of City Council was held on February 26, 2024, at which time the recommendations of the Development & Heritage Standing Committee were considered. No delegations were made to Council, and no discussion was had regarding the application. Council ratified the Standing Committee recommendation as part of the Consent Agenda CR88/2024 DHSC 587.

BY-LAW NUMBER 50-2024

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

Passed the 18<sup>th</sup> day of March, 2024.

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

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

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

1. Item Number	2. Zoning District Map Part	3. Lands Affected	4. Official Plan Amendme nt Number	5. Zoning Symbol	6. New Zoning Symbol
1	14	Part of Lot 128, Concession 1, Sandwich East; Part of Lot 129, Concession 1 Sandwich East, Part 1, 12R-16993; T/W R1464779, known as 1460 Lauzon Road	169	MD1.2 & HMD1.2	RD 3.2

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

**499. SOUTHEAST CORNER OF LAUZON ROAD AND McHUGH STREET**

For the lands described as Part of Lot 128, Concession 1, Sandwich East; Part of Lot 129, Concession 1 Sandwich East, Part 1, 12R-16993; T/W R1464779, the following regulations shall apply:

Building setback from an interior lot line abutting a Residential District (RD) 1.1 zone - 24m

(ZDM 14; ZNG/6976)

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

1. Item Number	2. Zoning District Map Part	3. Lands Affected	4. Official Plan Amendment Number	5. Zoning Symbol
1	14	Part of Lot 128, Concession 1, Sandwich East; Part of Lot 129, Concession 1 Sandwich East, Part 1, 12R-16993; T/W R1464779, in the City of Windsor, known municipally as 1460 Lauzon Road	169	S.20(1) 499

DREW DILKENS, MAYOR

CITY CLERK

First Reading - March 18, 2024  
 Second Reading - March 18, 2024  
 Third Reading - March 18, 2024



BY-LAW NUMBER 51-2024

A BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE 18TH DAY OF MARCH, 2024.

Passed the 18<sup>th</sup> day of March, 2024.

**WHEREAS** it is deemed expedient that the proceedings of the Council of The Corporation of the City of Windsor at this meeting be confirmed and adopted by by-law;

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

1. The action of the Council of The Corporation of the City of Windsor in respect to each recommendation contained in the Report/Reports of the Committees and the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of The City of Windsor at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this by-law.
2. The Mayor and the proper officials of The Corporation of the City of Windsor are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Windsor referred to in the preceding section hereof.
3. The Mayor and the City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Windsor.

This by-law shall come into force and take effect on the day of the final passing thereof.

DREW DILKENS, MAYOR

CITY CLERK

First Reading - March 18, 2024  
Second Reading - March 18, 2024  
Third Reading - March 18, 2024



**Committee Matters: SCM 63/2024**

**Subject: Summary of Outstanding Council Questions as of March 6, 2024**

**OUTSTANDING COUNCIL QUESTIONS**

Just a reminder that this is quoted from the 2004 Council report:

**“overdue Council Questions (i.e., outstanding for 30 days or more) be responded to immediately.”**

**Outstanding:**

- 2019 – 1
- 2020 – 3
- 2021 – 3
- 2022 – 1
- 2023 – 25
- 2024 – 13

**2019**

**Total Outstanding: 1**

COUNCIL MEMBER		QUESTION – ISSUES RAISED	
Kieran McKenzie	Chief Administrative Officer	<p><b>CQ7-2019</b></p> <p>Asks that in light of the recent announcement from FCA to eliminate the third shift at the Windsor Assembly Plant and understanding the gravity of the economic impact to our community where as many as 10,000 jobs may be lost or affected, that Administration develop a proposal for Council’s review that could incent FCA to consider the possibility of introducing a new product into the Windsor Assembly Plant Facility. In doing so Administration should consider how existing City of Windsor economic development programs could be applied or amended to create a proposal that can help to protect the jobs now at risk both at the Windsor Assembly Plant and across the community generally.</p> <p>SPL/10759 (April 15, 2019)</p>	<p><b>Type of Response Required</b></p> <p>-Written Report</p>

**Total Outstanding: 3**

<b>COUNCIL MEMBER</b>		<b>QUESTION – ISSUES RAISED</b>	
Kieran McKenzie	Comm. Human Health & Services and Comm. Economic Development	<p><b>CQ4-2020</b></p> <p>That Administration prepare a comparative analysis of the Affordable Housing frameworks and incentives that are in place in comparable municipalities. To the extent that the data is available the analysis should consider all forms of affordable housing and the composition of the affordable housing marketplace in the communities analyzed.</p> <p>SS2020 (February 3, 2020)</p>	<p><b>Type of Response Required</b></p> <p>-Written Report</p>
Fabio Costante	Comm. Corporate Services (Executive Director Human Resources)	<p><b>CQ17-2020</b></p> <p>It is important that we recognize and acknowledge the historic and systemic nature of racism and discrimination in our country and our City. We understand that to move forward and promote equity and eliminate anti-racism requires reaching out to and hearing from the voices of those in our community and Corporation most impacted by discrimination and racism.</p> <p>In this pursuit, it is also essential that we work towards having a Corporation that is representative of the people it serves and that everyone is treated with respect. As such, I am seeking the input and recommendations of Administration and our Diversity Advisory Committee on the viability of:</p> <ol style="list-style-type: none"> <li>1. Including community-led consultations on systemic racism, under Phase 2 of the City of Windsor Diversity and Inclusion Initiative.</li> <li>2. Seeking the input of those in our Corporation and related entities and our community most affected by racism and discrimination, regarding barriers to hiring and advancement in our Corporation and related entities as part of the Diversity and Inclusion Initiative.</li> <li>3. Including recommendations and input regarding providing historical information and educational materials for City owned statues, buildings and streets named with racist histories as part of the Diversity and Inclusion Initiative,</li> </ol>	<p><b>Type of Response Required</b></p> <p>-Written Report</p>

		and further developing a plan for inclusive street and property naming practices in the future.  APM2020 (July 13, 2020)	
McKenzie	Comm. Economic Development	<b>CQ32-2020</b> That Administration review and report back to Council on tree protection and replacement policies as it relates to the City of Windsor's land development bylaws. The review should include information pertaining to replacement ratios and the mechanisms by which trees are protected and required to be protected through the development process as well as the extent to which development is impacting the total tree count under our current framework along with options for Council to consider in terms of protecting trees and increasing tree cover through land development policy.  SRT2020 (December 7, 2020)	<b>Type of Response Required</b> -Written Report

**Total Outstanding: 3**

<b>COUNCIL MEMBER</b>		<b>QUESTION – ISSUES RAISED</b>	
Jo-Anne Gignac	Comm. Corporate Services (Executive Director of Human Resources)	<p><b>CQ7-2021</b>                      Asking Administration to provide a report to Council outlining the policy that regulates procedures after an accident involving City vehicles and any amendments they might propose to update it.</p> <p>ACD2021 &amp; AL2021 18.2 (March 29, 2021)</p>	<p><b>Type of Response Required</b>                      -Written Report</p>
Kieran McKenzie	Comm. Corporate Services	<p><b>CQ17-2021</b>                      Asks that, to promote greater public safety for all people, that Administration work to develop a by-law for Council consideration to provide the City of Windsor with additional tools within the licensing framework for enforcement agencies to address unsafe and illicit activity in hotels and motels across the community that create dangerous and undesirable situations for motel guests, neighbours, and community members alike. The bylaw development process should include consultation process with industry stakeholders and social service providers, social agencies and health providers from both within and external to the City of Windsor as well as any other stakeholder group deemed appropriate by Administration.</p> <p>AB2021 &amp; MH2021 18.1 (July 26, 2021)</p>	<p><b>Type of Response Required</b>                      -Written Report</p>
Jo-Anne Gignac	Comm. Economic Development	<p><b>CQ26-2021</b>                      Asks that Administration research what municipal zoning bylaws may be in place in other municipalities in Ontario or across Canada that regulate Cannabis retail outlets/consumption areas.</p> <p>GP/13047 18.3 (November 1, 2021)</p>	<p><b>Type of Response Required</b>                      -Written Report</p>

**Total Outstanding: 1**

<b>COUNCIL MEMBER</b>		<b>QUESTION – ISSUES RAISED</b>	
Fabio Costante	Comm. Community Services	<b>CQ14-2022</b> Asks that, as part of the Urban Forest Management Plan, Administration should include information about the following: How a tree is determined to be either public or privately owned. Reason(s) for potential change in ownership status. The impacts of change in ownership status for the municipality and the private property owner with respect to liability, maintenance and replacement costs.  ACOQ2022 & SRT2022 (August 8, 2022)	<b>Type of Response Required</b> -Written Report

**Total Outstanding: 25**

<b>COUNCIL MEMBER</b>		<b>QUESTION – ISSUES RAISED</b>	
Kieran McKenzie	Comm. Economic Development	<p><b>CQ1-2023</b>                      Asks that given Council's declaration of a Climate Change Emergency informing the need to address climate change through municipal policy frameworks;</p> <p>And further, given the energy capacity challenges and opportunities faced by our community over the short, medium and long term;</p> <p>That Administration report back to Council with proposals for Council consideration to create a Green Energy Community Energy Plan (CIP) with the goal of creating a favourable energy investment climate for sustainable energy proposals.</p> <p>ACOQ2023 (January 16, 2023)</p>	<p><b>Type of Response Required</b>                      -Written Report</p>
Gary Kaschak	Comm. Community Services	<p><b>CQ2-2023</b>                      Asks if this City Council wanted to potentially relocate in 2024 or 2025 the Bright Lights event from Jackson Park to a Downtown location starting at an Intersection like University Ave and Ouellette Ave and then work its way East to the City Hall open lands and then proceed North along the open lands/esplanade towards Riverside Drive. I ask Administration to provide a report in regards to the infrastructure, logistics and safety requirements required and obviously the cost of potentially relocating this event for the December 2024 Holiday season or no later than the December 2025 Holiday season.</p> <p>ACOQ2023 (January 16, 2023)</p>	<p><b>Type of Response Required</b>                      -Written Report</p>
Mark McKenzie	Comm. Infrastructure Services	<p><b>CQ4-2023</b>                      That Administration develop a report and policy for Council on the feasibility of Electric Vehicle Charging Stations be installed to all current and future municipally owned parking lots and garages.</p> <p>ST2023 (February 13, 2023)</p>	<p><b>Type of Response Required</b>                      -Written Report</p>



Kieran McKenzie	Comm. Economic Development (City Planner)	<p><b>CQ5-2023</b></p> <p>Given the significant housing crisis challenging municipalities across Canada, including the City of Windsor</p> <p>And noting, the objective stated by the Government of Ontario to add 1.5 Million home across the province over the next 10 years, including 13,000 in our Community.</p> <p>And Whereas, the City of Windsor has already recognized the benefits of adding housing capacity through Additional Dwelling Units (ADUs) by enacting Planning Act amendments thereby eliminating some barriers to investment.</p> <p>That Administration report back with further options for Council to consider that would include a range of financial tools including (but not necessarily limited to) a targeted Community Improvement Plan or Grant program that would address industry challenges to help promote greater uptake of the opportunity to augment housing stock through investments in ADUs.</p> <p>SS2023 (February 13, 2023)</p>	<p><b>Type of Response Required</b></p> <p>-Written Report</p>
Kieran McKenzie	Comm. Corporate Services (City Clerk)	<p><b>CQ6-2023</b></p> <p>That, given the City of Windsor’s stated objective in Council’s approved Diversity and Inclusion Initiative to: continually take steps to learn and grow as a community and to recognize that “diversity adds to our strength and creates an important opportunity for fostering understanding, acceptance and innovation”, and,</p> <p>The City’s publicly articulated commitment to an Agency, Board and Committee (ABC) appointments process that is transparent, fair and consistent;</p> <p>That Administration undertake a review of the city’s appointment policy, including a comparison to processes and policies adopted in peer municipalities such as (but not limited to) London, Kitchener and Cambridge and report back with options for Council consideration in terms of best practices or improvements that can be made in the context of Equity, Diversity, Inclusion, Transparency and Accountability.</p> <p>ACO2023 (February 13, 2023)</p>	<p><b>Type of Response Required</b></p> <p>-Written Report</p>

Angelo Marignani	Comm. Community Services	<p><b>CQ10-2023</b></p> <p>That Administration report back to City Council on a collaboration with Detroit City Council in creating a new International Freedom Festival. This world class civic event will promote international investment while improving the quality of life in our city. It will showcase our rich heritage and shared identity of our two cities. The focal point of this new annual festival will be the new Gordie Howe International Bridge, opening in 2024. There is more than a bridge that connects us and it is in our advantage to strengthen these connections.</p> <p>SR2023 (February 27, 2023)</p>	<p><b>Type of Response Required</b></p> <p>-Written Report</p>
Mark McKenzie	Comm. Community Services	<p><b>CQ12-2023</b></p> <p>Asks that Administration develop new policies and provide report back to tamp down on “frivolous, dangerous and unreasonable” behaviour at City Hall and other City owned facilities, similar to Essex County Council. Also, report back on feasibility of installing metal detectors at City Hall and WFCU Centre.</p> <p>ACO2023 (May 29, 2023)</p>	<p><b>Type of Response Required</b></p> <p>-Written Report</p>
Mark McKenzie	Comm. Infrastructure Services	<p><b>CQ13-2023</b></p> <p>Asks Administration re-examine the Driveway Requirement Policy regarding 2.2.1 which deals with not allowing front parking, as well as the Official Plan to allow front driveways with report back to Council.</p> <p>SB2023 &amp; ACOQ2023 (May 29, 2023)</p>	<p><b>Type of Response Required</b></p> <p>-Written Report</p>
Gary Kaschak	Comm. Infrastructure Services	<p><b>CQ14-2023</b></p> <p>Asks that Administration investigate the use of rumble strips in an urban environment within the City of Windsor through a pilot installation on Grand Marais Avenue between Plymouth and Pillette Road and that information as to their effectiveness be collected, analyzed and reported back to Council once sufficient data has been collected to determine both the benefits and concerns of their use in an urban setting and that the cost of the pilot be funded through the Expedited Temporary Traffic Calming Program.</p> <p>ST2023 &amp; ACOQ2023 (May 29, 2023)</p>	<p><b>Type of Response Required</b></p> <p>-Written Report</p>

Angelo Marignani	Comm. Community Services	<b>CQ15-2023</b> Asks to have the city look into more auxiliary police being used on a regular schedule in our public parks and trails. A report back on costs and risks involved.  SP2023 (May 29, 2023)	<b>Type of Response Required</b> -Written Report
Fabio Costante	Comm. Infrastructure Services	<b>CQ17-2023</b> Asks Administration to investigate a method to implement Intelligent Transportation applications to improve transportation and traffic flow throughout the City. Including, but not limited to, an advanced warning system for trains for eastbound travel on Tecumseh Road West east of Crawford.  MT2023 (May 29, 2023)	<b>Type of Response Required</b> -Written Report
Mark McKenzie	Comm. Economic Development	<b>CQ21-2023</b> Asks that administration be directed to provide council with a feasibility report on the elimination of the alley closure application fee of \$1505 (and other associated fees) to assist in the acceleration of closing residential alleys.  ACOQ2023 & ACO2023 (July 10, 2023)	<b>Type of Response Required</b> -Written Report
Mark McKenzie	Comm. Corporate Services	<b>CQ22-2023</b> Asks that Administration be directed to provide options on targeted and pro-active enforcement in paved alleys to address garbage, vandalism, encampments, and land maintenance concerns up to and including any possible collaborative efforts that can be initiated with other City departments and resources.  ACOQ2023 & ACO2023 (July 10, 2023)	<b>Type of Response Required</b> -Written Report
Angelo Marignani	Comm. Corporate Services (Deputy Licence Commissioner)	<b>CQ23-2023</b> Asks that administration report back to city council regarding the rise in popularity of smoker barbecues and the nuisance that it causes in the community with air pollution and concerns from neighbors who no longer can enjoy their outdoors as a result of smoke.  ACO2023(August 8, 2023)	<b>Type of Response Required</b> -Written Report

Mark McKenzie	Comm. Infrastructure Services	<p><b>CQ24-2023</b></p> <p>Asks that administration provide a report to Council regarding construction projects, specific to road repair, sewer infrastructure and road rehab, including policies and procedures, minimum standards and vendor warranties for review.</p> <p>ACO2023 (August 8, 2023)</p>	<p><b>Type of Response Required</b></p> <p>-Written Report</p>
Angelo Marignani	Comm. Infrastructure Services	<p><b>CQ25-2023</b></p> <p>Asks that Administration come back with a report explaining the need for traffic lights at the intersection of Robinet and Tecumseh Rd. To include details such as traffic volume, recent police incidents, and any growing trends in ward seven that indicates the necessity for traffic lights at this intersection. It was also requested that a meeting be set up with traffic department to discuss this concern as well as a follow up with the administration to check on the progress as soon as possible.</p> <p>ACO2023 (September 5, 2023)</p>	<p><b>Type of Response Required</b></p> <p>-Written Report</p>
Renaldo Agostino	Comm. Infrastructure Services / Comm. Economic Development	<p><b>CQ26-2023</b></p> <p>Certain cities across North America have introduced pre-approved housing and primary/secondary/ADU galleries/permits to streamline the process and lower construction costs for residential and accessory dwelling units in order to boost their city's housing supply without dramatically altering neighbourhoods.</p> <p>Raleigh, Stockton and Los Angeles to name a few.</p> <p>The City of Enderby, British Columbia hosted a competition for drawings. The winners' drawings are now for sale by the city to builders for \$1000 each. The drawings are pre-approved and in compliance.</p> <p>Asks that Administration look at these models which could help standardize rules, save time and money and speed up the building of more homes in our city.</p> <p>ACO2023 (September 18, 2023)</p>	<p><b>Type of Response Required</b></p> <p>-Written Report</p>

Ed Sleiman	Comm. Community Services	<p><b>CQ27-2023</b></p> <p>Asks that in light of parking complaints at the Ford Test Track, Administration be requested to report back to Council regarding designing and building 100 parking spaces at Ford Test Track on the former Gordon McGregor lands; and, that the report include financial information and budget allocations as required.</p> <p>ACO2023 (September 18, 2023)</p>	<p><b>Type of Response Required</b></p> <p>-Written Report</p>
Fred Francis	Comm. Infrastructure Services	<p><b>CQ29-2023</b></p> <p>Asks that Administration report back to City Council about a policy regarding capital improvements at city gateways to provide options for further enhancements when budget allotments do not allow for them.</p> <p>ACO2023 (October 30, 2023)</p>	<p><b>Type of Response Required</b></p> <p>-Written Report</p>
Angelo Marignani	Windsor Police Services/Police Chief	<p><b>CQ31-2023</b></p> <p>Asks that Administration look into and report on a pilot project to install video police box. These safety tools will create confidence in our community and help our police force deter crime. I would like to see the pilot project at Optimist Park in Forest Glade or wherever administration sees fit.</p> <p>ACO2023 (October 30, 2023)</p>	<p><b>Type of Response Required</b></p> <p>-Written Report</p>
Jo-Anne Gignac	Comm. Economic Development	<p><b>CQ33-2023</b></p> <p>Asks that Administration report back with tools that we, as a municipality, have to protect areas of our city that we have designated or identified, such as historic districts, historic neighbourhoods or even roadways, such as the Riverside Vista, as developments and intensification occurs in order to ensure that these developments compliment these identified areas.</p> <p>ACO2023 (October 30, 2023)</p>	<p><b>Type of Response Required</b></p> <p>-Written Report</p>
Renaldo Agostino	Comm. Infrastructure Services	<p><b>CQ34-2023</b></p> <p>Downtown businesses face many challenges. A major concern is our current streetscaping plan. Many benches occupy space in front of abandoned businesses. These benches attract unwanted illegal public drinking and in some case use of illegal narcotics. These areas then get used as street bathrooms. This then becomes a burden on the businesses/their redevelopment and in some cases residential buildings ask the residents. Asks that Administration report back regarding the current streetscaping plan to</p>	<p><b>Type of Response Required</b></p> <p>-Written Report</p>

		remove or relocate benches that exist around abandoned businesses.  ACO2023 (October 30, 2023)	
Renaldo Agostino	Comm. Infrastructure Services	<b>CQ35-2023</b> Recently I've had reports from concerned citizens in regards to the operations from out of town buses. I myself was almost involved in a car accident in-front of the police station where a bus just randomly stopped to drop off passengers. I've also had reports concerning seniors being left out in the cold waiting hours for a bus to pick them up with no shelter. Asks that Administration report back regarding out of town buses not utilizing our bus station and what steps can be taken to motivate them to do so.  ACO2023 (October 30, 2023)	<b>Type of Response Required</b> -Written Report
Renaldo Agostino	Comm. Infrastructure Services	<b>CQ36-2023</b> Downtown residents are having a very tough time dealing with noise and loitering issues in lot 16. The problem is after hours partying and cars performing burnouts. It's my understanding that we have been losing this battle for at least a decade. Asks that Administration report back regarding options available for repurposing parking lot 16. ACO2023 (October 30, 2023)	<b>Type of Response Required</b> -Written Report
Renaldo Agostino	Comm. Infrastructure Services	<b>CQ37-2023</b> Asks that Administration report back on EV charging - How will cars in our neighbourhoods, especially those who don't have driveways or garages, charge their electric vehicles? If you park on the street how do you charge your car?  ACO2023 (December 11, 2023)	<b>Type of Response Required</b> -Written Report

**Total Outstanding: 13**

<b>COUNCIL MEMBER</b>		<b>QUESTION – ISSUES RAISED</b>	
Gary Kaschak	Chief Administrative Officer	<p><b>CQ1-2024</b>            Asking that Administration provide a comprehensive report regarding all of the activities, situations, interactions &amp; ramifications involved that occur within our Municipality from having the two current Federal border crossings &amp; soon to be 3 located in our City. All financials, use of City employees &amp; monies involved with Windsor hosting these Federal border crossings are required to be outlined for City Council.</p> <p>ACO2024 &amp; GF2024 (January 15, 2024)</p>	<p><b>Type of Response Required</b>            -Written Report</p>
Angelo Marignani	Comm. Infrastructure Services	<p><b>CQ2-2024</b>            Asks administration to report back on an enhanced street sweeping initiative. The Public Works department to develop and implement a comprehensive street sweeping plan including increase frequency in coverage in area prone to flooding.</p> <p>ACO2024 (January 15, 2024)</p>	<p><b>Type of Response Required</b>            -Written Report</p>
Jo-Anne Gignac	Comm. Community Services	<p><b>CQ3-2024</b>            Canada Goose population is becoming a dangerous hazard and there are no natural predators to keep check on the population growth. Personal injury and vehicle accidents related to geese is on the rise. Asks that administration report on options including a cull be presented to Council.</p> <p>ACO2024 (January 15, 2024)</p>	<p><b>Type of Response Required</b>            -Written Report</p>
Renaldo Agostino	Comm. Infrastructure Services	<p><b>CQ4-2024</b>            Asks that Administration look into removing parking metres across the city and replacing them with modern technology. I would like to know the costs of upgrading our system and the savings we could realize or any additional revenue sources.</p> <p>ACO2024 (January 15, 2024)</p>	<p><b>Type of Response Required</b>            -Written Report</p>

Mark McKenzie	Comm. Community Services	<b>CQ5-2024</b> Asks that administration report back with a variety of operating models & options for Lakeview park marina, including potential divestment options.  ACO2024 & SR2024 (January 15, 2024)	<b>Type of Response Required</b> -Written Report
Kieran McKenzie	Comm. Finance & City Treasurer	<b>CQ6-2024</b> Asks that Administration report back to Council on the Heads and Beds Levy assessing its efficacy mitigating pressure on municipal services from property tax exempt institutions such as colleges, universities, public hospitals and correctional institution.  ACO2024 & AF2024 (January 15, 2024)	<b>Type of Response Required</b> -Written Report
Renaldo Agostino	Comm. Infrastructure Services	<b>CQ7-2024</b> Asks that Administration look into changing some one-way streets downtown back into two-way streets. This has the potential to make our roads safer and bring more business downtown on Pellissier and McDougall, for example.  ACO2024 & ST2024 (February 12, 2024)	<b>Type of Response Required</b> -Written Report
Jo-Anne Gignac	Comm. Infrastructure Services	<b>CQ8-2024</b> Asks that Administration report back regarding the requirement for handicapped parking spots in BIAs and in front of the Capitol Theater.  ACO2024 & ST2024 (February 12, 2024)	<b>Type of Response Required</b> -Written Report
Angelo Marignani	Comm. Infrastructure Services	<b>CQ9-2024</b> Asks that Administration report back regarding a strategy with option to rectify current deficient roads that are not part of our 10-year Capital Budget, while adhering to the budget constraints of the Asset Management Plan – In addition as an interim solution for roads designated as a “like for like” policy without service upgrades. Helping Neighbourhoods where LIP option is financially challenging, this approach aims to enhance constituents’ well-being by offering clearer insight to city policy and ensuring equitable solutions to our residents.  ACO2024 & SW2024 (February 12, 2024)	<b>Type of Response Required</b> -Written Report
Mark McKenzie	Comm. Economic Development	<b>CQ10-2024</b> Asks that Administration report back regarding a policy adjustment for approval, which would change the permit policy to require a property owner to sign off on any permit applications.  ACO2024 & SB2024 (February 12, 2024)	<b>Type of Response Required</b> -Written Report



Angelo Marignani	Chief of Police	<p><b>CQ11-2024</b></p> <p>Asks for a strategic partnership between city Administration and Windsor Police to work closely with school administrators to address specific challenges and tailor solutions to the unique needs of each school in relation to the Kiss and Ride program. The purpose of this question is to ensure safety on our streets for our students and drivers alike.</p> <p>ACO2024 &amp; ST2024 (February 26, 2024)</p>	<p><b>Type of Response Required</b></p> <p>-Written Report</p>
Angelo Marignani	Comm. Community Services	<p><b>CQ12-2024</b></p> <p>Asks that Administration consider instituting an annual citizen recognition award in Windsor to honour hard-working individuals who contribute to our community's well-being. This award would celebrate their effort, inspiring others and reinforce our city's values of compassion and dedication.</p> <p>ACO2024 &amp; APR2024 (February 26, 2024)</p>	<p><b>Type of Response Required</b></p> <p>-Written Report</p>
Gary Kaschak	Comm. Community Services	<p><b>CQ13-2024</b></p> <p>Asks that Administration prepare a report in regards to the potential of City installing a couple squash courts at a City owned facility for residents to rent &amp; use moving forward. I understand there are no squash courts or facilities any longer in the City.</p> <p>ACO2024 &amp; SR2024 (February 26, 2024)</p>	<p><b>Type of Response Required</b></p> <p>-Written Report</p>

/sg  
as of March 6, 2024



**Committee Matters: SCM 64/2024**

**Subject: Outstanding Council Directives List as of March 6, 2024**

## Outstanding Directives Log

Report Date: March 6, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
December 17, 2012	CR293/2012	16287	Corporate Services	That the report of the City Planner dated November 21, 2012 entitled "Exemption from Sandwich Demolition Control By-law 20-2007 — 508, 520, 540, 556, 570, 590, 604, 612, 615, 622, 623, 631, 639, 646, 663, 670, 673, 686, 704, 710, 718, 724, 730, 738, 744, 750, 753, 758-760, 759, 765, 764, 769, 772, 777, 778, 781, 784, and 790 Indian Road, 812 and 862 Mill Street, and 764, 770, 780 and 788 Rosedale Avenue" <b>BE DEFERRED</b> as requested by the Canadian Transit Company, to allow for further discussions with administration on this matter.	Report remains deferred as per City Solicitor.
August 24, 2015	CR159/2015 para. 11	17893	Finance	That City Council <b>APPROVE</b> the award of the Workforce Management Solution RFP 69-14 to the successful proponent, WorkForce Software; and...  That the final FTE staffing changes reductions and resultant project savings and completions, <b>BE REPORTED</b> to City Council as part of or prior to the 2018 budget process.	
May 07, 2018	CR275/2018 para. 2	C 77/2018	Infrastructure	That Council APPROVE the requested \$5000 indemnity and that this BE CHARGED to the Budget Stabilization Reserve Fund (BSR) and that Administration <b>BE DIRECTED</b> to prepare a draft policy for Council's consideration regarding banners (how they can be requested, all costs associated, etc.) outlining what would be expected.	
September 17, 2018	CR503/2018 para. 3	S 122/2018	Community Services	That Administration <b>BE DIRECTED</b> to develop a wayfinding standards policy based on the results of the Little River Corridor wayfinding signage and markers, as a pilot project, to be brought to City Council for approval.	

# Outstanding Directives Log

Report Date: March 6, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
October 01, 2018	CR550/2018 para. 5-6	C 165/2018	Community Services	That Administration <b>BE DIRECTED</b> to offer options for the expansion of the demonstration house on the site within the re-development plans for Lanspeary Park (options showcasing the low impact re-development); and further,  That Administration <b>BE DIRECTED</b> to provide information on production numbers for having this in-house versus externally for this service (how much does the taxpayer benefit from having this in- house.	
February 04, 2019	CR35/2019 para. 3	C 11/2019	Finance	That City Council <b>APPROVE</b> , as per the requirements of the Leadership Asset Management Program (LAMP), the use of the tools and guidelines for Triple bottom line plus (TBL+), Whole life-cycle (WLC) and Business Case Evaluation (BCE) as developed through the LAMP grant and approved by the Asset Planning Steering Committee; and...  That Administration <b>BE DIRECTED</b> to prepare a report for Council's consideration on methods that could be used to accelerate the process for implementation.	
March 25, 2019	CR120/2019 para. 3	C 43/2019	Corporate Services	That Administration <b>BE DIRECTED</b> to prepare a report for Council's consideration on a process that would allow all members of Council to access conference materials and summary notes for information purposes, from those Councillors that attend conferences.	
July 08, 2019	CR322/2019 para. 4	C 68/2019	Economic Development	That a vacant building registry <b>NOT BE IMPLEMENTED</b> at this time and the vacant building initiative (VBD) <b>BE EXTENDED</b> to July 2020; and...  That administration <b>BE DIRECTED</b> to report back in 2020 for a more fulsome breakdown of statistics including types of orders issued, which were successful, which were complied with, and that the report <b>ALSO INCLUDE</b> options for a vacant building registry that expressly includes the topic of access, cost recovery, identification, highest fees possible under the law and the shortest timelines.	

# Outstanding Directives Log

Report Date: March 6, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
October 07, 2019	CR495/2019 para. 6	C 162/2019	Finance	That Council <b>AUTHORIZE</b> administration to negotiate a Municipal Sewer Access Agreement between the City of Windsor and Noventa Engergy Partners Ltd. ... and,  That Council <b>DIRECT</b> administration to report back detailing the outcome of the negotiated agreements and other related matters contained in this report.	
December 02, 2019	CR608/2019 para. 5	S 200/2019	Health & Human Services	That Administration <b>REPORT BACK</b> to the Community Services and Parks Standing Committee once further analysis is completed regarding the causal data related increase in vulnerability as reported in the Early Development Instrument (EDI) and further analysis in terms of breakdowns of EarlyON programs and usage.	
April 27, 2020	CR149/2020 para. 2	C 76/2020	Finance	That administration <b>BE DIRECTED</b> to prepare a report for Council's consideration, as soon as possible, on options available for the City of Windsor to use the Municipal Accommodation Tax (MAT) to help the local hospitality industry as a result of the ongoing COVID-19 pandemic.	
November 23, 2020	CR588/2020 para. 1-3	C 221/2020	Infrastructure	That Council <b>ENDORSE</b> the establishment of a Mandatory Downspout Disconnection Zone for the area bounded by Norfolk St. to the North, Dougall Ave/Howard Avenue to the East and the Herb Grey Parkway to the West and South; and,  That a Mandatory Downspout Disconnection Pilot Project, the boundaries to be determined by the City Engineer, <b>BE UNDERTAKEN</b> within the Mandatory Downspout Disconnection Zone with an upset limit of \$250,000 funded by Project ID#7199004 – Sewer Master Plan Implementation Project; and,  That the results of the Mandatory Downspout Disconnection Pilot Project <b>BE COMMUNICATED</b> to Council once sufficient data is available;	

## Outstanding Directives Log

Report Date: March 6, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
November 23, 2020	CR588/2020 para. 5	C 221/2020	Infrastructure	That the City Engineer <b>BE DIRECTED</b> to bring forward a dedicated inflow and infiltration funding program to address inflow and infiltration measures;	
December 07, 2020	CR616/2020 para. 6	C 54/2020	Finance	That administration <b>BE DIRECTED</b> to report back at a high level on the economic impact and any perceived impacts on development if Council were to revisit eliminating the industrial exemption.	
December 21, 2020	CR655/2020	S 164/2020	Community Services	That Administration <b>BE REQUESTED</b> to report back to Council outlining the costs associated with undertaking an invasive species management strategy citywide.	
January 18, 2021	CR40/2021	S 155/2020	Infrastructure	That the report of the Environment, Transportation and Public Safety Standing Committee of its meeting held December 16, 2020 regarding "Wyandotte Street East Corridor Review" <b>BE REFERRED</b> back to Administration to narrow the focus as soon as possible, and to satisfy the Active Transportation Master Plan by providing cycling infrastructure along Wyandotte Street East and further, that in-person public meetings <b>BE HELD</b> once permitted, as part of a consultation process that would include residents and businesses in the subject area.	
March 29, 2021	CR119/2021	C 32/2021	Corporate Services	That the update from the Senior Manager of Facilities on the Corporate Security Plan and Risk Assessment <b>BE RECEIVED</b> ; and further,  That City Council <b>APPROVE</b> the hiring of one Temporary Coordinator of Security Services at an estimated cost at \$122,314 to be charged to the Budget Stabilization Reserve, for the development of Corporate security policies, protocols, and a draft implementation plan with options for a centralized Security Division, with a report back to City Council at the 2022 Budget deliberations.	

# Outstanding Directives Log

Report Date: March 6, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
May 03, 2021	CR179/2021	C 51/2021	Corporate Services	That the report of the Senior Legal Counsel and Student-at-Law dated April 9, 2021 entitled "Response to CR591/2020 – Cannabis Odour" <b>BE DEFERRED</b> to allow for a further report once the enforceability of the Town of Leamington's Cannabis Regulation By-law is considered by the Superior Court of Justice and the Normal Farm Practices Protection Board, and that the report also include possible enforcement options that would be available for Council's consideration.	
May 17, 2021	CR213/2021	CMC 8/2021	Economic Development	That the correspondence from Paul Mullins on behalf of Assumption Parish dated April 23, 2021 requesting support from the City of Windsor to be recognized by Parks Canada as a Nationally Significant Historic Site, <b>BE REFERRED</b> to administration for review and a report back to Council for consideration, specifically as it would pertain to the ramifications designation would have on city property.	
June 21, 2021	CR285/2021 para. 2	C 87/2021	Chief Administrative Officer	That Council <b>DIRECTS</b> Administration to report back to Council with a Corporate Strategic Plan that will provide strategic and tactical objectives that will continue to create an organization that is innovative, agile, collaborative, solution-oriented, efficient, and effective; and,	
June 21, 2021	CR285/2021 para. 3	C 87/2021	Chief Administrative Officer	That Council <b>DIRECTS</b> Administration to create an Implementation Playbook for the 20-Year Strategic Vision to ensure the continued rapid realization of its goals; and,	
June 21, 2021	CR285/2021 para. 4	C 87/2021	Chief Administrative Officer	That Council <b>DIRECTS</b> Administration to report back to Council with amendments to the Delegated Authority By-law No. 208-2008 to remove "red tape" and enable rapid execution of Council's vision and direction;	

# Outstanding Directives Log

Report Date: March 6, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
July 26, 2021	CR363/2021	S 71/2021	Economic Development	<p>That Report No. S 71/2021 updating City Council on the use and implementation of the Brownfield Redevelopment Community Improvement Plan (CIP) and tabling issues to be addressed as part of the CIP update <b>BE RECEIVED</b> for information; and,</p> <p>That the City Planner <b>BE DIRECTED</b> to consult with stakeholders regarding potential changes to the Brownfield Redevelopment CIP outlined in Report No. S 71/2021 and prepare any necessary CIP amendments for Council's consideration.</p>	
September 27, 2021	CR387/2021	C 116/2021	Finance	<p>...That City Council <b>SUPPORT</b> the following actions with regards to the development and implementation of an enhanced investment strategy:</p> <p style="padding-left: 40px;">That Administration <b>BE AUTHORIZED</b> to prepare a Request for Proposal (RFP) for Investment Advisory services; and further,</p> <p style="padding-left: 40px;">That Administration <b>BE DIRECTED</b> to explore alternative options to traditional financial instruments to maximize overall investment returns for the City; and further,</p> <p style="padding-left: 40px;">That Administration <b>BE AUTHORIZED</b> to prepare an Expression of Interest (EOI) to seek interest in the development of an in-house solution for managing current and projected cash flows more efficiently through the use of technology; and further,</p> <p>That Administration <b>BE DIRECTED</b> to report back to City Council the results of the above noted actions.</p>	



## Outstanding Directives Log

Report Date: March 6, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
October 04, 2021	CR429/2021	S 41/2021	Economic Development	That the report of the Senior Planner – Policy and Special Studies dated February 27, 2021 entitled “Closure of Part of Dodsworth Street, Between Kay Street and Malden Road, Between 5168 and 5180 Malden Road - Applicant: T. Fasan - SAS/5917 - Ward 1” <b>BE REFERRED</b> back to administration to allow administration the opportunity to work with the Applicant to come to an amenable resolution for everyone involved.	
October 04, 2021	CR448/2021 para. 2-3	S 110/2021	Infrastructure	That the addition of signage at pedestrian inter-block walkways in the wintertime <b>BE APPROVED</b> ; and, That administration <b>BE DIRECTED</b> to monitor the effectiveness for a period of 2 years;	
October 25, 2021	CR476/2021 para. 4	C 129/2021	Community Services	That City Council <b>APPROVE</b> the design of the building and the terraces for the Legacy Beacon as the new home for Streetcar No. 351, located on the waterfront North of Riverside Drive at the foot of Caron Avenue in Legacy Park (Appendix A); and,...  That Administration <b>REPORT BACK</b> to Council with a business case for the concession/terrace area prior to the 2022 budget deliberation meetings or as soon as possible thereafter.	
November 01, 2021	CR497/2021 para. 3	S 132/2021	Community Services	That the report of the Cultural Development Coordinator and Manager of Culture & Events dated September 16, 2021 entitled "Update of Round 2 of the Arts, Culture and Heritage Fund 2021 – City Wide" <b>BE RECEIVED</b> for information; and,...  That Administration <b>BE DIRECTED</b> to investigate the possibility of private sector partnerships to augment the funding envelope that this program delivers to the community.	

# Outstanding Directives Log

Report Date: March 6, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
December 20, 2021	CR555/2021	C 154/2021	Finance	<p>That City Council <b>APPROVE</b> Administration proceeding with identified strategies for 2021/2022 including:</p> <ul style="list-style-type: none"> <li>• Form an internal Sustainable Purchasing Team;</li> <li>• Update current purchasing procedures/documents to ensure environmental sustainability and climate change is being considered;</li> <li>• Update the City's Sustainable Purchasing Guide (2015) to reflect updates for climate change considerations; and</li> <li>• Join the Canadian Collaboration for Sustainable Procurement for 2021/2022; and,</li> </ul> <p>That Administration <b>REPORT BACK</b> to City Council by the third quarter (Q3) 2022 with a report on achievements and possible next steps.</p>	
February 28, 2022	CR88/2022 para. 2	C 142/2021	Community Services	<p>That Administration <b>REPORT BACK</b> to Council to provide information related to options for a regulatory framework to ensure overall tree coverage across the community is not diminished due to the new development of private lands by requiring the replacement of trees removed on a caliper per caliper basis as deemed appropriate by the City Forester and City Planner.</p>	
March 21, 2022	CR102/2022	C 187/2020	Health & Human Services	<p>That the report of the Senior Legal Counsel dated September 18, 2020 entitled "Council Question CQ23-2019 - Payday Loan Establishments - City Wide" <b>BE RECEIVED</b> for information; and further,</p> <p>That Administration <b>PROCEED</b> with establishing a cross-sectoral committee with the appropriate partners and representatives to acquire local information and develop a strategy to distribute education materials regarding alternative financial options and supports; and,</p> <p>That Administration <b>REPORT BACK</b> to the Community Services Standing Committee after one year with a summary of work completed to date.</p>	

## Outstanding Directives Log

Report Date: March 6, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
April 11, 2022	CR150/2022	S 29/2022	Infrastructure	That Administration <b>BE AUTHORIZED</b> to initiate a Home Flood Protection Program on a pilot basis; and further, That Administration <b>REPORT BACK</b> to City Council on completion of the pilot program.	
April 25, 2022	CR171/2022 para. 4	C 54/2022	Corporate Services	That the report of the (Acting) Licence Commissioner and the Executive Initiatives Coordinator dated March 25, 2022 entitled "Residential Rental Licensing By-law—Wards 1 & 2" and draft by-law, "A By-law Respecting the Licensing of Residential Rental Housing Units," attached as Appendix A, <b>BE RECEIVED</b> for information; and, ...  That Administration <b>REPORT BACK TO COUNCIL</b> on the results of the two-year pilot study within Wards 1 and 2.	
April 25, 2022	CR184/2022	S 39/2022	Community Services	That the report of the Manager of Culture & Events dated March 15, 2022 entitled "City of Windsor Lancaster Bomber FM 212 Progress Report 2019-2021 – Ward 3" <b>BE RECEIVED</b> for information; and further,  That Administration <b>BE DIRECTED</b> to report to City Council regarding a fundraising strategy, a plan for assembly of the aircraft, and options to display the aircraft to the public once the assembly portion has been completed.	
May 09, 2022	CR195/2022	C 1/2022	Infrastructure	That the report of the Manager of Culture & Events dated March 15, 2022 entitled "City of Windsor Lancaster Bomber FM 212 Progress Report 2019-2021 – Ward 3" <b>BE RECEIVED</b> for information; and further,  That administration <b>BE DIRECTED</b> to report back to Council on what effective monitoring program can be put in place to give early warning in order to mitigate future flooding events and make proper adjustments to the system as needed.	

## Outstanding Directives Log

Report Date: March 6, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
June 13, 2022	CR272/2022 para. 5	C 98/2022	Community Services	<p>That the results of the Consultant's report for a new outdoor ice rink at City Hall <b>BE REFERRED</b> to the 2023 budget for funding required; and further,</p> <p>That Administration <b>BE DIRECTED</b> to work with representatives from All Saints Church for alternatives/options for the next skating season.</p>	
June 13, 2022	CR273/2022 para. 2-3	S 14/2022	Infrastructure	<p>That WSP Canada Inc. firm <b>BE APPOINTED</b> as the Drainage Engineer to make an examination of, and prepare a Drainage Report for the repair and improvement to, the Dawson Drain between Division Road and the O'Neil Drain and to the O'Neil Drain from south of Hallee Crescent to Division Road under section 78 of the Drainage Act; and further,</p> <p>That Administration <b>BE DIRECTED</b> to report back to Council once the Drainage report for the repair and improvement of the Dawson Drain is complete.</p>	
July 11, 2022	CR284/2022 para. 5	C 105/2022	Finance	<p>Whereas City Council previously approved the capital cost of land acquisitions being Point East Development ("Land Acquisitions") to be financed through long-term borrowing by issue of debentures to Ontario Infrastructure and Lands Corporation (OILC), City Council <b>APPROVES</b> the following with respect to the financing of the Land Acquisitions: ...</p> <p>That the CFO/City Treasurer <b>BE INSTRUCTED</b> to report back to City Council the results of the long-term borrowing at the earliest opportunity following completion;</p>	

## Outstanding Directives Log

Report Date: March 6, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
July 25, 2022	CR311/2022	C 118/2022	Finance	<p>That the 2021 Annual Investment Compliance Report for the year ending December 31, 2021 <b>BE RECEIVED</b> for information; and further,</p> <p>That Administration <b>REPORT BACK</b> on ways to broaden the City of Windsor's portfolio and access other Joint Investment Boards (JIBs) that are endorsed by the Association of Municipalities of Ontario (AMO) and the Municipal Finance Officers' Association of Ontario (MFOA), including the benefits and drawbacks of investing in these other financial vehicles.</p>	
July 25, 2022	CR327/2022 para. 3	C 85/2022	Health & Human Services	<p>That the report of the Coordinator of Housing Administration &amp; Policy dated May 9, 2022 entitled "Rent Supplement Program Expiries and Mitigation Update - City Wide" <b>BE RECEIVED</b> for information; and,</p> <p>...That Administration <b>REPORT BACK</b> to Council with options on how to address those funding shortfalls.</p>	
July 25, 2022	CR334/2022	C 123/2022	Corporate Services	<p>That the report of the Executive Director of Human Resources dated July 11, 2022 entitled "Salary Market Review 2019 - 2020 - Non-Union and CAO/CLT - City Wide" <b>BE REFERRED</b> back to administration to allow for the 2019/2020 and the 2021/2022 salary market review to be conducted by a new consultant.</p>	
August 08, 2022	CR352/2022	C 140/2022	Finance	<p>That City Council <b>APPROVE</b> the \$743,500.00 for the project recommended in this report for submission to Intake 3 for the Investing in Canada Infrastructure Program (ICIP) – Public Transit; and,</p> <p>...That should the City not be successful in this grant submission, a communication report <b>BE PROVIDED</b> to inform City Council.</p>	
September 06, 2022	CR374/2022 para. 3	S 76/2022	Infrastructure	<p>That Administration <b>BE REQUESTED</b> to report back to a future meeting of Council to provide a review of the Speed Hump Policy and options to approve the same.</p>	

# Outstanding Directives Log

Report Date: March 6, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
September 06, 2022	CR390/2022 para. 8	C 112/2022	Health & Human Services	<p>That the Executive Director, Housing &amp; Children's Services <b>REPORT BACK</b> on:</p> <ul style="list-style-type: none"> <li>• potential sites for the Housing Hub</li> <li>• the findings of the preliminary work completed to support a recommendation to enter into negotiations to acquire and/or build and/or renovate a property the outcome of applications made related to capital and/or operating funding</li> <li>• any capital funding required for the acquisition, renovation or construction of the proposed Hub, as well as for any ongoing operating funding required to maintain the asset and deliver the services;</li> </ul>	
September 06, 2022	CR393/2022 para. 2	SCM 172/2022	Health & Human Services	<p>That the additional information memo of the Executive Director of Housing &amp; Children's Services dated August 3, 2022 regarding the motion from the Housing &amp; Homelessness Advisory Committee of their meeting held June 21, 2022 and Report No. 14 of the Housing &amp; Homelessness Advisory Committee entitled "Barriers faced by the 2SLGBTQIA+ community in finding appropriate housing and housing services" from their meeting held June 21, 2022 <b>BE RECEIVED</b>; and,</p> <p>That Administration <b>BE DIRECTED</b> to provide a report in 2023 outlining the next steps regarding the proposed training initiative;</p>	
September 06, 2022	CR399/2022 para. 8	C 150/2022	Health & Human Services	<p>That the report of the Coordinator of Housing Administration and Development regarding the Social Services Relief Fund ("SSRF") Phase 5 Windsor Essex Community Housing Corporation Capital Project <b>BE RECEIVED</b> for information, and, ...</p> <p>That the Executive Director of Housing and Children's Services or their designate <b>REPORT</b> to City Council on the outcome of the capital developments;</p>	

## Outstanding Directives Log

Report Date: March 6, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
September 26, 2022	CR424/2022 para. 3	C 157/2022	Infrastructure	That Administration <b>REPORT BACK</b> to Council on proposed options to collect costs from the benefiting properties related to servicing charges for municipal services (mainline sewers and private drain connections) that would offer options for payment terms similar to local improvement payments.	
November 28, 2022	CR501/2022 para. 8	C 191/2022	Infrastructure	That City Council <b>RECEIVE</b> the Investing in Canada Infrastructure Plan (ICIP) Grant Application report dated November 17, 2022, along with the report from IBI Group titled "Transit Windsor Garage Feasibility Study" dated October 28, 2021 provided in Schedule A; and further, ...  That given the dramatically higher cost estimate for the Transit Garage emanating from the detailed study recently completed by the IBI Group, City Council <b>DIRECT</b> Administration to re-evaluate the Transit Windsor Master Plan to determine how to best achieve the goals of the Master Plan and report back to Council as part of the Transit Master Plan Implementation Project update.	
January 16, 2023	CR8/2023 para. 5	C 222/2022	Economic Development	That Administration <b>REPORT BACK</b> with a supplemental report providing details on emerging technologies and strategies related to decarbonization of the electrical grid;	
February 27, 2023	CR103/2023 para. 1-3	C 225/2022	Economic Development	That the Planning Division <b>PROVIDE</b> Council with recommendations for Amendments to the Sign By-law related to Paper Copy Billboard and Electronic Change Copy Billboard Ground and Wall Signs, for a decision by Council prior to the expiry date of the moratorium.	

# Outstanding Directives Log

Report Date: March 6, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
February 27, 2023	CR106/2023 para. 5 & 7	C 18/2023	Economic Development	That City Council <b>DIRECT</b> Administration to monitor operations subsequent to the changes implemented as a result of Bill 109, and provide reports on any cross-departmental impacts with recommendations to address those impacts; ...  That Administration <b>BE DIRECTED</b> to track all variances and local costs that are required to put the legislation into effect, and that the information <b>BE FORWARDED</b> to a future meeting of Council.	
April 24, 2023	CR176/2023	S 27/2023	Infrastructure	That the report of the Transportation Planning Senior Engineer dated March 1, 2023 entitled "South National Street (Pilette to Jefferson) Traffic Calming," <b>BE RECEIVED</b> for information; and,  That Administration <b>BE DIRECTED</b> to report back to Council with costs, and feasibility of adding traffic calming measures including physical separators with barriers along South National Street, enhancing the cyclist crossing at South National Street and Balfour Avenue and explore a pedestrian crossover at West Minster Avenue and South National Street into the Riverside area.	
May 29, 2023	CR198/2023	CMC 7/2023 7.1.4	Health & Human Services	That Administration <b>BE REQUESTED</b> to report back to Council with a status report, related to Human Services issues that the Windsor Police Services are currently experiencing, to identify gaps and to provide the Windsor Police Service with assistance that they may require from Community Partners, Ministry of Health or others, for Councils consideration.	
July 10, 2023	CR273/2023	CMC 9/2023	Corporate Services	That administration <b>BE REQUESTED</b> to report back regarding a framework including communications, education, transparency and accountability options related to the usage of Strong Mayor Powers.	
August 08, 2023	CR316/2023	C 107/2023	Community Services	That administration <b>BE REQUESTED</b> to report back with statistics related to open air burning.	



## Outstanding Directives Log

Report Date: March 6, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
September 05, 2023	CR356/2023 para. 1-2	C 120/2023	Infrastructure	That Council <b>APPROVE</b> bi-weekly garbage collection, weekly organic collection, and bi-weekly leaf and yard waste collection from April until November, and that this service level <b>BE IMPLEMENTED</b> with the next waste collection contract expected to begin in 2025; and,  That Administration <b>BE DIRECTED</b> to report back to Council the results of the collection tender(s) and any additional costs related to the new SSO program, once available;	
September 05, 2023	CR356/2023 para. 5	C 120/2023	Infrastructure	That administration <b>REPORT BACK</b> to Council regarding the implementation of a comprehensive communication plan and process which includes community partners including post secondary institutions and communication mediums for residents who may not speak English.	
September 05, 2023	CR359/2023 para. 1-2	SCM 211/2023	Infrastructure	That Administration <b>BE DIRECTED</b> to issue a Request for Proposal for curbside garbage collection and optional bidding for alley garbage collection in the alleys that garbage collection is being provided currently; and,  That Administration <b>BE DIRECTED</b> to report back to Council the results of the collection Request for Proposal and any additional costs related to the new SSO program, once available;	
September 05, 2023	CR359/2023 para. 3-4	SCM 211/2023	Infrastructure	That Administration <b>BE DIRECTED</b> 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 Wauketa St. whereby garbage will be temporarily relocated from alley collection to curbside collection for a minimum of 8 weeks; and,  That Administration <b>REPORT BACK</b> on the information learned during the pilot project; and,	
September 05, 2023	CR359/2023 para. 5	SCM 211/2023	Infrastructure	That administration <b>BE DIRECTED</b> to provide a report during the 2024 budget deliberation process for a plan to increase funding for alley maintenance for paved alleys.	

## Outstanding Directives Log

Report Date: March 6, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
September 05, 2023	CR361/2023 para. 3	C 106/2023	Infrastructure	That Administration <b>BE REQUESTED</b> to report back to City Council with a specific proposed framework and work plan for the previously approved Alley Standards and Development Committee.	
September 05, 2023	CR383/2023 para. 4d	C 128/2023	Finance	That with respect to DMAF 4 Program: ...  That the CFO/City Treasurer <b>BE DIRECTED</b> to report back to City Council with updated information, along with any additional funding requirements, needed to allow for the full implementation of the proposed funding strategy for DMAF 4 prior to use of debt;	
September 05, 2023	CR385/2023	S 92/2023	Infrastructure	That Administration <b>PREPARE</b> 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 <b>CREATE</b> an accelerated financing option to be considered during the 2024 Capital Budget Process.	
October 16, 2023	CR421/2023 para. 3	S 96/2023	Infrastructure	That administration <b>BE REQUESTED</b> to conduct a traffic analysis of the immediate surrounding neighbourhood and to come forward with recommendations for Councils consideration to address parking concerns and general traffic issues.	
October 16, 2023	CR427/2023	Petition	Infrastructure	That the petition presented by Councillor Ed Sleiman on behalf of the residents living on the 1400 block of Central, north of Seminole, asking that the roads and sidewalk on Central Avenue be repaired due to safety concerns <b>BE RECEIVED</b> by the Clerk and the Clerk <b>BE DIRECTED</b> to forward the petition to the Commissioner, Infrastructure Services for the purpose of an examination of the requested works or undertakings.	

## Outstanding Directives Log

Report Date: March 6, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
October 16, 2023	CR428/2023	Petition	Infrastructure	That the petition presented by Councillor Gary Kaschak on behalf of Parents of St. Therese School children looking for crossing guard improvements, signage, road improvements and potentially a sidewalk in that area <b>BE RECEIVED</b> by the Clerk and the Clerk <b>BE DIRECTED</b> to forward the petition to the Commissioner, Infrastructure Services for the purpose of an examination of the requested works or undertakings.	
October 16, 2023	CR429/2023	Petition	Infrastructure	That the petition presented by Councillor Kieran McKenzie on behalf of residents of Windsor asking for an increase in buses during peak hours and a review of bus schedules <b>BE RECEIVED</b> by the Clerk and the Clerk <b>BE DIRECTED</b> to forward the petition to the Commissioner, Infrastructure Services and the Executive Director of Transit Windsor for the purpose of an examination of the requested works or undertakings, and that this be tabled as part of the public record.	
October 30, 2023	CR432/2023 para. 5	S 107/2023	Community Services	<p>That the report from the Manger, Culture and Events, dated August 21, 2023, entitled "Response to Open Streets Petition" <b>BE RECEIVED</b> for information; and further, ...</p> <p>That in future years, the City <b>CONTINUE</b> to alternate between the newly proposed east-side route and the previously approved downtown/west-side route; and further,</p> <p>That administration <b>BE REQUESTED</b> to provide information related to options regarding holding Open Streets events twice a year including feasibility and costs, one in the downtown/west-side route and one in the new east-side route.</p>	

## Outstanding Directives Log

Report Date: March 6, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
October 30, 2023	CR433/2023 para. 3	S 107/2023	Health & Human Services	That the report of the Manager, Homelessness and Housing Support in response to CQ 20-2023 Feasibility of Expanding Outreach Services and 311 Operating Hours <b>BE RECEIVED</b> for information; and, ...  That City Council <b>DIRECT</b> Administration to report back to Council with more data and information about the impact of recent improvements to the Homelessness Street Outreach team's schedule and after-hours homelessness response initiated through 311, before deciding if further expansion is needed;	
October 30, 2023	CR433/2023 para. 5	S 107/2023	Health & Human Services	That administration <b>BE REQUESTED</b> to report back to the Community Services Standing Committee, as to how the City will attempt to draw the various organizations together in an effort to collaborate and capitalize on the programs that they are prepared to offer.	
October 30, 2023	CR444/2023 para. 6	C 77/2023	Economic Development	That Administration <b>BE REQUESTED</b> to implement a private Local Improvement Policy (LIP) option through Ontario regulation 586/06 to allow for those property owners who own their portion of the East Riverside shorewall along Riverside Drive to access the LIP process.	
October 30, 2023	CR447/2023		Infrastructure	That the petition presented by Councillor Fred Francis on behalf of concerned citizens requesting a public consultation regarding Transit Windsor Proposed Route 330 <b>BE RECEIVED</b> by the Clerk and the Clerk <b>BE DIRECTED</b> to forward the petition to the Executive Director of Transit Windsor for the purpose of an examination of the requested works or undertakings.	

## Outstanding Directives Log

Report Date: March 6, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
November 27, 2023	CR461/2023	C 168/2023	Economic Development	<p>That the report from the Senior Economic Development Officer requesting a Letter of Support for intercity passenger rail service <b>BE RECEIVED FOR INFORMATION</b>; and further,</p> <p>That City Council <b>ENDORSE</b> a Letter of Support from the Mayor to the Minister of Transport supporting the proposed Amtrak-VIA Rail Intercity Passenger Rail Connection; and further,</p> <p>That City Council <b>AUTHORIZE</b> Administration to represent the City of Windsor at future stakeholder meetings for this project; and further,</p> <p>That Administration <b>BE DIRECTED</b> to report status updates to City Council as soon as is practical.</p>	
November 27, 2023	CR471/2023 para. 4	C 119/2023	Infrastructure	<p>That the report of the Manager of Homelessness and Housing Support and the Deputy Licence Commissioner, dated July 24, 2023 entitled "Response to Council Decision ETPS 942 – Options for Addressing Panhandling - City Wide" submitted in response to direction provided through Council Decision ETPS 942 <b>BE RECEIVED</b> for information; and,</p> <p>That Administration <b>REPORT BACK</b> with infrastructure related strategies to discourage unsafe behaviours in the public roadway.</p>	
November 27, 2023	CR491/2023	C 141/2023	Infrastructure	<p>That City Council <b>SUPPORT</b> the Administrative recommendation to not provide Municipal Support Resolutions at this time for non-storage installations as part of the IESO LT1 RFP submission; and,</p> <p>That Administration <b>BE DIRECTED</b> to report back to Council in the event that either of the two projects identified in this report receive an IESO contract award for further consideration for municipal support.</p>	

## Outstanding Directives Log

Report Date: March 6, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
November 27, 2023	CR493/2023 para. 15	C 94/2023	Finance	That administration <b>BE REQUESTED</b> to report back to council after one year of the vacant home tax program being in place to provide information related to the effectiveness and/or opportunities for improvement including the possibility of a repeat offender fee.	
December 11, 2023	CR505/2023	CM 10/2023	Finance	That the 2022 Municipal Benchmarking Network of Canada (MBNCanada) Performance Measurement Report <b>BE RECEIVED</b> for information; and,  That administration <b>BE REQUESTED</b> to report back with details related to significant gaps that are identified in the City of Windsor results with comparator municipalities.	
January 15, 2024	CR11/2024	S 150/2023	Infrastructure	That the report of the Environment, Transportation & Safety Standing Committee of its meeting held November 29, 2023 entitled "CQ 13-2023 - Front Yard Parking Best Practice 2.2.2" <b>BE REFERRED</b> back to administration to provide more options to amend the by-law regarding front yard parking related to residential districts near business districts.	
January 15, 2024	CR3/2024 para. 2	CMC1/2024 7.1.4	Infrastructure	That administration <b>BE DIRECTED</b> to report back on what is available to the municipality in terms of that section of road where that critical infrastructure, the Ambassador Bridge, is located and has to be kept open and maintained.	
January 15, 2024	CR31/2024	SCM 314/2023	Community Services	That the correspondence of the President Les Amis Duff-Bâby dated August 29, 2023 and the memo of the Manager, Culture & Events dated November 20, 2023 regarding the Les Amis Duff Baby Annual Report <b>BE RECEIVED</b> for information; and,  That administration <b>BE REQUESTED</b> to provide a fulsome report regarding 2023 and 2024 attendance numbers and staffing possibilities to a future meeting of Council for their consideration.	

## Outstanding Directives Log

Report Date: March 6, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
January 15, 2024	CR38/2024	S 159/2023	Community Services	That the report of the Community Services Standing Committee of its meeting held December 6, 2023 entitled "Response to CQ Regarding the Dog Park Policy – City Wide" <b>BE REFERRED</b> back to administration to provide a report which includes information regarding municipalities that have smaller dog parks in residential areas and how they have achieved the same.	
January 29, 2024	B11/2024	C 188/2023	Infrastructure	That administration <b>BE DIRECTED</b> to engage with St. Clair College administration and the administration at the University of Windsor to discuss possible ongoing partnerships related to funding for Transit Services in the City of Windsor.	
January 29, 2024	B12/2024	C 188/2023	Infrastructure	That administration <b>BE REQUESTED</b> to report back to Council related to the impact to transit revenues if the proposed transit fare increase being contemplated were not applied to individuals who qualified for the affordable pass program.	
January 29, 2024	B14/2024	C 188/2023	Corporate Services	That administration <b>BE DIRECTED</b> to report back to Council for the 2025 budget deliberations regarding an analysis related to Dog Licensing fees and the impact that a one-time voluntary registration fee may have on administrative resources.	
January 29, 2024	B15/2024	C 188/2023	Infrastructure	That with regard to "Parking Fee Adjustments for Parking Lots and Meters" that the collection of fees from 6:00 o'clock p.m. to 9:00 o'clock p.m. <b>BE NOT APPROVED</b> ; and,  That administration <b>BE DIRECTED</b> to report back on other ways to improve technology and bring in parking revenue.	

## Outstanding Directives Log

Report Date: March 6, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
January 29, 2024	B17/2024	C 188/2023	Community Services	<p>That with regard to "Summer Drop-In Recreation Program in Parks" that the amount of up to \$20,000 <b>BE APPROVED</b> for another year of programming in Mitchell Park; and, ...</p> <p>That administration <b>BE REQUESTED</b> to report back on adding additional parks and explore potential funding from community partnerships for Council's consideration.</p>	
January 29, 2024	B18/2024	C 188/2023	Corporate Services	<p>That the following recommended motion by Councillor Francis from the January 29, 2024—Special Meeting of Council <b>BE DEFERRED</b> to a future meeting of Council:</p> <p style="padding-left: 40px;">That administration <b>BE DIRECTED</b> to provide 10% efficiencies as opposed to 5% efficiencies as part of the 2025 Budget preparation process for Council's consideration.</p>	
January 29, 2024	B19/2024	C 188/2023	Infrastructure	<p>That with regard to "New Service: Route 250 (Rhodes/Twin Oaks/NextStar Industrial)" that administration <b>BE DIRECTED</b> to report back on the participation or arrangement to assist with transit funding by other municipalities or corporations; and,</p> <p>That administration <b>BE DIRECTED</b> to explore opportunities across the community for sponsors to assist with transit funding.</p>	
January 29, 2024	B25/2024	C 188/2023	Infrastructure	<p>That administration <b>BE DIRECTED</b> to incorporate traffic calming measures on Wyandotte Street as opposed to the narrowing of the roadway option that was approved by Council previously; and,</p> <p>That an amount of \$225,000 from the surplus \$246,240 in the Budget Stabilization Reserve Fund (BSR) for the Paul Martin Building <b>BE APPROVED</b> for this project.</p>	



## Outstanding Directives Log

Report Date: March 6, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
January 29, 2024	B7/2024	C 182/2023	Community Services	That the report of the Project Administrator dated December 20, 2023 entitled "Festival Plaza Improvement - Update - Ward 3" <b>BE REFERRED</b> back to administration; and,  That administration <b>BE DIRECTED</b> to provide another more cost effective option for Council's consideration.	
January 29, 2024	B8/2024	C 189/2023	Community Services	That the report of the Executive Initiatives Coordinator, Community Services dated December 28, 2023 entitled "Jackson Park Bandshell Feasibility Study Update - Ward 3" <b>BE REFERRED</b> back to administration; and,  That administration <b>BE DIRECTED</b> to undertake a formal procurement process related to a feasibility study whereby the scope of the study be limited to heritage and technical attributes of the facility at the current location and further that a city led community consultation be part of the scope of the study; and, ...  That administration <b>BE REQUESTED</b> to report back to Council with the results of the procurement process.	
February 26, 2024	CR76/2024	C 19/2024	Infrastructure	That the report of the Senior Manager Traffic and Parking dated February 9, 2024 entitled "Red Light Camera Update – City Wide" <b>BE REFERRED</b> to a future Environment, Transportation and Public Safety Standing Committee Meeting for further review and consideration.	
February 26, 2024	CR81/2024	S 168/2023	Finance	That the report of the Community Energy Plan Administrator dated December 19, 2023 regarding the Energy and Poverty Pillar (EAPP) Report Requirement from the Global Covenant of Mayors for Climate and Energy <b>BE RECEIVED</b> for information; and, ...  That Administration <b>BE DIRECTED</b> to report back to Council with the finalized Energy Access and Poverty Assessment, Targets, and Plan.	

## Outstanding Directives Log

Report Date: March 6, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
February 26, 2024	CR85/2024	S 7/2024	Infrastructure	<p>That the report of the Senior Manager, Traffic Operations &amp; Parking dated January 12, 2024 entitled "Traffic Signal at Tecumseh Road E and Robinet Road – Ward 7" <b>BE REFERRED</b> to a future Council meeting; and,</p> <p>That administration <b>BE REQUESTED</b> to provide information regarding adding signage related to no left turn onto Tecumseh Road from Robinet Road.</p>	

**Clerk's Note: The listing of items prior to January 1, 2011 should not be considered complete at this point in time.**

**Clerk's Note: This summary chart is not intended to replace the actual minutes of all proceedings.**