

City Council Meeting

Date: Monday, September 26, 2022

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

Location: Council Chambers, 1st Floor, Windsor City Hall

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

Ward 4 – Councillor Chris Holt

Ward 5 – Councillor Ed Sleiman

Ward 6 – Councillor Jo-Anne Gignac

Ward 7 – Councillor Jeewen Gill

Ward 8 – Councillor Gary Kaschak

Ward 9 – Councillor Kieran McKenzie

Ward 10 - Councillor Jim Morrison

ORDER OF BUSINESS

Item #	Item Description
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1.	ORDER OF BUSINESS
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1.1.	In the event of the absence of the Mayor, Councillor Gignac has been appointed Acting Mayor for the month of September, 2022 in accordance with By-law 176-2018
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2.	CALL TO ORDER - Playing of the National Anthem
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INDIGENOUS LAND ACKNOWLEDGEMENT STATEMENT

We [] 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 Métis peoples and their valuable past and present contributions to this land.

3.	DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF
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4.	ADOPTION OF THE MINUTES
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5.	NOTICE OF PROCLAMATIONS
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Proclamations

“British Home Children's Day” – Wednesday, September 28, 2022

“United Nations International Day for Elder Persons and Canada Seniors Day” – Saturday, October 1, 2022

“Fire Prevention Week” – Sunday, October 9 to Saturday, October 15, 2022

Flag Raising Ceremony

“Franco Ontarian Day” – September 22 to September 30, 2022

“United Nations International Day for Elder Persons and Canada Seniors Day” – September 29, 2022 to October 2, 2022

Illumination

“Franco Ontarian Day” – September 24 to September 25, 2022

“British Home Children's Day” – September 28, 2022

“National Day for Truth and Reconciliation” – September 26 to October 2, 2022

6. **COMMITTEE OF THE WHOLE**

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

7.2. Rostered Consultants Used by Public Works, Parks and Facilities – January 1 2022 to June 30 2022 - City Wide **(CM 9/2022)**

8. **CONSENT AGENDA**

8.1. Confirm and Ratify Report -regarding Expenditure to commemorate the passing of Queen Elizabeth II - City Wide **(C 165/2022)**

8.2. Flag Raising, Building Illumination and Proclamations Policy Update - City Wide **(C 164/2022)**

8.3. 2022 Inaugural Meeting of Council (City Wide) **(C 163/2022)**

8.4. RFP 110-22 Office Supplies "City Wide" **(C 158/2022)**

CONSENT COMMITTEE REPORTS

8.5. Rezoning - Bassim Al Hamidawy - 953 & 955 Tecumseh Road West - Z-025/22 ZNG/6795 - Ward 10 **(SCM 255/2022) & (S 96/2022)**

8.6. Zoning By-Law Amendment – Matt Zhao - 521,523, & 525 Sandison Street - Z 009/22 [ZNG-6673] - Ward 9 **(SCM 256/2022) (S 104/2022)**

8.7. Zoning By-law Amendment - 1069 Shepherd Street East Z-012-22 [ZNG-6732] **(SCM 257/2022) & (S 99/2022)**

8.8. Closure of the north/south alley between Guy Street and the east/west alley between Bernard Road and Francois Road - Ward 5 **(SCM 258/2022) & (S 90/2022)**

8.9. Closure of the north/south alley between Totten St and Quebec Street, east of California Ave and west of Askin Ave; together with the Declaration of the north/south 0.3 metre reserve making up the east limit of the said alley as Surplus – Ward 10 **(SCM 259/2022) & (S 94/2022)**

8.10. Closure of the north/south alley between 1983 Ellrose Avenue and 4440 Tecumseh Road East; east/west alley between Francois Road and said north/south alley; and east/west alley between said north/south alley and Ellrose Avenue – Ward 5 **(SCM 260/2022) & (S 95/2022)**

- 8.11. Closure of the east/west alley between Ford Boulevard and 5355 Wyandotte Street East, north of 830 Ford Boulevard and south of 5335 Wyandotte Street East, Ward 6 **(SCM 261/2022) & (S 98/2022)**
- 8.12. Brownfield Redevelopment Community Improvement Plan (CIP) application submitted by NuFusion & Associates on behalf of 2830065 Ontario Ltd. For 1460 Lauzon Road (Ward 6) **(SCM 262/2022) & (S 102/2022)**
- 8.13. Minutes of the Property Standards Committee of its meeting held June 14, 2022 **(SCM 263/2022) & (SCM 208/2022)**
- 8.14. Minutes of the meeting of the International Relations Committee held June 23, 2022 **(SCM 264/2022) & (SCM 245/2022)**

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

10. **PRESENTATIONS AND DELEGATIONS**

Power Advisory Energy Report - Options for the City of Windsor - City Wide **(C 161/2022)**

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

- 11.1. Purchasing Bylaw – Periodic Review and Amendment – City Wide **(C 159/2022)**
- 11.2. Roxborough Boulevard Development – South of Northwood Street – South Windsor Development Company – Servicing – Ward 10 **(C 157/2022)**

12. **CONSIDERATION OF COMMITTEE REPORTS**

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

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

14. **MOVE BACK INTO FORMAL SESSION**

15. **NOTICES OF MOTION**

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

17. **PETITIONS**

18. **QUESTION PERIOD**

19. **STATEMENTS BY MEMBERS**

20. **UPCOMING MEETINGS**

ENWIN Utilities Ltd. Board
Wednesday, September 28, 2022
9:00 a.m.

Windsor Utilities Commission Board
Wednesday, September 28, 2022
11:00 a.m.

ENWIN Energy Ltd. Board /Windsor Canada Utilities Ltd. Board
Wednesday, September 28, 2022
1:00 p.m.

21. **ADJOURNMENT**



Subject: Rostered Consultants Used by Public Works, Parks and Facilities – January 1 2022 to June 30 2022 - City Wide

Reference:

Date to Council: September 26, 2022

Author: Alex Vucinic

Purchasing Manager

519-255-6100 ext. 6280

avucinic@citywindsor.ca

Purchasing

Report Date: July 13, 2022

Clerk's File #: ACO2022

To: Mayor and Members of City Council

Recommendation:

THAT this report **BE RECEIVED** by Council for information in compliance with section 163 of Bylaw 93-2012 (the "Purchasing Bylaw").

Background:

Section 163 of the Purchasing Bylaw provides:

163 ... "The responsible CLT Member and Manager of Purchasing and Risk Management (now Purchasing Manager) shall provide a semi-annual report to Council disclosing all consultants engaged through any rostering process in Part IX of this Bylaw."

This report is provided in satisfaction of these requirements.

Discussion:

Section 163 of the Purchasing Bylaw permits direct contract awards to firms listed on the engineering roster for professional services valued under \$100,000.

This method recognizes the fact that professional services for public works services are frequently utilized and are often of a repetitive or similar nature. Accordingly, proceeding with a request for proposals for each such project would be unnecessarily time- and resource- intensive. Instead, qualified professionals competed for inclusion on a roster and were categorized based on area of expertise, and contracts are

awarded having regard to compatibility of work to be performed and consultant skill and expertise, with an intention to distribute work equitably.

Projects exceeding the established threshold must be addressed in accordance with the Purchasing Bylaw, either by issuing a Request for Proposals or, if applicable, proceeding with a sole source.

Section 163 the Bylaw requires the Manager of Purchasing and Risk Management (now Purchasing Manager) and the responsible CLT member to provide a semi-annual report outlining the nature of the awards made under this section.

All contracts awarded by roster as described above are shown at Appendix "A."

Risk Analysis:

There is no risk associated with receipt of this report.

Financial Matters:

Forty Seven consultant contracts were awarded under section 163 of the Purchasing Bylaw during the first half of 2022 totalling \$1,757,190.00 (excluding HST).

Consultations:

Jennifer Musson, Senior Buyer

Conclusion:

Forty Seven consultant contracts were awarded under section 163 of the Purchasing Bylaw during the first half of 2022 totalling \$1,757,190.00 (excluding HST).

Approvals:

Name	Title
Alex Vucinic	Purchasing Manager
Shelby Askin Hager	Commissioner, Legal & Legislative Services
Chris Nepszy	Commissioner, Infrastructure Services
Onorio Colucci	Acting Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:

1 Appendix "A" - Rostered Consultants Used by Public Works, Parks and Facilities – January 1 2022 to June 30 2022

APPENDIX "A"

Rostered Consultants Used by Public Works, Parks and Facilities – January 1 2022 to June 30 2022

Contract Number	Consultant	Description	\$ Value
CO6452	Aecom	2021 Structural Report Bridge No. 113 Riverside	\$42,000.00
CO6453	Soil & Material	Geotechnical Report Soil Investigation Phase 1 East Marsh Drain	\$87,000.00
CO6456	Stantec	Combined Sewer Overflow Discharge Study	\$22,680.00
CO6480	Wood Environmental	Geotechnical & Soil Investigation Dominion	\$61,737.00
CO6481	Golder	Geotechnical Investigation Gateway Park Asphalt Trail	\$11,500.00
CO6482	Dillon	Source Testing Program WBPF	\$24,900.00
CO6483	GHD	Geotechnical & Soil Investigation Aubin & Reginald	\$59,240.00
CO6484	Dillon	2022 Malden Landfill Annual Monitoring Program	\$44,300.00
CO6485	Dillon	PIC Boards Riverside Drive Vista	\$14,500.00
CO6488	Wood Environmental	Geotechnical & Excess Soil Investigation Legacy Beacon	\$63,059.00
CO6495	Dillon	Rehabilitation of Central Bridge at CPR	\$93,000.00
CO6500	Dillon	Investigation/Review/Report Electrical Issues Lakeview Park Marina	\$11,416.00
CO6501	Stantec	BAF Cells 9-12 Concrete Rehabilitation LRWRP	\$35,640.00
CO6504	Verhaegan Stubberfield	Legal Survey Belleperche DMAF	\$10,750.00
CO6507	Golder	Material Testing & Laboratory Services 2022 Construction Season	\$75,000.00
CO6508	EXP Services	Inspection & Testing Services 2022 Construction Season	\$45,000.00
CO6509	Wood Environmental	Material Testing & Inspections 2022 Construction Season	\$85,000.00
CO6511	Wood Environmental	Excess Soil Investigation Hawthorne Cycling Path	\$5,400.00
CO6518	RWDI Air	Technical Study Analysis WIATC	\$6,880.00
CO6521	Wood Environmental	Exploratory Test Pits Legacy Beacon	\$3,500.00
CO6522	Wood Environmental	Geotechnical & Soil Investigation East Marsh Pump Station	\$31,600.00
CO6524	Landmark	Shoreline Assessment Legacy Beacon	\$7,500.00
CO6525	Dillon	Planning/Detailed Design Cycling Facilities Shepherd	\$84,580.00
CO6526	Dillon	Planning/Detailed Design Cycling Facilities Victoria	\$91,820.00
CO6528	Archon	Design Services Capitol Theatre North Basement Renovations	\$99,200.00
CO6530	Stantec	Crawford Yard Electrical & Generator Upgrades	\$34,852.00
CO6531	Stantec	Rehabilitation of Lauzon Parkway Bridge #160	\$59,644.00
CO6533	DC McCloskey	Arthur Road Reconstruction	\$95,400.00
CO6534	Wood Environmental	Excess Soil Investigation Arthur Road	\$19,500.00
CO6535	Stantec	LRPCP Sludge Pumphouse No 1 Upgrades	\$5,832.00
CO6536	Dillon	LRWRP Pavement Rehabilitation Phase 2	\$16,450.00
CO6539	Wood Environmental	Storm Water Mgmt Report George Avenue Park	\$19,027.00
CO6540	Stantec	Sodium Hypochlorite Storage Tank Replacement LRPCP	\$33,817.00
CO6543	Dillon	Drainage Act Appointment Lachance Drain	\$25,000.00
CO6553	Wood Environmental	Storm Water Mgmt Report Wigle Parking Lot	\$19,990.00
CO6555	Verhaegan Stubberfield	Lauzon Parkway Legal Survey	\$6,750.00
CO6562	Dillon	Transit Windsor Environmental Services Redevelopment Plan	\$18,500.00
CO6527	EXP Services	WJF GENERATOR POWER STUDY/REPORT	\$6,000.00
CO6573	Englobe Corp	DSHMS & Class D Demolition RGC Clubhouse	\$10,950.00
CO6584	LP Meyer	2022 Pelissier Garage Structural Assessment	\$3,000.00
CO6585	LP Meyer	2022 Goyeau Garage Structural Assessment	\$3,000.00
CO6586	Golder	Excess Soil Support Lauzon Parkway Re Paving Project	\$12,200.00
CO6593	Golder	Geotechnical Exploration Banwell Overpass at EC Row	\$73,800.00
CO6613	Stantec	UV Disinfection Upgrades Study LRPCP	\$99,820.00
CO6618	Dillon	2021 Regulatory Reporting WBPF	\$4,000.00
CO6627	Stantec	Painting of CMH Woods Pumping Station	\$18,456.00
CO6645	Dillon	Replacement of PC-1 Control Cabinet LRPCP	\$54,000.00
		TOTAL:	\$1,757,190.00



Subject: Confirm and Ratify Report-Regarding Expenditure to Commemorate the Passing of Queen Elizabeth II - City Wide

Reference:

Date to Council: September 26, 2022
Author: Anna Ciacelli
Deputy City Clerk/Supervisor of Council Services
(519) 255-6100 ext 1837
aciacelli@citywindsor.ca
Council Services
Report Date: September 14, 2022
Clerk's File #: APR2022

To: Mayor and Members of City Council

Recommendation:

That the results of the email poll authorized by Mayor Drew Dilkens and the Acting Chief Administrative Officer on Friday September 9, 2022 approving the following **BE CONFIRMED AND RATIFIED:**

WHEREAS it is appropriate to commemorate the passing of Her Majesty, Queen Elizabeth II through a series of local events, to give a forum for Windsor residents to celebrate her life and contributions;

THEREFORE BE IT RESOLVED BY Windsor City Council that an amount of up to \$100,000 in funding **BE APPROVED**; and, that the amount **BE FUNDED** from the City's Budget Stabilization Reserve Fund (BSR) to cover all related costs associated with these events.

Executive Summary:

n/a

Background:

Section 3.7 of Procedure By-law 98-2011 as amended, provides the following:

“Telephone and/or email polls of Members of Council shall be permitted only upon authorization by the Mayor or CAO, in emergency situations requiring Council direction where time does not permit holding a special meeting of Council and/or quorum of Council cannot

physically convene to consider a matter. The results of a poll must be confirmed and ratified at the next public meeting of Council”.

Discussion:

Due to the time sensitive nature of this request an e-mail poll was approved by the Mayor and Acting Chief Administrative Officer.

The following voted in favour of the recommendation above:

Councillors: Francis, Kaschak, McKenzie, Gignac, Sleiman, Morrison, Costante, Gill, Bortolin, and Mayor Dilks. (10).

The following voted in opposition to the recommendation above:

Councillor Holt. (1).

Therefore the recommendation passes with 10 members in favour and 1 against.

Risk Analysis:

N/A

Climate Change Risks

Climate Change Mitigation:

N/A.

Climate Change Adaptation:

N/A.

Financial Matters:

The requested amount of up to \$100,000.00 will be funded from the City’s Budget Stabilization Reserve Fund (BSR) to cover all related costs associated with the in memoriam initiatives and events.

Consultations:

N/A.

Conclusion:

It is appropriate to commemorate the passing of Her Majesty, Queen Elizabeth II through a series of local events, to give a forum for Windsor residents to celebrate her life and contributions.

It is recommended that the results of the email poll conducted by the Deputy City Clerk on September 9, 2022 approving the above noted resolution be confirmed and ratified.

Planning Act Matters:

N/A.

Approvals:

Name	Title
Anna Ciacelli	Deputy City Clerk/Supervisor of Council Services
Steve Vlachodimos	City Clerk/Licence Commissioner
Shelby Askin Hager	Commissioner, Legal & Legislative Services
Onorio Colucci	Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:

Subject: Flag Raising, Building Illumination and Proclamations Policy Update - City Wide

Reference:

Date to Council: September 26, 2022

Author: Katherine Donaldson

Corporate Policy Coordinator

519-255-6100 x 6533

kdonaldson@citywindsor.ca

Council Services

Report Date: September 14, 2022

Clerk's File #: ACO2022

To: Mayor and Members of City Council

Recommendation:

THAT Council **APPROVE** the updates to the Flag, Building Illumination and Proclamation Policy as presented in Appendix A attached.

Executive Summary:

N/A.

Background:

The *Municipal Act* 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 City 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. As such, changes to existing policies must be approved by City Council.

Discussion:

Administration has undertaken a review of the Flag Policy resulting from a periodic review of departmental Policies and Procedures, as well as ongoing departmental updates to best practices. It has been determined that an update is required in order to also include requests for the special illumination of 350 City Hall Square. While requests for building illumination are currently processed by Council Services in a manner similar to requests for flag raisings, this process is formalized in the policy attached as Appendix A.

Currently, the process for Proclamation applications is outlined in the Procedure Bylaw. In order to streamline similar processes, it was determined that it should be removed from the bylaw and added to the Flag Policy as well, to maintain consistency with the flag policy and the illumination policy. The resulting updates to the Procedure Bylaw will come before Council at a later date.

In order to update these processes, three separate but similar application forms were created and attached as Appendix B (Flag Raising Application), Appendix C (Building Illumination Application) and Appendix D (Application for Proclamations). These forms are currently in use and have been well received by the general public.

Risk Analysis:

While Corporate policy governs all areas of the Corporation, there is no risk in ensuring all policies are valid and current. Without undertaking these periodic reviews, there is a risk that Corporate policies will not reflect the current vision of the City.

Financial Matters:

There are no financial implications as a result of this report.

Consultations:

Chief Administrative Office

Conclusion:

Updating the Flag Policy to include items of similar process will help in streamlining the requirements of the Council Services department and allow residents to access a single document for detailed information on the procedures needed to make these types of requests.

Approvals:

Name	Title
Katherine Donaldson	Corporate Policy Coordinator
Anna Ciacelli	Deputy City Clerk/Supervisor of Council Services
Steve Vlachodimos	City Clerk / Licence Commissioner
Shelby Askin Hager	Commissioner, Legal & Legislative Services
Onorio Colucci	Acting Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:

- 1 Appendix A - Flag, Building Illumination and Proclamation Policy
- 2 Appendix B - Application for Flag Raising
- 3 Appendix C - Application for Building Illumination
- 4 Appendix D - Application for Proclamation

**THE CORPORATION OF THE CITY OF WINDSOR
POLICY**

Service Area:	Office of the City Clerk	Policy No:	
Department:	Council Services	Approval Date:	June 7, 2010
Division:		Approved By:	CR206/2010
		Effective Date:	
Subject:	Flag/Building Illumination and Proclamation Policy	Procedure Ref.:	
Review Date:	June 2021	Pages:	Replaces: CR149/81 and CR519/90
Prepared By:	William Foot and Grace Montgomery		Date:

1. POLICY

- 1.1** To establish guidelines for the display of flags at municipal facilities and events, for the illumination of the City Hall Building at 350 City Hall Square West and guidelines related to Corporate Proclamation requests as outlined in section 5 of this policy.

2. PURPOSE

- 2.1** To provide a uniform and harmonized protocol for the raising, displaying and half-staffing of flags at all properties and facilities owned and operated by the City of Windsor and at events conducted by the City at other locations.
- 2.2** To provide a uniform and harmonized protocol for the illumination of the City Hall Building at 350 City Hall Square West.
- 2.3** To provide a uniform and harmonized protocol for the Corporate Proclamations.

3. SCOPE

- 3.1** This policy applies to all flag raisings at properties and facilities owned and operated by the City of Windsor, as well as the locations of all city-run events, except those that take place where the policies of another government body would take precedence.
- 3.2** This policy applies to illuminations at the City Hall Building at 350 City Hall Square West.

4. RESPONSIBILITY

- 4.1** The City Clerk or his/her designate will be authorized to order the raising or lowering of flags at properties and facilities owned and operated by the City of Windsor and/or the illumination of the City Hall Building at 350 City Hall Square West.
- 4.2** The City Clerk will provide notification to the Senior Manager of Communications & Customer Service and the 311 Call Centre accordingly when the flags of an agency or organization are raised or displayed or when flags are ordered to a half-staff position, or when the City Hall Building at 350 City Hall Square West has an illumination display.
- 4.3** The City Clerk or his/her designate will be responsible to review this policy every 3 years.

5. PROCLAMATIONS

- 5.1** Requests for proclamations shall be processed by the City Clerk on the condition the request will meet the following criteria:
- i) The request must be made at least four weeks in advance of the due date;
 - ii) The request must be submitted by a non-profit or charitable organization located in the City of Windsor on the organization's letterhead;
 - iii) The request must reflect a bona fide connection to the City of Windsor
- 5.2** Requests shall not be processed by the City Clerk if the request meets any of the following criteria:
- i) The request includes matters of political controversy, ideological or religious beliefs or individual conviction;
 - ii) The request contravenes Corporate policies or by-laws;
 - iii) The request defames the integrity of the City of Windsor;
 - iv) The request is intended for commercial or profit-making purposes;
 - v) The request is intended to influence federal, provincial or municipal government policy.
- 5.3** The City Clerk shall review the request and make any appropriate amendments to the proclamation, which in the City Clerk's view improves the structure and/or intent of the requested proclamation. If deemed appropriate, at the sole discretion of the City Clerk, the proclamation may be presented to the Mayor for signature purposes only. Once the proclamation has been signed, the proclamation shall be listed on the appropriate Council Agenda for information only along with approved flag raisings and building illuminations.

6. GOVERNING RULES AND REGULATIONS

6.1 CITY OF WINDSOR FLAG

- (a) The City of Windsor Flag will be flown at all city buildings or facilities where there are sufficient flagpoles to do so. Either in the event that only one flagpole exists on the property, the Canadian Flag or City of Windsor Flag may be displayed.
- (b) The City of Windsor Flag may be displayed indoors, in the Council Chambers, the Mayor's Office and functions where such flags are required.
- (c) The City of Windsor Flag should be flown or displayed properly and treated with dignity and respect.
- (d) The City of Windsor Flag shall not be used for commercial purposes by any organization.
- (e) The City of Windsor reserves the right to refuse, deny or restrict the use of the City Flag with respect to where or how it will be flown or displayed.

6.1.1 PROTOCOL

- (a) Flags will be flown and displayed in accordance to the manner outlined by the Federal Government which can be found at the following website: <https://www.canada.ca/en/services/culture/canadian-identity-society/anthems-symbols/national-flag.html>
- (b) Where the City of Windsor Flag is flown or displayed with the Canadian Flag, the Canadian Flag will take the place of honour, which is to the left of the observer of the flags and the City of Windsor Flag on the right.
- (c) Where the City of Windsor Flag is flown or displayed with the Canadian Flag and Province of Ontario Flag, the Canadian Flag will occupy the centre position to the observer of the flag, the Province of Ontario Flag to the left and the City of Windsor Flag to the right.
- (d) When using flags with a speaker's podium, the flags may be positioned either directly behind, or to the left of the podium from the observer's view of the speaker. Furthermore, flags shall be positioned in accordance to the manner outlined by the Federal Government as outlined in sections 6.1.1(b) and 6.1.1(c) of this policy.
- (e) When hung indoors without a flagpole, flags must be hung horizontally or vertically.

- (f) Under the discretionary authority of the Prime Minister, exceptional circumstances may be declared to approve the half-staffing of the Canadian Flag on the Peace Tower, and/or on all or some federal buildings and establishments in Canada or abroad. The half-staffing of The City of Windsor Flag will follow the same guidelines and will adhere to the half-staffing timeframe outlined by the Federal Government.
- (g) In the event that multiple flags are flown together, the flags should be identical in size and flown from separate flagpoles, which must also be the same height and shall follow the same half-staffing protocol.
- (h) When multiple flags are to be raised and lowered, and where it is not possible to perform this task at the same time, the flags will be raised and lowered in accordance to rank, with the Canadian Flag first, followed by the Province of Ontario Flag, followed by the City of Windsor Flag.
- (i) Where an official representative of a Canadian province is visiting the City of Windsor on an official visit, that particular provincial flag may be flown at all municipal buildings and facilities where it is feasible to do so.
- (j) Where an official representative of a country recognized by Canada, is visiting the City of Windsor on an official visit, that country's flag may be flown at all municipal buildings and facilities where it is feasible to do so.
- (k) Where an official delegation is visiting Windsor from a recognized twin city, that country's flag may be flown at the City Hall Building at 350 City Hall Square West.
- (l) The City of Windsor reserves the right to fly flags to commemorate an event it deems appropriate at various properties such as, but not limited to, the Raid on Dieppe Memorial or Vietnam Memorial.
- (m) Flags will be destroyed and disposed of in a dignified manner and replaced as soon as they show signs of wear.

6.1.2 HALF-STAFFING FOR MOURNING

- (a) The flying of flags at half-staff represents a period of official mourning or commemoration.
- (b) To honour the deceased, flags will be flown at half-staff from the time of death notification until sunset on the day of the memorial service.

- (c) Flags flown at municipally owned and operated buildings and facilities shall be lowered to a half-staff position, where it is feasible to do so, as a sign of mourning upon the death of the following persons:
- i) The Reigning Monarch and members of the Royal Family;
 - ii) A past or present Canadian Prime Minister;
 - iii) A past or present day elected area representative of the Federal, Provincial and Municipal governments;
 - iv) Past or present Mayor and Members of Council;
 - v) Present day employees of the Corporation of the City of Windsor
 - vi) As directed by Proclamation from the Governor General of Canada or Lieutenant Governor of Ontario;
 - vii) As directed by the Mayor and City Council or Chief Administrative Officer.
- (d) Flags flown at municipal buildings and facilities shall be lowered to a half-staff position from sunrise to sunset to observe the following days:
- i) Workers' Day of Mourning (April 28);
 - ii) National Day of Remembrance for Victims of Terrorism (June 23);
 - iii) Second Sunday in September, Firefighters' National Memorial Day, unless half-staffing occurs near the place where a memorial is being observed, then half-staffing can occur according to the prescribed order of service, until sunset;
 - iv) Last Sunday in September, Police and Peace Officers' National Memorial Day, unless half-staffing occurs near the place where a memorial is being observed, then half-staffing can occur according to the prescribed order of service until sunset;
 - v) National Day of Truth and Reconciliation (September 30);
 - vi) Remembrance Day (November 11) unless half-staffing occurs at a place where remembrance is being observed, then half-staffing can occur at 11:00 a.m. or according to the prescribed order of service, until sunset;
 - vii) National Day of Remembrance and Action on Violence Against Women (December 6)
 - viii) Any other national day of remembrance as recognized by federal or provincial governments.
- (e) In the event of the death of a current municipal employee including those employed by Windsor Police and Windsor Fire Services, flags will be lowered to half-staff at that person's immediate workplace in accordance of Section 6.1.2(b) of this policy. Should that workplace not fly flags, the flags flown at 350 City Hall Square West will be lowered to half-staff to honour the deceased employee.
- (f) When lowering to half-staff, the flag should be raised fully to the top of the flagpole, and then lowered immediately to the half-staff position.

- (g) In the event of multiple flags being flown together, all will be flown at half-staff.
- (h) The half-staff position will depend on the height of the flagpole itself; however, the flag should be lowered to the approximated centre position of the flagstaff not to be confused as a flag that has accidentally fallen.

6.1.3 CITY OF WINDSOR CENOTAPH

- (a) All flags to be flown at the City of Windsor Cenotaph will have a direct association to the Allied War efforts during World War I, World War II and the Korean War.

6.1.4 SPECIAL REQUESTS – FLAGS

- (a) A special request from an agency or organization located in Windsor/Essex wishing to raise their flags at 350 City Hall Square West or at any property owned and operated by the City of Windsor to mark an event will be reviewed and processed by the City Clerk to authorize and will be provided to the Mayor for signature. The special request will be noted on the Council Agenda under the Flag Raising/Building Illumination/Proclamation section for information only.
- (b) A special request in writing to the City Clerk must be made four weeks prior to the requested date including the following information:
 - Name of the requesting organization;
 - Contact information;
 - Requested event or occasion;
 - Date or time period of event or occasion;
 - Explanation or purpose of the event or occasion;
 - Description of the applicant organization including any local national or international affiliation, brief history, and any other relevant information.
- (c) There will be no presentations or delegations at City Council with respect to flag raising requests/proclamations and/or building illumination.
- (d) Flags flown by special request will take the place of the City Flag for the duration that the request is granted or for an appropriate period specified by the City Clerk to mark an event.
- (e) In the event of the death of military personnel with the Canadian Armed Forces while deployed on duty and with a direct relationship to the City of Windsor, the flags flown at the City Hall Building at 350 City Hall Square West will be lowered to half- staff in accordance with

section 6.1.2(b) of this policy to honour the fallen soldier.

- (f) At no time, will the City of Windsor display flags deemed inappropriate or offensive in nature or those supporting discrimination, prejudice, political or religious movements.
- (g) The City of Windsor reserves the right to choose which flags may or may not be flown at City owned properties.

6.2 CITY OF WINDSOR BUILDING ILLUMINATION

- (a) The use of multi-colour capable LED lighting installations at the City Hall Building at 350 City Hall Square West provides a unique opportunity to display the official colour associated with a charitable or non-profit organization or a City of Windsor event, in order to create awareness of and/or celebrate and/or memorialize an organization or significant event.

6.2.1 PROTOCOL

- (a) Organizations making a Building Illumination request must be charitable or non-profit organizations.
- (b) Charitable or non-profit organizations making a Building Illumination request must be consistent with City of Windsor's policies and/or by-laws.
- (c) The City Hall Building at 350 City Hall Square West shall not be illuminated for political, religious, or for-profit organizations or purposes.

6.2.2 SPECIAL REQUESTS – BUILDING ILLUMINATIONS

- (a) A special request from an agency or organization located in Windsor/Essex wishing to change the Building Illumination at 350 City Hall Square West will be reviewed and processed by the City Clerk to authorize and will be provided to the Mayor for signature. If approved, the special request will be noted on the Council Agenda under the Flag Raising/Building Illumination section for information only.
- (b) A special request in writing to the City Clerk must be made four weeks prior to the requested date including the following information:
 - Name of the requesting organization;
 - Contact information;
 - Requested event or occasion;
 - Date or time period of event or occasion;
 - Explanation or purpose of the event or occasion;
 - Description of the applicant organization including any local national or international affiliation, brief history, and any other relevant information.

- Colour of lights requested
- (c) There will be no presentations or delegations at City Council with respect to Building Illumination.
- (d) Building Illumination by special request will take place at the City Hall Building at 350 City Hall Square West for the duration that the request is granted, or for an appropriate period specified by the City Clerk to mark the event.

7. RECORDS, FORMS AND ATTACHMENTS

7.1. Records for this policy shall be prepared and retained in accordance with Records Retention By-Law 21-2013, as amended.

7.2. Attachments:

- The Proclamation Application Form
- The Flag Application Form
- The Building Illumination Application Form



Application for Proclamation

Completed form to be submitted to City Clerk at least four weeks in advance of the event.

You must provide the draft wording for your proclamation in order to receive an official, signed proclamation from the Mayor. Please attach the draft wording to the completed form.

Organization Name: _____

Contact Name: _____

Address: _____

City: _____ **Province:** _____ **Postal Code:** _____

Phone: _____ **Email:** _____

Proclamation Requested:
(Name or title of proclamation, week or month to be proclaimed)

Purpose of Proclamation:

Has the same or a similar proclamation been requested previously? Yes No

Date of previous request: _____

Signature

Date

Please Submit the Completed Form to the Council Services Department

In person: Council Services Department, 350 City Hall Square West, Suite 530

Email: clerks@citywindsor.ca

Fax: 519-255-6868

The personal information on this form is collected under the authority of the *Municipal Act*. The information is used for the purpose of processing the application for proclamation. Questions about this collection of information can be made to the Manager, Records / Election & Freedom of Information Coordinator, (519) 255-6100 ext. 6578.

Internal Use Only

City Clerk

Date

Application for Flag Raising – 350 City Hall Square West

Completed form to be submitted to City Clerk at least four weeks in advance of the event.

A special request from an agency or organization located in Windsor/Essex wishing to raise their flags at 350 City Hall Square to mark an event will be reviewed and processed by the City Clerk, who will present the request to the Mayor for signature. If approved, the special request will be noted on the Council Agenda under the Proclamations section for information only.

Note: *As per the City of Windsor Flag Policy CR206/2010:*

- There will be no presentations or delegations at City Council with respect to flag raising request.
- At no time will the City of Windsor display flags deemed to be inappropriate or offensive in nature or those supporting discrimination, prejudice, political or religious movements.
- The City of Windsor reserves the right to choose which flags may or may not be flown at city owned properties.

Organization Name: _____

Contact Name: _____

Address: _____

City: _____ **Province:** _____ **Postal Code:** _____

Phone: _____ **Email:** _____

Requested Event or Occasion: _____

Date / Time of Event & Length of Time to Fly your Flag

Explanation or Purpose of the Event

Description of the Applicant Organization

(Include any local, national or international affiliation, brief history and any other relevant information)

Description of the Flag to be Raised (Note: The flag should be no larger than 36 inches x 72 inches)

(Include brief physical description, colours, symbols, and any other relevant information)

Signature

Date

Please Submit the Completed Form to the Council Services Department

In person: Council Services Department, 350 City Hall Square West, Suite 530

Email: clerks@citywindsor.ca

Fax: 519-255-6868

The personal information on this form is collected under the authority of the *Municipal Act*. The information is used for the purpose of processing the application for proclamation. Questions about this collection of information can be made to the Manager, Records / Election & Freedom of Information Coordinator, (519) 255-6100 ext. 6578.

Internal Use Only

City Clerk

Date

Mayor

Date

Internal Distribution

- _____ **Corporate Communications**
- _____ **Manager of Facilities**
- _____ **311 Call Centre**
- _____ **Community Special Events, Recreation & Culture Department**



Application for City Hall Building Illumination – 350 City Hall Square West

Completed form to be submitted to City Clerk at least four weeks in advance of the event.

A special request from an agency or organization located in Windsor/Essex wishing to illuminate the 350 City Hall Square building to mark an event will be reviewed and processed by the City Clerk, who will present the request to the Mayor for signature. If approved, the special request will be noted on the Council Agenda under the Proclamations section for information only.

Note: *As per the City of Windsor Flag Policy CR206/2010:*

- There will be no presentations or delegations at City Council with respect to building illuminations

Organization Name: _____

Contact Name: _____

Address: _____

City: _____ **Province:** _____ **Postal Code:** _____

Phone: _____ **Email:** _____

Requested Event or Occasion: _____

Date / Time of Event & Length of Time for Illumination: _____

Explanation or Purpose of the Event: _____

Description of the Applicant Organization:

(Include any local, national or international affiliation, brief history and any other relevant information)

Description of the Requested Illumination:

(Include colours and any other relevant information)

Signature

Date



Please Submit the Completed Form to the Council Services Department

In person: Council Services Department, 350 City Hall Square West, Suite 530

Email: clerks@citywindsor.ca

Fax: 519-255-6868

The personal information on this form is collected under the authority of the *Municipal Act*. The information is used for the purpose of processing the application for proclamation. Questions about this collection of information can be made to the Manager, Records / Election & Freedom of Information Coordinator, (519) 255-6100 ext. 6578.

Internal Use Only

City Clerk

Date

Mayor

Date

Internal Distribution

- _____ **Corporate Communications**
- _____ **Manager of Facilities**
- _____ **311 Call Centre**
- _____ **Community Special Events, Recreation & Culture Department**



Application for Flag Raising – 350 City Hall Square West

Completed form to be submitted to City Clerk at least four weeks in advance of the event.

A special request from an agency or organization located in Windsor/Essex wishing to raise their flags at 350 City Hall Square to mark an event will be reviewed and processed by the City Clerk, who will present the request to the Mayor for signature. If approved, the special request will be noted on the Council Agenda under the Proclamations section for information only.

Note: *As per the City of Windsor Flag Policy CR206/2010:*

- There will be no presentations or delegations at City Council with respect to flag raising request.
- At no time will the City of Windsor display flags deemed to be inappropriate or offensive in nature or those supporting discrimination, prejudice, political or religious movements.
- The City of Windsor reserves the right to choose which flags may or may not be flown at city owned properties.

Organization Name: _____

Contact Name: _____

Address: _____

City: _____ **Province:** _____ **Postal Code:** _____

Phone: _____ **Email:** _____

Requested Event or Occasion: _____

Date / Time of Event & Length of Time to Fly your Flag

Explanation or Purpose of the Event

Description of the Applicant Organization

(Include any local, national or international affiliation, brief history and any other relevant information)



Description of the Flag to be Raised (Note: The flag should be no larger than 36 inches x 72 inches)
(Include brief physical description, colours, symbols, and any other relevant information)

Signature **Date**

Please Submit the Completed Form to the Council Services Department

In person: Council Services Department, 350 City Hall Square West, Suite 530

Email: clerks@citywindsor.ca

Fax: 519-255-6868

The personal information on this form is collected under the authority of the *Municipal Act*. The information is used for the purpose of processing the application for proclamation. Questions about this collection of information can be made to the Manager, Records / Election & Freedom of Information Coordinator, (519) 255-6100 ext. 6578.

Internal Use Only

City Clerk **Date**

Mayor **Date**

Internal Distribution

- _____ Corporate Communications
- _____ Manager of Facilities
- _____ 311 Call Centre
- _____ Community Special Events, Recreation & Culture Department



Application for City Hall Building Illumination – 350 City Hall Square West

Completed form to be submitted to City Clerk at least four weeks in advance of the event.

A special request from an agency or organization located in Windsor/Essex wishing to illuminate the 350 City Hall Square building to mark an event will be reviewed and processed by the City Clerk, who will present the request to the Mayor for signature. If approved, the special request will be noted on the Council Agenda under the Proclamations section for information only.

Note: *As per the City of Windsor Flag Policy CR206/2010:*

- There will be no presentations or delegations at City Council with respect to building illuminations

Organization Name: _____

Contact Name: _____

Address: _____

City: _____ **Province:** _____ **Postal Code:** _____

Phone: _____ **Email:** _____

Requested Event or Occasion:

Date / Time of Event & Length of Time for Illumination:

Explanation or Purpose of the Event:

Description of the Applicant Organization:

(Include any local, national or international affiliation, brief history and any other relevant information)

Description of the Requested Illumination:

(Include colours and any other relevant information)

Signature

Date

Page 1 of 2



Please Submit the Completed Form to the Council Services Department

In person: Council Services Department, 350 City Hall Square West, Suite 530

Email: clerks@citywindsor.ca

Fax: 519-255-6868

The personal information on this form is collected under the authority of the *Municipal Act*. The information is used for the purpose of processing the application for proclamation. Questions about this collection of information can be made to the Manager, Records / Election & Freedom of Information Coordinator, (519) 255-6100 ext. 6578.

Internal Use Only

City Clerk

Date

Mayor

Date

Internal Distribution

_____ **Corporate Communications**

_____ **Manager of Facilities**

_____ **311 Call Centre**

_____ **Community Special Events, Recreation & Culture Department**



Application for Proclamation

Completed form to be submitted to City Clerk at least four weeks in advance of the event.

You must provide the draft wording for your proclamation in order to receive an official, signed proclamation from the Mayor. Please attach the draft wording to the completed form.

Organization Name: _____

Contact Name: _____

Address: _____

City: _____ **Province:** _____ **Postal Code:** _____

Phone: _____ **Email:** _____

Proclamation Requested:

(Name or title of proclamation, week or month to be proclaimed)

Purpose of Proclamation:

Has the same or a similar proclamation been requested previously? **Yes** **No**

Date of previous request: _____

Signature

Date

Please Submit the Completed Form to the Council Services Department

In person: Council Services Department, 350 City Hall Square West, Suite 530

Email: clerks@citywindsor.ca

Fax: 519-255-6868

The personal information on this form is collected under the authority of the *Municipal Act*. The information is used for the purpose of processing the application for proclamation. Questions about this collection of information can be made to the Manager, Records / Election & Freedom of Information Coordinator, (519) 255-6100 ext. 6578.

Internal Use Only

City Clerk

Date

Page 1 of 1

Subject: 2022 Inaugural Meeting of Council (City Wide)

Reference:

Date to Council: September 26, 2022

Author: William Foot

Council Secretariat

wfoot@citywindsor.ca

519-255-6100 ext. 6332

Council Services

Report Date: September 14, 2022

Clerk's File #: ACO/12018

To: Mayor and Members of City Council

Recommendation:

That the Inaugural Meeting of the 2022-2026 City Council **BE HELD** on Tuesday November 15, 2022 at 7:00 o'clock p.m. in the Pentastar Theatre at the Capitol Theatre for Members of City Council, invited family guests and the general public; and further,

That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign the required Lease Agreement with the Capitol Theatre satisfactory in form to the City Solicitor, in technical content to the Deputy City Clerk and in financial content to the City Treasurer.

Executive Summary:

N/A

Background:

The Inaugural Meeting of City Council is being scheduled pursuant to Section 3.1 (a) and 3.1 (b) of By-law 98-2011 as amended, being "*A By-Law to Provide Rules Governing the Proceedings of Windsor City Council Meetings and its Committees and the Conduct of its Members*", as follows:

3.1(a) The first meeting in a new term of Council shall be held on November 15 or shortly thereafter, but not later than December 16 in each election year.

3.1 (b) The location and time of the inaugural meeting shall be determined by resolution of the outgoing Council.

In 2017 Ontario passed Bill 68 - *Modernizing Ontario's Municipal Legislation Act, 2017*. This Bill amended the *Municipal Elections Act, 1996*, specifically Subsection 6 (1) which changed the beginning of terms of all offices from December 1 to November 15 in the year of a regular election.

Discussion:

The premise of the Inaugural Meeting is largely ceremonial in nature. As a result, the Order of Business is unlike a regular Meeting of Council in that it does not focus on traditional business or agenda matters, but will rather focus on the following items in accordance with section 3.1 (c) of Procedure By-law 98-2011 as amended:

- Declarations of Office and the Oath of Allegiance in accordance with the provisions of the *Municipal Act*;
- Mayor's Inaugural Address;
- Passage of Confirmatory By-law.

Risk Analysis:

To ensure compliance with section 3.1 of Procedure By-law 98-2011 as amended, administration is recommending that approval of the Inaugural Meeting for the 2022-2026 term of Council be enacted through an official resolution of Council.

In the event that an increase in Covid-19 cases takes place and lockdowns are re-instituted, or if there is a heightened risk to public safety based on an increased case load, plans for the 2022 Inaugural Meeting of Council will be adjusted and reported to Council and the general public, as required.

Climate Change Risks

Climate Change Mitigation:

N/A

Climate Change Adaptation:

N/A

Financial Matters:

Sufficient funds have been budgeted in the Election Department through the Office of the City Clerk for costs pertaining to the rental of the Capitol Theatre and associated services that will be required for the Inaugural Meeting of Council which include but are not limited to such items as photography and interpretation services.

Consultations:

N/A

Conclusion:

The Inaugural Meeting of the newly elected City Council for the 2022-2026 term is mandated per Section 3.1 of Procedure By-law 98-2011 as amended. The Capitol Theatre is the recommended location since it is an accessible venue and is large enough to comfortably accommodate the general public and invited guests who wish to attend.

Planning Act Matters:

N/A

Approvals:

Name	Title
William Foot	Council Assistant
Anna Ciacelli	Deputy City Clerk/Supervisor, Council Services
Steve Vlachodimos	City Clerk / Licence Commissioner
Shelby Askin Hager	Commissioner, Legal & Legislative Services
Joe Mancina	Commissioner, Corporate Services
Onorio Colucci	Chief Administrative Officer

Notifications:

Name	Address	Email
Cliff Danby, YourTV		Cliff.danby@cogeco.com

Appendices:



Subject: RFP 110-22 Office Supplies "City Wide"

Reference:

Date to Council: September 26, 2022

Author: Alex Vucinic

Purchasing Manager

519-255-6100 ext. 6280

avucinic@citywindsor.ca

Purchasing

Report Date: September 8, 2022

Clerk's File #: AE2022

To: Mayor and Members of City Council

Recommendation:

That in accordance with the terms of RFP 110-22, Council **AWARD** the contract for the provision of office supplies to Monarch Office Supplies Ltd. for a two (2) year term with an option to extend the contract for a further three (3) additional terms of two (2) years each by mutual agreement; and;

That the Purchasing Manager **BE AUTHORIZED** to issue Contract Purchase Orders to Monarch Office Supplies Ltd. for the provision of office supplies, satisfactory in financial content to City Treasurer, and in technical content to the Purchasing Manager.

Executive Summary:

N/A

Background:

Office supplies are required on a constant basis in all departments across the corporation. In order to efficiently meet corporate demand, supplies are obtained under a single contract for the entire corporation with each department able to purchase supplies under the terms and conditions of the contract. This is referred to as a corporate-wide or blanket contract.

A competitive process was carried out in 2017 to award the most recent contract for the provision of office supplies. That contract will expire on November 6, 2022 and accordingly the City intended to return to market with an RFP to seek further competitive bids to establish a new contract. Prior to releasing the RFP, and in recognition of the general need for office supplies in most environments, the City extended an invitation to certain affiliated agencies, boards and corporations to

participate in the RFP to allow them to potentially benefit from increased volume. Based on the response, the City conducted the RFP for itself and also on behalf of EnWin Utilities Ltd., Windsor Public Library Board, Windsor Police Services Board, Your Quick Gateway (Windsor) Inc., and Windsor Essex Community Housing Corporation.

Discussion:

Shared Procurement

This RFP is now the third true procurement between the City and affiliated entities. The decision to carry out this process again stemmed from the fact that RFPs and other such processes are necessary public procurement tools, but are also labour – and resource-intensive. With an annual spend of approximately \$250,000 on office supplies, the City is a large consumer and can offer some economy of scale to the smaller affiliates, spending an average combined total of roughly \$75,000. The addition of this volume bolstered City volumes to the potential benefit of smaller partners and offered an additional incentive to bidders to compete for a large contract.

Conduct of the RFP

The RFP was conducted in the City's standard two-envelope format, modified for use with the partner entities. The first envelope was an evaluation of the proponent and the services, whereas the second was an evaluation of price. Partner entities had the opportunity to review and comment prior to issuance.

Because office supply purchase is done from a catalogue, pricing evaluation for RFPs of this sort are generally conducted on a sample or "basket of goods" basis. Reports were generated showing the most commonly-ordered items and those items then formed the basis of the pricing submission. Pricing lists contained requirements to price generic goods as well as brand-name goods. Those items specifically noted in pricing submission (either generic or brand-name) are bound at that price.

Recognizing both the inherent importance of office supplies to daily functioning as well as the broad nature of potential purchases under the corporate-wide contract and considering how many such purchases fall outside of the sample set, pricing in not as significant a criterion as is quality of service.

Evaluation of the RFP

An evaluation committee was struck and the committee reviewed and graded all submissions independently and subsequently met as a group to determine consensus score on all aspects of the proposal. The following criteria from the first envelope focused on things such as:

- Invoicing and payment processing system
- Average response delivery time for any items in Appendix G & H (after receipt of order)
- Hours of operation

- Fully automated ordering system.
- Proponent's level of experience
- References of relevant size and scope
- Proponent's percentage fill rate for similar contracts
- Online catalogue
- Level of support and training
- Same day delivery
- Delivery method
- Return policy
- Proponent's policy on defective products
- Minimum orders
- Generation of monthly management reports for each department.
- Availability of support personnel.

Responses

Two submissions were received. Only Monarch Office Supplies Ltd. passed the requirements of envelope A to proceed to the opening of the cost submission. The RFP provided that the successful proponent would be the proponent with the highest combined score on envelope A and B.

Proponent scores are as follows:

Proponent	Total Score out of 100
Monarch Office Supplies Ltd.	100
Novexco Inc. (Hamster)	Did not pass Envelop A

With a total score of 100, Monarch Office Supplies Ltd. is the successful proponent.

Risk Analysis:

- Failure to follow prescribed procedures could attract liability to the municipality. In this case, the RFP also affects other related entities.

- There is minimal risk of poor services performance especially magnified by this contract as there are 262 delivery location requirements. Things such as response time, order fill rates and communication will require close management at the beginning of the contract to establish the City's expectations for the level of service required.

Financial Matters:

Funds are allocated each year in the respective departmental operating budgets for general office supplies. The contract term is for a two (2) year term with an option to extend the contract for a further three (3) additional terms of two (2) years each by mutual agreement. Pricing is guaranteed for each term of the contract.

The City is projecting from the “basket of goods” sample to spend approximately \$250,000 in office supplies over the 2 year. All of the cost are relative to the departmental usage requirements and their available operating budgets.

Consultations:

The following offered input on the preparation, issuance or evaluation of this RFP:

- Tyson Cragg – Transit Windsor
- Michelle Koutros – Windsor Police Services
- Tara Morrison-Chahal – Windsor Essex Community Housing Corporation
- Donna Bartlett – Your Quick Getaway (Windsor) Inc.
- Renee McIntyre – EnWin Utilities Ltd

Conclusion:

Administration recommends award of the contract for the provision of office supplies to Monarch Office Supplies Ltd. in accordance with the terms of the RFP.

Approvals:

Name	Title
Alex Vucinic	Purchasing Manager
Shelby Askin Hager	Commissioner, Legal & Legislative Services
Joe Mancina	Commissioner, Corporate Services CFO/City Treasurer
Onorio Colucci	Acting Chief Administrative Officer

Notifications:

Name	Address	Email
Novexco Inc. (Hamster)	1325 Clark Blvd., Unit #1 Brampton, ON L6T 5R5	Cheryl.hardy@hamster.ca
Monarch Office Supply Inc.	1835 Provincial Road Windsor, ON N8W 5V7	sales@monarchbasics.com

Appendices:



Committee Matters: SCM 255/2022

**Subject: Rezoning - Bassim Al Hamidawy - 953 & 955 Tecumseh Road West
- Z-025/22 ZNG/6795 - Ward 10**

Moved by: Councillor Morrison
Seconded by: Councillor Sleiman

Decision Number: **DHSC 420**

THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of Lots 32 to 34, Registered Plan 730 (known municipally as 953 & 955 Tecumseh Road West; Roll No.: 040-440-17100, 040-440-17200), situated on the west side of Tecumseh Road West, south of Crawford Avenue, by adding a site specific exception to Section 20(1) as follows:

451. WEST SIDE OF TECUMSEH ROAD WEST, SOUTH OF CRAWFORD AVENUE

For the lands comprising of Lots 32 to 34, Registered Plan 730, a *motor vehicle dealership* shall be an additional permitted use.

[ZDM 4, 7; ZNG/6795]

Carried.

Report Number: S 96/2022
Clerk's File: Z/14279

Clerk's Note:

1. The recommendation of the Standing Committee and Administration are the same.
2. Please refer to Item 7.1. from the Development & Heritage Standing Committee Meeting held on September 12, 2022.
3. To view the stream of this Standing Committee meeting, please refer to:
<http://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20220913/-1/7356>

Subject: Rezoning – Bassim Al Hamidawy - 953 & 955 Tecumseh Road West - Z-025/22 ZNG/6795 - Ward 10

Reference:

Date to Council: September 12, 2022
Author: Adam Szymczak, MCIP, RPP
Senior Planner
519-255-6543 x6250
aszymczak@citywindsor.ca
Planning & Building Services
Report Date: August 5, 2022
Clerk's File #: Z/14279

To: Mayor and Members of City Council

Recommendation:

THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of Lots 32 to 34, Registered Plan 730 (known municipally as 953 & 955 Tecumseh Road West; Roll No.: 040-440-17100, 040-440-17200), situated on the west side of Tecumseh Road West, south of Crawford Avenue, by adding a site specific exception to Section 20(1) as follows:

451. WEST SIDE OF TECUMSEH ROAD WEST, SOUTH OF CRAWFORD AVENUE

For the lands comprising of Lots 32 to 34, Registered Plan 730, a *motor vehicle dealership* shall be an additional permitted use.

[ZDM 4, 7; ZNG/6795]

Executive Summary:

N/A

Background:**Application Information:**

Location: 953 & 955 Tecumseh Road West
 Lots 32 to 34, Registered Plan 730
 West side of Tecumseh Road West, south of Crawford Avenue
 Roll No.: 040-440-17100, 040-440-17200

Ward: 10 **Planning District:** Remington Park **Zoning District Map:** 4 & 7

Applicant: Bassim Al Hamidawy

Owner: 2775385 Ontario Inc. (Bassim Al Hamidawy)

Agent: Farhat & Associates - Hajar Tohme

Proposal:

The Applicant is requesting an amendment to Zoning By-law 8600 to permit a Motor Vehicle Dealership as an additional permitted use. The parcel is designated Industrial in the City of Windsor Official Plan, zoned Manufacturing District 2.1 (MD2.1), has a total lot area of 1,082.9 m², lot frontage of 27.4 m and lot depth of 39.4 m, and is occupied by a single storey building used as an automobile collision shop / heavy repair shop. No addition to the existing building is proposed at this time.

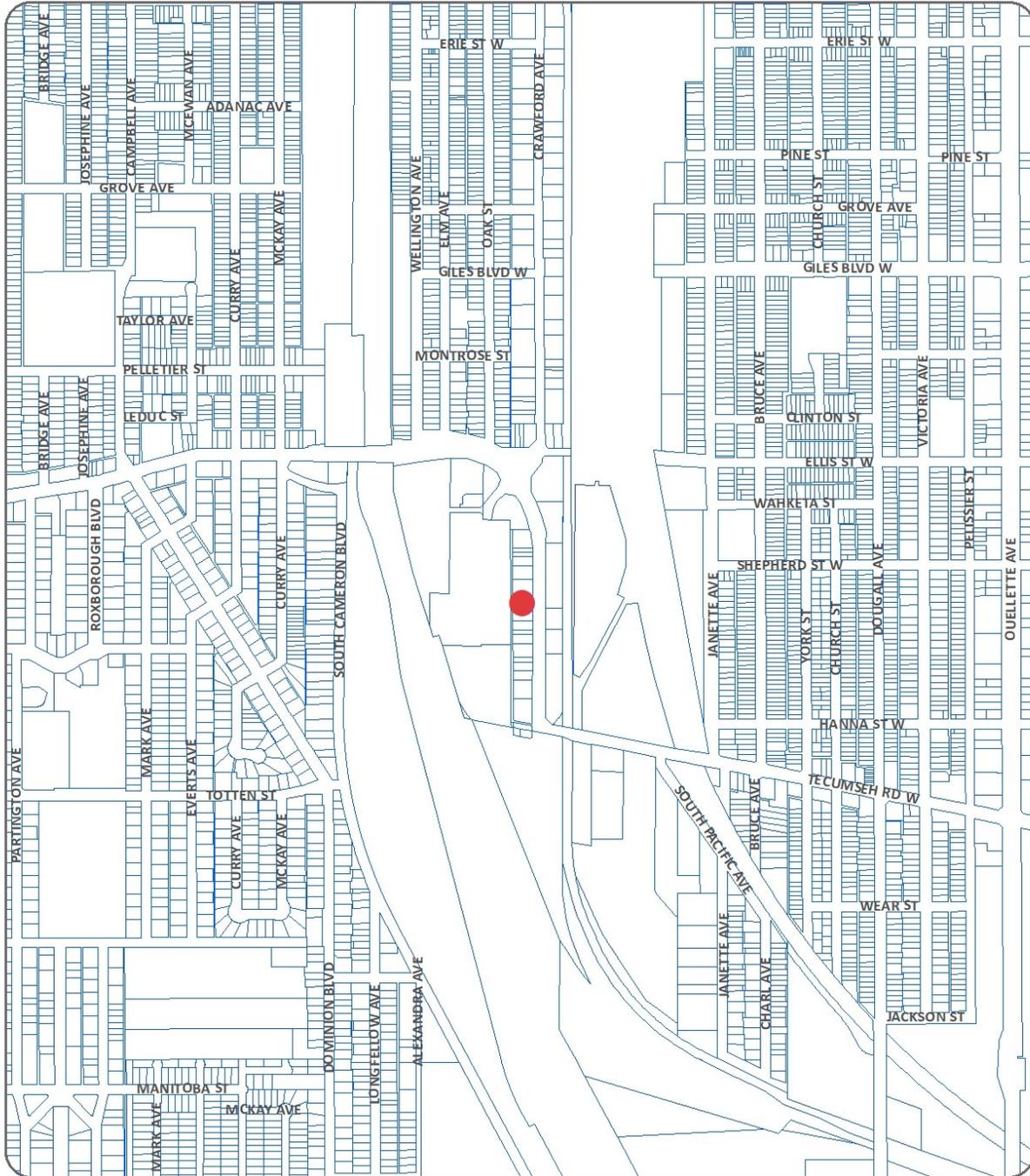
See Appendix A for a Topographic Survey of the subject lands.

Submissions: Rezoning Application Form, Deed, Topographic Survey

Site Information:

OFFICIAL PLAN	ZONING	CURRENT USE	PREVIOUS USE
Industrial	Manufacturing District 2.1 (MD2.1)	Automobile Collision Shop	N/A
LOT FRONTAGE	LOT DEPTH	LOT AREA	LOT SHAPE
27.4 m	39.4 m	1,082.9 sq. m	Rectangular
89.8 ft	129.2 ft	11,656.2 sq. ft.	
<i>All measurements are approximate and are for information purposes only.</i>			

Figure 1: Key Map



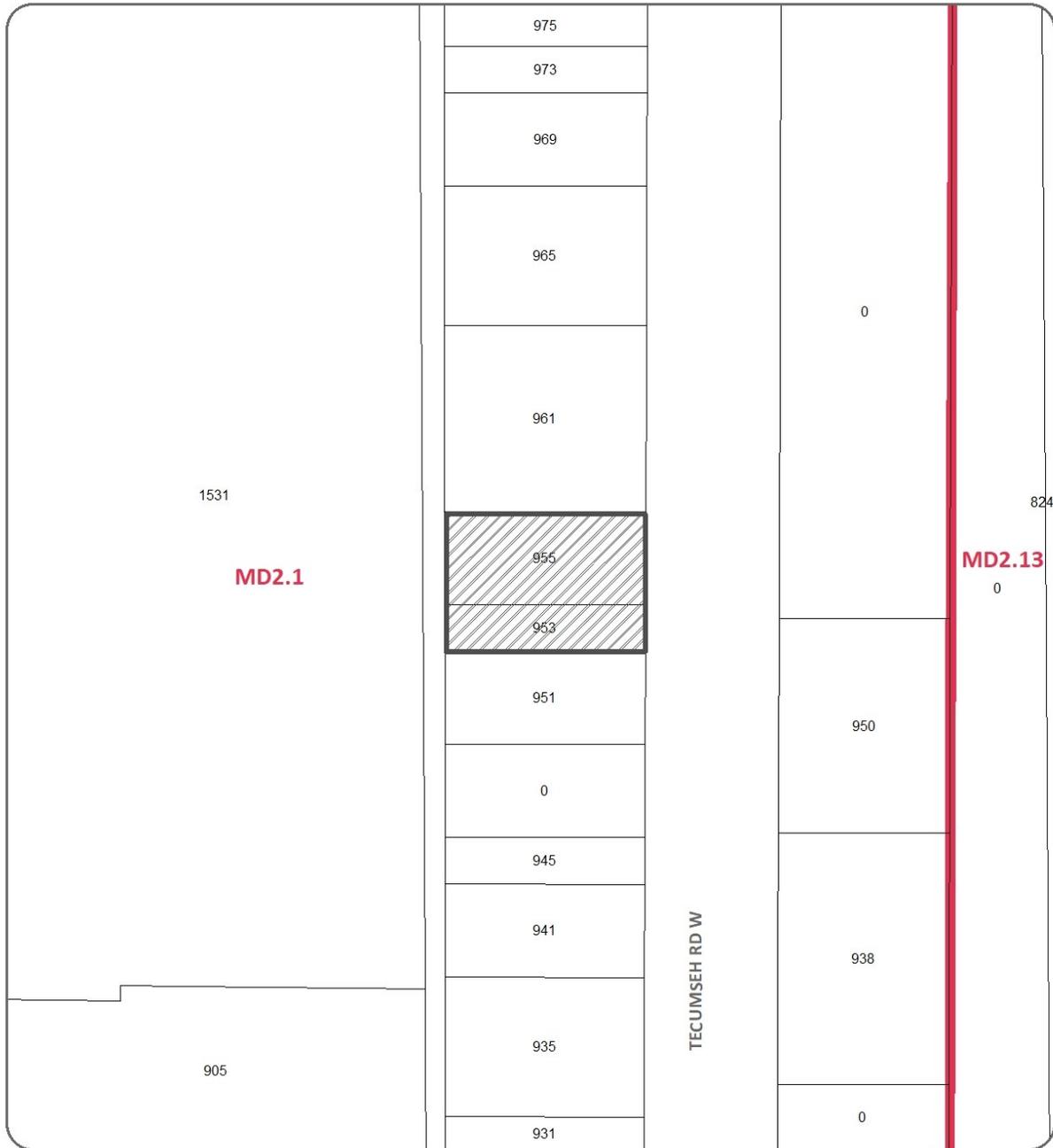
KEY MAP - Z-025/22, ZNG-6795

● SUBJECT LANDS

APPLICANT: 2775385 ONTARIO INC.
ADDRESS: 953 & 955 TECUMSEH ROAD WEST



Figure 2: Subject Parcel - Rezoning



PART OF ZONING DISTRICT MAPS 4 & 7

N.T.S.

REZONING

APPLICANT: 2775385 ONTARIO INC.



SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT



DATE : JULY 2022
FILE NO. : Z-025/22, ZNG-6795

Figure 3: Neighborhood Map



NEIGHBOURHOOD MAP - Z-025/22, ZNG-6795



SUBJECT LANDS

APPLICANT: 2775385 ONTARIO INC.

ADDRESS: 953 & 955 TECUMSEH ROAD WEST

Neighbourhood Characteristics:

The subject parcel is located in an industrial area bordered by rail yards on the east and west sides. There are numerous automotive related uses in the Tecumseh Road/Crawford Avenue corridor including an Automobile Collision Shop, Automobile Detailing Service, Automobile Repair Garage and Automobile Sales Lot.

To the north are industrial uses on both sides of Tecumseh Road West, industrial uses along Crawford Avenue and low density low profile residential along Oak Street, Elm Avenue and Wellington Avenue. To the east are light industrial and commercial uses on the east side of Tecumseh Road, the Essex Terminal Railway rail corridor and the CP Rail yard including the Windsor Auto Compound. To the south are industrial uses and rail operations. To the west is the City of Windsor Crawford Yard (Public Works Operations) and the CN Rail Van de Water Yard.

Tecumseh Road West is a Class II Arterial road with four travel lanes and curbs and sidewalks on both sides, and is a major east-west corridor. On-street parking is prohibited. Crawford Avenue to the north provides access to College Avenue, Wyandotte Street, University Avenue and Riverside Drive.

Transit Windsor operates the Dougall 6 bus route along Bruce Avenue and Dougall Avenue with stops at Tecumseh Road West, about 800 m walking distance to the east, and the Central 3 and Central 3 West at Crawford and Tecumseh, about 400 m to the north. The Transit Master Plan recommends maintaining similar transit service.

Sewers are available in the Tecumseh Road West right-of-way. See Appendix B for site images.

Discussion:

Provincial Policy Statement, 2020

The Provincial Policy Statement (PPS) provides direction on matters of provincial interest related to land use planning and development and sets the policy foundation for regulating the development and use of land in Ontario.

Policy 1.1.1 of the PPS 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;*
- b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;*
- 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;”

The proposed motor vehicle dealership represents an efficient development that will have no adverse impact on the financial well-being of the City, land consumption, and servicing costs, accommodates an appropriate range of employment uses, minimizes land consumption and servicing costs, and optimizes investments in transit. The zoning amendment is consistent with Policy 1.1.1.

Policy 1.1.3.1 of the PPS states:

“Settlement areas shall be the focus of growth and development.”

Policy 1.1.3.2 of the PPS states:

“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;*
- e) support active transportation;*
- f) are transit-supportive, where transit is planned, exists or may be developed;”*

The parcel is located within the settlement area. The zoning amendment promotes a land use that makes efficient use of land and existing infrastructure and is transit-supportive. The zoning amendment is consistent with PPS Policies 1.1.3.1 and 1.1.3.2.

The proposed amendment to Zoning By-law 8600 is consistent with the PPS.

Official Plan:

The subject parcel is located within the Remington Park Planning District and is designated Industrial on Schedule D: Land Use of the City of Windsor Official Plan.

Objective 6.4.1.3 ensures that employment uses are developed in a manner that are compatible with other land uses. Objective 6.4.1.4 seeks to accommodate a full range of employment activities. Objective 6.4.1.6 states that employment activities shall be located in areas that have convenient access to all modes of transportation. Objective 6.4.1.8 ensures that adequate infrastructure services are provided to employment areas. Objective 6.4.1.9 seeks to maintain and develop viable industrial areas.

The proposed Motor Vehicle Dealership is compatible with other land uses including industrial uses and other automotive-related land uses, helps accommodate a full range of employment activities, and improves the viability of the industrial area. The parcel is located on a major east-west arterial road, has access to public transit, and no deficiencies in services have been identified.

The zoning amendment satisfies the objectives in Section 6.4.1 of the Official Plan.

Permitted uses in the Industrial land use designation include service and repair facilities and uses that are dependent upon, serves or otherwise complements the industrial function of the area (Section 6.4.3.1 (h) and (i)). Permitted ancillary uses include motor vehicle sales (Section 6.4.3.2 (d)). Applicable locational criteria include access to an

arterial road, provision of full municipal physical services, and peak period public transportation service is available.

A Motor Vehicle Dealership conforms to Section 6.4.3 of the Official Plan.

The zoning amendment conforms to the Zoning Amendment Policies, Section 11.6.3.1 and 11.6.3.3, of the Official Plan.

The proposed change to Zoning By-law 8600 conforms to the general policy direction of the Official Plan.

Zoning By-Law:

Relevant excerpts from Zoning By-law 8600 are attached as Appendix C.

The applicant is requesting a site specific exception to allow a Motor Vehicle Dealership as an additional permitted use. There are existing parcels selling motor vehicles in the surrounding areas. The parcel is of adequate area to accommodate the proposed additional use. A Motor Vehicle Dealership is compatible with existing and permitted uses in the surrounding area.

The change of use is subject to site plan control. The requirements and concerns of municipal department, such as parking area and outdoor storage yard setbacks and the provision/restoration of landscaping along Tecumseh Road West, will be considered during site plan control.

Risk Analysis:

N/A

Climate Change Risks

Climate Change Mitigation:

In general, adaptive reuse of existing buildings minimizes the impact on the Community greenhouse gas emissions as these developments use currently available infrastructure such as sewers, sidewalks, and public transit.

Climate Change Adaptation:

Minimal opportunity to increase resiliency of the development or surrounding area.

Financial Matters:

N/A

Consultations:

Comments received from municipal departments and external agencies are attached as Appendix D.

Public Notice: Statutory notice was advertised in the Windsor Star, a local daily newspaper. A courtesy notice was mailed to property owners and tenants within 120m of the subject parcel.

Planner's Opinion:

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 zoning amendment has been evaluated for consistency with the Provincial Policy Statement 2020 and conformity with the policies of the Official Plan.

Based on the information in this report, it is my opinion that an amendment to Zoning By-law 8600 to add a site specific exception to allow a Motor Vehicle Dealership as an additional permitted use is consistent with the PPS 2020, is in conformity with the City of Windsor Official Plan, and constitutes good planning.

Conclusion:

Staff recommend that Zoning By-law 8600 be amended by adding a site specific exception to allow Motor Vehicle Dealership as an additional permitted use.

Planning Act Matters:

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

Neil Robertson, MCIP, RPP
Manager of Urban Design

Thom Hunt, MCIP, RPP
City Planner

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

JP *OC*

Approvals:

Name	Title
Neil Robertson	Manager of Urban Design / Deputy City Planner
Thom Hunt	City Planner / Executive Director, Planning & Development Services
Wira Vendrasco	Deputy City Solicitor, Legal Services & Real Estate
Jelena Payne	Commissioner, Economic Development & Innovation
Onorio Colucci	Acting Chief Administration Officer

Notifications:

Name	Address	Email
Bassim Al Hamidawy	2523 California Avenue Windsor ON N9E 4L8	bassimal71@gmail.ca
Farhat & Associates ATTN: Hajar Tohme	1 Hanna St W Windsor ON N8X 1C7	htohme@farhatlaw.ca
Councillor Morrison (Ward 10)		
Property owners and tenants within 120 m of the subject parcel		

Appendices:

- 1 Appendix A - Topographic Survey
- 2 Appendix B - Site Images
- 3 Appendix C - Extracts from Zoning By-law 8600
- 4 Appendix D - Comments

TOPOGRAPHIC SURVEY
OF
LOTS 32, 33 and 34
REGISTERED PLAN 730
IN THE
CITY OF WINDSOR
COUNTY OF ESSEX, ONTARIO

© VERHAEGEN LAND SURVEYORS, A DIVISION OF J.D. BARNES LIMITED.

SCALE : 1"=20'
0 10.0 20.0 40.0 60.0 100.0
FEET

LEGEND AND NOTES

BEARINGS ARE UTM GRID DERIVED FROM OBSERVED REFERENCE POINTS "A" AND "B" BY REAL TIME NETWORK OBSERVATIONS AND ARE REFERRED TO UTM ZONE 17 (81° WEST LONGITUDE) NAD83 (CSRS) (2010.0).

DISTANCES ON THIS PLAN ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999994.

ALL SET SBH AND PB MONUMENTS WERE USED DUE TO LACK OF OVERBURDEN AND/OR PROXIMITY OF UNDERGROUND UTILITIES IN ACCORDANCE WITH SECTION 11(4) OF O.REG. 525/91.

ALL MONUMENTS SHOWN THUSLY □ ARE IRON BARS (B) UNLESS OTHERWISE NOTED.

SIB □ DENOTES STANDING IRON BAR
SIBB □ DENOTES SHORT STANDARD IRON BAR
IB □ DENOTES IRON BAR
IBB □ DENOTES ROUND IRON BAR
IBP □ DENOTES CUT-CROSS
CP □ DENOTES 5mm X 50mm STEEL PIN
PB □ DENOTES PLASTIC BAR
F □ DENOTES SURVEY MONUMENT FOUND
□ DENOTES SURVEY MONUMENT SET AND MARKED 1744
WIT □ DENOTES WITNESS (S) DENOTES PERPENDICULAR
(S) DENOTES SET (S) DENOTES MEASURED
(S/P) DENOTES OBSERVED REFERENCE POINT (N) DENOTES INST. No.
(P) DENOTES SET PROPORTIONALLY (N) DENOTES NOT IDENTIFIABLE
(P1) DENOTES REGISTERED PLAN 730
(P2) DENOTES PLAN OF SURVEY (1184), Dated July 29, 1986, Plan File 4V-8764
(1744) DENOTES VERHAEGEN LAND SURVEYORS, O.L.S.

○ MH DENOTES HYDRO MANHOLE
○ MHS DENOTES SEWER MANHOLE
○ MHT DENOTES TELEPHONE MANHOLE
○ MHTD DENOTES TRAFFIC MANHOLE
○ WM DENOTES WATER MANHOLE
○ GM DENOTES GAS METER
○ CB DENOTES CATCH BASIN
○ DCB DENOTES DOUBLE CATCH BASIN
● LSc DENOTES LIGHT STANDARD CONCRETE
● LSt DENOTES LIGHT STANDARD STEEL
● LSW DENOTES LIGHT STANDARD WOOD
● UPc DENOTES UTILITY POLE CONCRETE
● UPw DENOTES UTILITY POLE WOOD
● GP DENOTES GUY POLE
● GW DENOTES GUY WIRE
● Bbl DENOTES BOLLARD
● PM DENOTES PARKING METER
● AC DENOTES TOP OF CURB
● BC DENOTES BOTTOM OF CURB
● FH DENOTES FIRE HYDRANT
● WM DENOTES WATER METER
● WWS DENOTES WATER VALVE (Service)
● WVM DENOTES WATER VALVE (Main)
● GM DENOTES GAS METER
● GV DENOTES GAS VALVE
● HM DENOTES HYDRO METER
● Pstf DENOTES TELEPHONE PEDESTAL
● Pstc DENOTES CABLE TV PEDESTAL
● Trs DENOTES TRAFFIC SIGN
● Trsg DENOTES TRAFFIC SIGNAL
● UPc DENOTES UTILITY POLE CONCRETE
● UPw DENOTES UTILITY POLE WOOD
● TH DENOTES TESTHOLE
● BM DENOTES BENCH MARK
● HCP DENOTES HORIZONTAL CONTROL POINT
● VCP DENOTES VERTICAL CONTROL POINT
● SHR DENOTES SHURUB
● SC DENOTES SEWER CLEANOUT
● IN DENOTES INVERT

DECIDUOUS AND CONIFEROUS TREES ARE DENOTED DT AND CT RESPECTIVELY.
A PREFIX TO THE DESCRIPTION DENOTES THE NUMBER OF TREE TRUNKS WHEN TREES ARE CLUMPED TOGETHER AND A SUFFIX DENOTES THE TREE DIAMETER OR (N/S) NOT TO SCALE.

C (pipe size) C DENOTES OVERHEAD CABLE TV LINE
G (pipe size) G DENOTES GAS LINE
H H DENOTES OVERHEAD HYDRO LINE
CS (pipe size) CS DENOTES COMBINED SEWER
SA (pipe size) SA DENOTES SANITARY SEWER
ST (pipe size) ST DENOTES STORM SEWER
T T DENOTES OVERHEAD TELEPHONE LINE
W (pipe size) W DENOTES WATER LINE

UNDERGROUND CABLE, HYDRO OR TELEPHONE LINES ARE PREFIXED WITH THE LETTER "U"
(CABLE = UC HYDRO = UH TELEPHONE = UT)

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYS ACT AND THE REGULATIONS MADE UNDER THEM.
- THIS SURVEY WAS COMPLETED ON THE 27th DAY OF MAY, 2022

DATE JUNE 9, 2022

Roy Simone
ROY A. SIMONE
ONTOLOGICAL LAND SURVEYOR



VERHAEGEN
LAND SURVEYORS

A DIVISION OF J.D. BARNES LTD.

344 OLTAWA STREET, WINDSOR, ON, N9K 2E1
T: (519) 354-1772 F: (519) 354-1791 www.jdbarnes.com

SURVEYING
MAPPING
GIS

DRAWN BY: NMG CHECKED BY: RAS REFERENCE NO.: 22-47-224-00
FILE: E-730-3 CAD Date: June 9, 2022 3:11 PM
CAD File: 22-47-224-00.dwg

INTEGRATION DATA

OBSERVED REFERENCE POINTS (ORPs): UTM ZONE 17 NAD83 (CSRS) (2010.0).
COORDINATES TO URBAN ACCURACY FOR SECTION 14 (2) OF O.REG. 216/10.

POINT ID	NORTHING	EASTING
ORP-A	N15370005.37	E1089039.22
ORP-B	N15369566.42	E1089233.20

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

CAUTION

UNDERGROUND UTILITIES AND SERVICES SHOWN ON THIS PLAN ARE APPROXIMATE AND MUST BE VERIFIED BEFORE CONSTRUCTION.

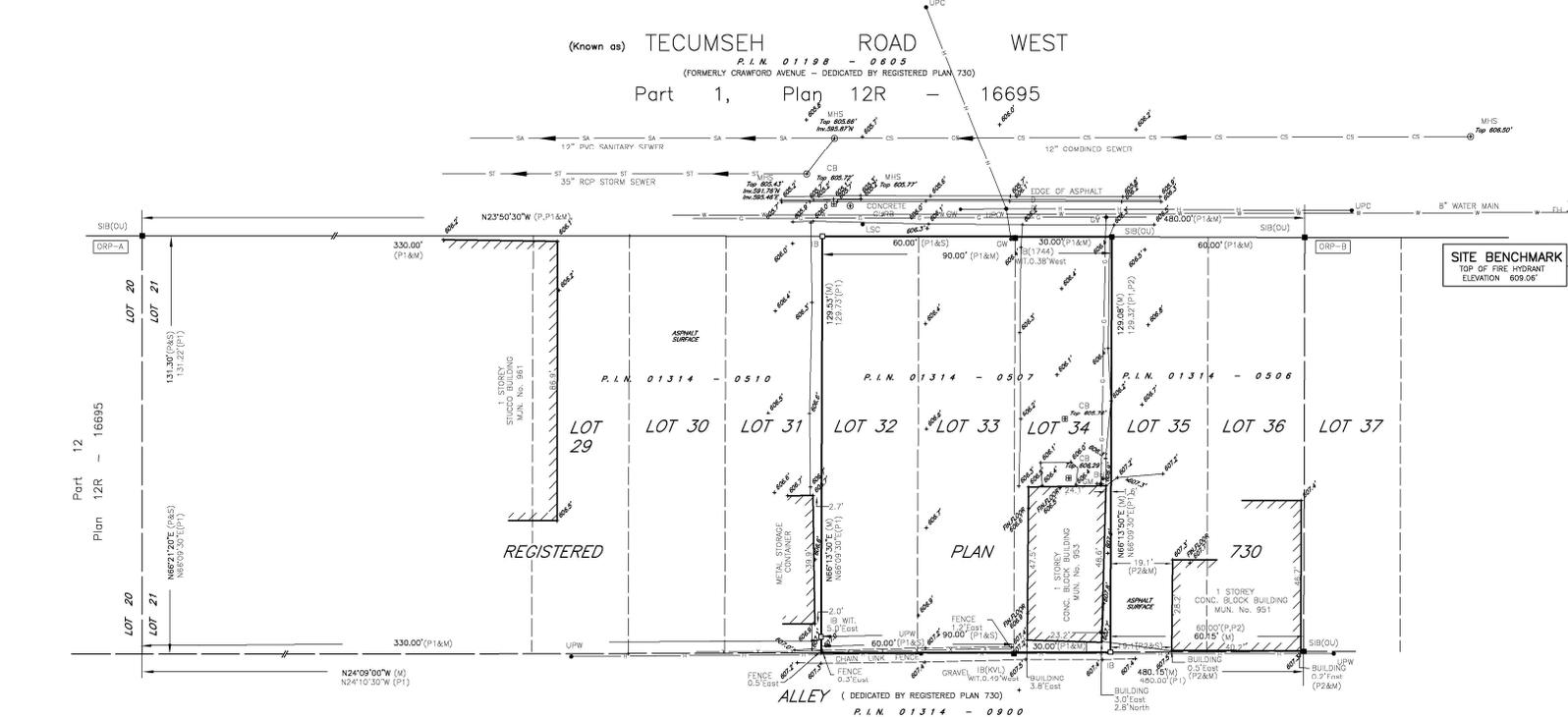
INVERTS

SEWER INVERT ELEVATIONS SHOWN HEREON HAVE BEEN DERIVED FROM CITY OF WINDSOR SEWER ATLAS PLATE H7 AND NOT THE RESULT OF FIELD MEASUREMENTS.

"IMPERIAL" DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN FEET AND CAN BE CONVERTED TO METRES BY MULTIPLYING BY 0.3048

FOR BEARING COMPARISON, A ROTATION OF 0°59'30" CLOCKWISE WAS APPLIED TO (P2) TO CONVERT TO GRID BEARINGS.

FOR BEARING COMPARISON, A ROTATION OF 0°26'30" CLOCKWISE WAS APPLIED TO (P1) TO CONVERT TO GRID BEARINGS.



ELEVATIONS

ELEVATIONS SHOWN ON THIS PLAN ARE IN FEET TO CANADIAN GEODETIC VERTICAL DATUM (1928)

BENCH MARK

BENCH MARK 988
MUN. No. 675 TECUMSEH ROAD WEST (BOWLER); THE PLATE IS LOCATED ON THE NORTH WAL. 2.3 FEET FROM THE EAST WALL AND 1.2 FEET ABOVE GRADE.
ELEVATION 612.64'

SITE BENCH MARK

TOP OF FIRE HYDRANT SOUTH OF PARCEL.
ELEVATION 609.06'

**APPENDIX B - SITE IMAGES
(Google Street View)**

IMAGE 1



Subject Parcel – 953 & 955 Tecumseh Road West - Looking west

IMAGE 2



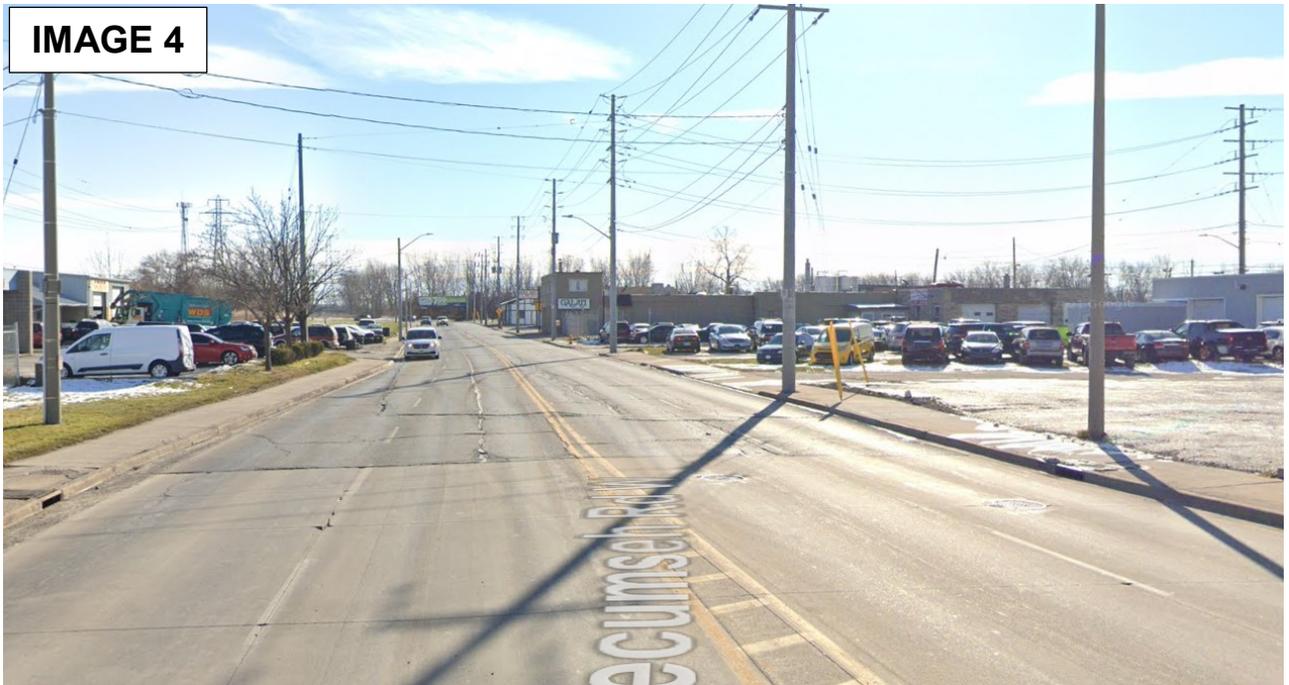
**Looking north on Tecumseh Road West
Subject parcel on left side**

IMAGE 3



Looking east from subject parcel on Tecumseh Road West

IMAGE 4



**Looking south on Tecumseh Road West
Subject parcel on right side**

APPENDIX C - Extracts from Zoning By-law 8600

SECTION 3 – DEFINITIONS

3.10 DEFINITIONS

AUTOMOBILE SALES LOT means a *premises* used for the lease, rental or sale of an *automobile*. It does not include an *automobile collision shop, automobile detailing service or automobile repair garage*.

MOTOR VEHICLE means vehicle propelled, driven or pulled by other than muscular power and includes an *automobile, commercial motor vehicle, recreational vehicle, transport trailer, or transport truck*. It does not include a power-assisted bicycle as defined in the Highway Traffic Act, R.S.O. 1990, c. H.8. or a train.

MOTOR VEHICLE DEALERSHIP means a *lot and building* used for any one or more of the following: the sale, lease or rental of a *motor vehicle*, and may also include as an *accessory use*, any one or more of the following: *outdoor storage yard* exclusively for the storage of *motor vehicles; repair shop – heavy* exclusively for the maintenance and repair of *motor vehicles; washing of a motor vehicle*.

INDUSTRIAL USE means, unless specifically prohibited, one or any combination of the following:

1. One or more *main use* identified as an industrial activity in Section 3.10
2. One or more of the following *main uses*:

Automobile Collision Shop
Automobile Detailing Service
Automobile Repair Garage
Bakery
Confectionary
Contractor's Office

Medical Appliance Facility
Repair Shop – Heavy
Research and Development Facility
Warehouse
Welding Shop
Wholesale Store

3. One or more of the following activities as a *main use*:

Assembling
 Constructing
 Manufacturing
 Packaging
 Processing
 Producing
 Shipping

SECTION 19 - MANUFACTURING DISTRICTS 2. (MD2.)

19.1 MANUFACTURING DISTRICT 2.1 (MD2.1)

19.1.1 PERMITTED USES

- Industrial Use*
- Ambulance Service*
- Building Materials Recycling Store*
- Food Catering Service*
- Micro-Brewery*
- Motor Vehicle Salvage Operation*
- Self-Storage Facility*
- Towing Facility*

Any use accessory to any of the above uses, including a *Caretaker's Residence*.

19.1.3 PROHIBITED USES

- Animal Processing Facility*
- Batching Plant*
- Distillation Plant*
- Manufacturing Heavy*
- Pit*
- Primary Metals Plant*
- Quarry*
- Salvage Operation*

19.1.5 PROVISIONS

- | | | |
|----|--|------------------------|
| .5 | Front Yard Depth – minimum | 6.0 m |
| .7 | Side Yard Width – minimum | |
| | a) From a <i>side lot line</i> that abuts a <i>lot</i> on which a <i>dwelling</i> or <i>dwelling unit</i> is located | 6.0 m |
| | b) From an <i>exterior lot line</i> | 3.0 m |
| .8 | Landscaped Open Space Yard – minimum | 15% of <i>lot area</i> |

APPENDIX D - COMMENTS

CITY OF WINDSOR - BUILDING DEPARTMENT - BARBARA RUSAN

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

The building permit review process occurs after a development application receives approval and once a building permit application has been submitted to the Building Department and deemed a complete application. Due to the limited Ontario Building Code related information received, review of the proposed project for compliance to the Ontario Building Code has not yet been conducted.

It is strongly recommended that the owner and/or applicant contact the Building Department to determine building permit needs for the proposed project prior to building permit submission. The City of Windsor Building Department can be reach by phoning 519-255-6267 or email at buildingdept@citywindsor.ca

CITY OF WINDSOR - ENGINEERING & RIGHT-OF-WAY - ALISON LODGE

The site may be serviced by a 375mm vitrified combined sewer located within the proposed development area, along the centerline of Tecumseh Road West. The owner(s) will be required to obtain a permit from the Engineering Department to connect to existing sanitary and/or storm sewer connections. Existing connections are to be utilized wherever possible at the entire cost and risk of the owner. If an existing connection is not utilized, it shall be capped and abandoned in to the satisfaction of the City Engineer. If a new connection is required, it shall be installed, by trenchless method under the existing pavement from the sewer main tap pit on Tecumseh Road West, except when specific consent is given by the City Engineer.

Tecumseh Road West is classified as a Class II Arterial per the Official Plan with a required right-of-way width of 42 meters. The Tecumseh Road West Environmental Assessment does not identify any land conveyance for this property, therefore a conveyance is not required. The current driveway is attached to 953 Tecumseh Road West; therefore; a reciprocal access agreement is required.

In summary, we have no objections to the proposed site plan application, subject to the following requirements:

Site Plan Control Agreement – The applicant enters into an agreement with the City of Windsor for all requirements under the General Provisions of the Site Plan Control Agreement for the Engineering Department.

Reciprocal Access & Services – The owner agrees to enter into a reciprocal agreement with the abutting property owners for access and services.

Driveway Approaches – The Owner further agrees that driveway approaches shall be constructed in such width and location as shall be approved by the City Engineer and the Owner shall have the option of constructing the said driveway approaches as follows:

1. asphalt in accordance with City of Windsor Standard Drawing AS-221; or
2. concrete in accordance with City of Windsor Standard Drawing AS-222;
3. to provide straight flare driveway approaches and to terminate the raised curbs at the property line and the raised curbs shall not extend into the driveway approaches, outside of the subject lands;

All work to the satisfaction of the City Engineer.

CITY OF WINDSOR - PLANNING - HERITAGE PLANNING - TRACY TANG

There is no apparent built heritage concern with this property and it is located on an area of low archaeological potential.

Should archaeological resources be found during grading, construction or soil removal activities, all work in the area must stop immediately and the City's Planning & Building Department, the City's Manager of Culture and Events, and the Ontario Ministry of Heritage, Sport, Tourism and Culture Industries must be notified and confirm satisfaction of any archaeological requirements before work can recommence.

In the event that human remains are encountered during grading, construction or soil removal activities, all work in that area must be stopped immediately and the site secured. The local police or coroner must be contacted to determine whether or not the skeletal remains are human, and whether the remains constitute a part of a crime scene. The Local police or coroner will then notify the Ontario Ministry of Heritage, Sport, Tourism and Culture Industries and the Registrar at the Ministry of Government and Consumer Services if needed, and notification and satisfactory confirmation be given by the Ministry of Heritage, Sport, Tourism and Culture Industries.

Contacts:

Windsor Planning & Building Department:
519-255-6543 x6179, ktang@citywindsor.ca, planningdept@citywindsor.ca

Windsor Manager of Culture and Events (A):
Michelle Staaedegaard, (O) 519-253-2300x2726, (C) 519-816-0711, mstaaedegaard@citywindsor.ca

Ontario Ministry of Heritage, Sport, Tourism and Culture Industries
Archaeology Programs Unit, 1-416-212-8886, Archaeology@ontario.ca

Windsor Police: 911

Ontario Ministry of Government & Consumer Services
A/Registrar of Burial Sites, War Graves, Abandoned Cemeteries and Cemetery Closures, 1-416-212-7499, Crystal.Forrest@ontario.ca

CITY OF WINDSOR - PLANNING - LANDSCAPE ARCHITECT - STEFAN FEDIUK

Zoning Provisions for Parking Setback:

Between October 2018 and December 2020, the owner (or previous owner) has removed all the existing greenspace and replaced it with gravel, including that which was on the municipal right-of-way.

As there is no request for a zoning change other than the additional use, it is strongly recommended that the parking areas for the proposed motor vehicle dealership be required to comply with the setbacks (6.0m front yard) and landscape area (minimum 15%) requirements for the current zoning, as found in the Zoning Bylaw for Manufacturing Districts (MD2.1).

Tree Preservation: N/A

Climate Change:

Requirements related to the Zoning Bylaw for setbacks and landscape area, applied at the time of Site Plan Control will help to mitigate the effects of the heat island effect created by the hard surfaces associated with the proposed use of a motor vehicle dealership.

Parkland Dedication:

There are no parkland implications beyond the usual requirement for cash-in-lieu of 2% parkland dedication. Detailed landscape requirements will be provided at the time of site plan review.

CITY OF WINDSOR - PLANNING - SITE PLAN CONTROL - JACQUELINE CABRAL

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

CITY OF WINDSOR - TRANSPORTATION PLANNING - RANIA TOUFEILI

Tecumseh Road West is classified as a Class II Arterial per the Official Plan with a required right-of-way width of 42 meters. The Tecumseh Road West Environmental Assessment does not identify any land conveyance for this property, therefore a conveyance is not required.

A detailed site plan is required to further review this application and provide comments. The site layout and proposed access will need to be reviewed. No new accesses shall be allowed on Tecumseh Road West without appropriate transportation justification.

All parking must comply with Zoning By-Law 8600.

All accesses shall conform to the TAC Geometric Design Guide for Canadian Roads and the City of Windsor Standard Engineering Drawings.

Driveway width and standards must comply with AS-203 and AS-204 with straight flares.

A reciprocal access agreement is required with 953 Tecumseh Road West.

All exterior paths of travel must meet the requirements of the Accessibility for Ontarians with Disabilities Act (AODA).

ENBRIDGE – WINDSOR MAPPING

After reviewing the provided drawing at 953 and 955 Tecumseh Rd W and consulting our mapping system, please note that Enbridge Gas has active infrastructure in the proposed area. A PDF drawing is available for reference. Please Note:

1. The shown piping locations are approximate and for information purposes only
2. The drawings are not to scale
3. This drawing does not replace field locates. Please contact Ontario One Call for onsite locates prior to excavating, digging, etc

Enbridge Gas requires a minimum separation of 0.6m horizontal and 0.3m vertical from all of our plant less than NPS 16 and a minimum separation 1.0m horizontal and 0.6m vertical between any CER-regulated and vital pipelines. For all pipelines (including vital pipelines), when drilling parallel to the pipeline, a minimum horizontal clearance measured from the edge of the pipeline to the edge of the final bore hole of 1 m (3.3 ft) is required. Please ensure that this minimum separation requirement is maintained, and that the contractor obtains locates prior to performing any work and utilizes safe excavation practices while performing any work in the vicinity.

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

Any pipe that is excavated, please assume that it is live

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

ENWIN

HYDRO ENGINEERING: No objection provided adequate clearances are achieved and maintained. ENWIN has existing primary and secondary overhead conductor running along the east, west and south limits of the property.

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

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

WATER ENGINEERING: Water Engineering has no objections to the rezoning.



Committee Matters: SCM 256/2022

Subject: Zoning By-Law Amendment – Matt Zhao - 521,523, & 525 Sandison Street - Z 009/22 [ZNG-6673] - Ward 9

Moved by: Councillor Morrison
Seconded by: Councillor Holt

Decision Number: **DHSC 421**

- I. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of Pt Block A, Plan 1259; Part 1 & 2, Plan 12R-26132 (known municipally as 521, 523, and 525 Sandison Street), from Residential District 1.1 (RD1.1) to Residential District 3.1 (RD3.1).
[ZDM9; ZNG/6673]
- II. THAT the side yard setback from the property line shared with the next property east **BE REDUCED** from 6 metres to 3 metres.
- III. THAT the Site Plan Approval Officer **BE DIRECTED** to incorporate the following into an approved site plan and executed and registered site plan agreement:
 - Shifting the entire building and proposed parking lot 3 metres to the east in order to provide an additional 3 metres of separation from the parking area and the westerly properties.
- IV. THAT the Site Plan Approval Officer **CONSIDER** the following matters in an approved site plan and/or executed and registered site plan agreement:
 - Enhancing the landscaping along the eastern property line to help screen and mitigate noise;
 - Providing a screening fence along the perimeter of the west and south interior property lines;
 - Removing the external refuse storage and storing the refuse internally.

Carried.

Member Gyemi discloses an interest and abstains from voting on this matter.

Report Number: S 104/2022
Clerk's File: Z/14345

Clerk's Note:

1. The recommendation of the Standing Committee and Administration are **not** the same.
2. Please refer to Item 7.2. from the Development & Heritage Standing Committee Meeting held on September 12, 2022.
3. To view the stream of this Standing Committee meeting, please refer to:
<http://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20220913/-1/7356>

Subject: Zoning By-Law Amendment – Matt Zhao - 521,523, & 525 Sandison Street - Z 009/22 [ZNG-6673] - Ward 9

Reference:

Date to Council: September 12, 2022
Author: Pablo Golob, MCIP, RPP
Planner II – Development Review
519-255-6543 ext. 6918
pgolob@citywindsor.ca

Planning & Building Services
Report Date: August 23, 2022
Clerk's File #: Z/14345

To: Mayor and Members of City Council

Recommendation:

I. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of Pt Block A, Plan 1259; Part 1 & 2, Plan 12R-26132 (known municipally as 521,523, and 525 Sandison Street), from Residential District 1.1 (RD1.1) to Residential District 3.1 (RD3.1).

[ZDM9; ZNG/6673]

Executive Summary:

N/A

Background:

Application Information:

Location: 521,523, and 525 Sandison Street
Pt Block A, Plan 1259 and Part 1 & 2, Plan 12R-26132
South side of Sandison Street, east of Howard Avenue
Roll No.: 070-090-07405, 070-090-07404, 070-090-07300

Ward: 9 **Planning District:** South Windsor **Zoning District Map:** 9

Applicant: Matt Zhao

Owner: 2847625 Ontario Ltd. (Matt Zhao)

Agent: Tracey Pillon-Abbs, Pillon Abbs Inc.

Proposal:

The Applicant is requesting an amendment to Zoning By-law 8600 to change the zoning from Residential District 1.1 (RD1.1) to Residential District 3.1 (RD3.1) to permit the construction of a 3 storey, 34 unit residential development with 42 parking spaces. The parcel is designated Residential in the City of Windsor Official Plan, zoned Residential District 1.1 (RD1.1), has a total lot area of 3,352.7 m², lot frontage of 47.7 m, an irregular lot depth, and is currently vacant. As per the applicant, no site specific relief is required to facilitate the proposed building design.

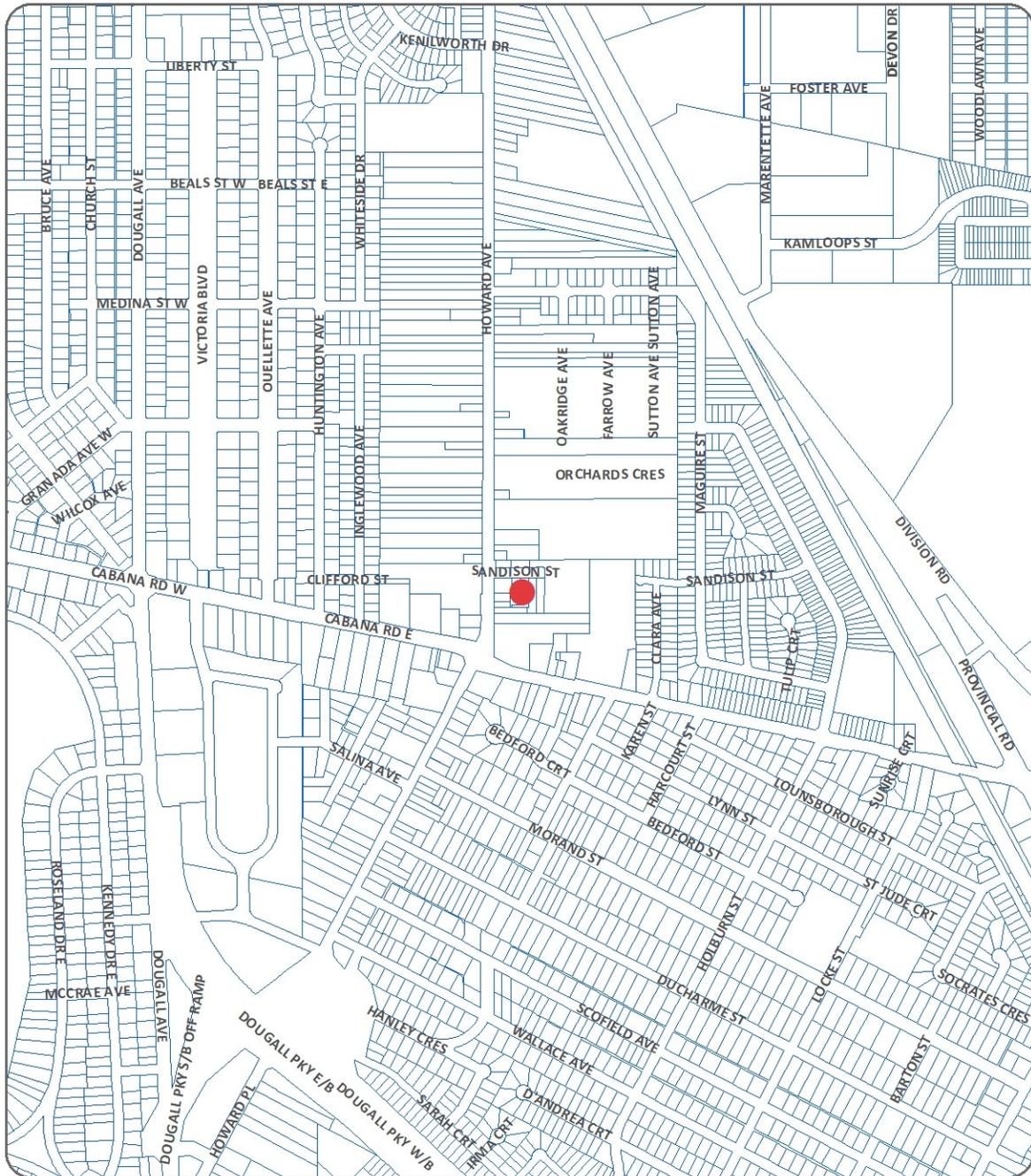
See Appendix A for Conceptual Site Plan

Submissions: Rezoning Application Form, Deed, Topographic Survey, Planning Rationale Report, Conceptual Site Plan, SWM Report

Site Information:

OFFICIAL PLAN	ZONING	CURRENT USE	PREVIOUS USE
Residential	Residential District 1.1 (RD1.1)	Vacant	N/A
LOT FRONTAGE	LOT DEPTH	LOT AREA	LOT SHAPE
47.7 m	Irregular	3,352.7 sq. m	Irregular
156.5 ft	Irregular	36,088.2 sq. ft.	
<i>All measurements are approximate and are for information purposes only.</i>			

Figure 1: Key Map

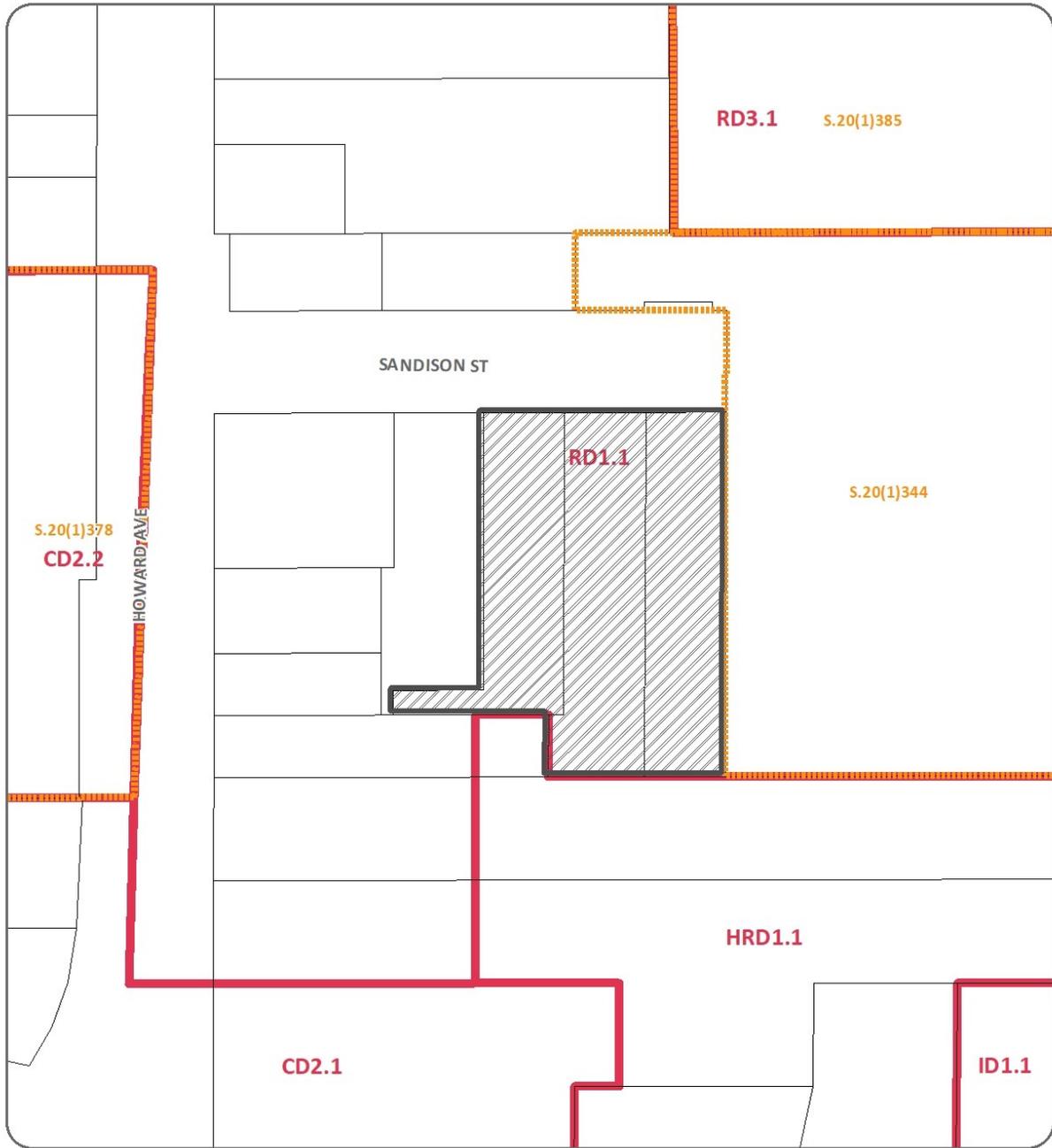


KEY MAP - Z-009/22, ZNG-6673



● SUBJECT LANDS

Figure 2: Subject Parcel - Rezoning



PART OF ZONING DISTRICT MAPS 9

N.T.S.

REZONING

Applicant: Matt Zhao

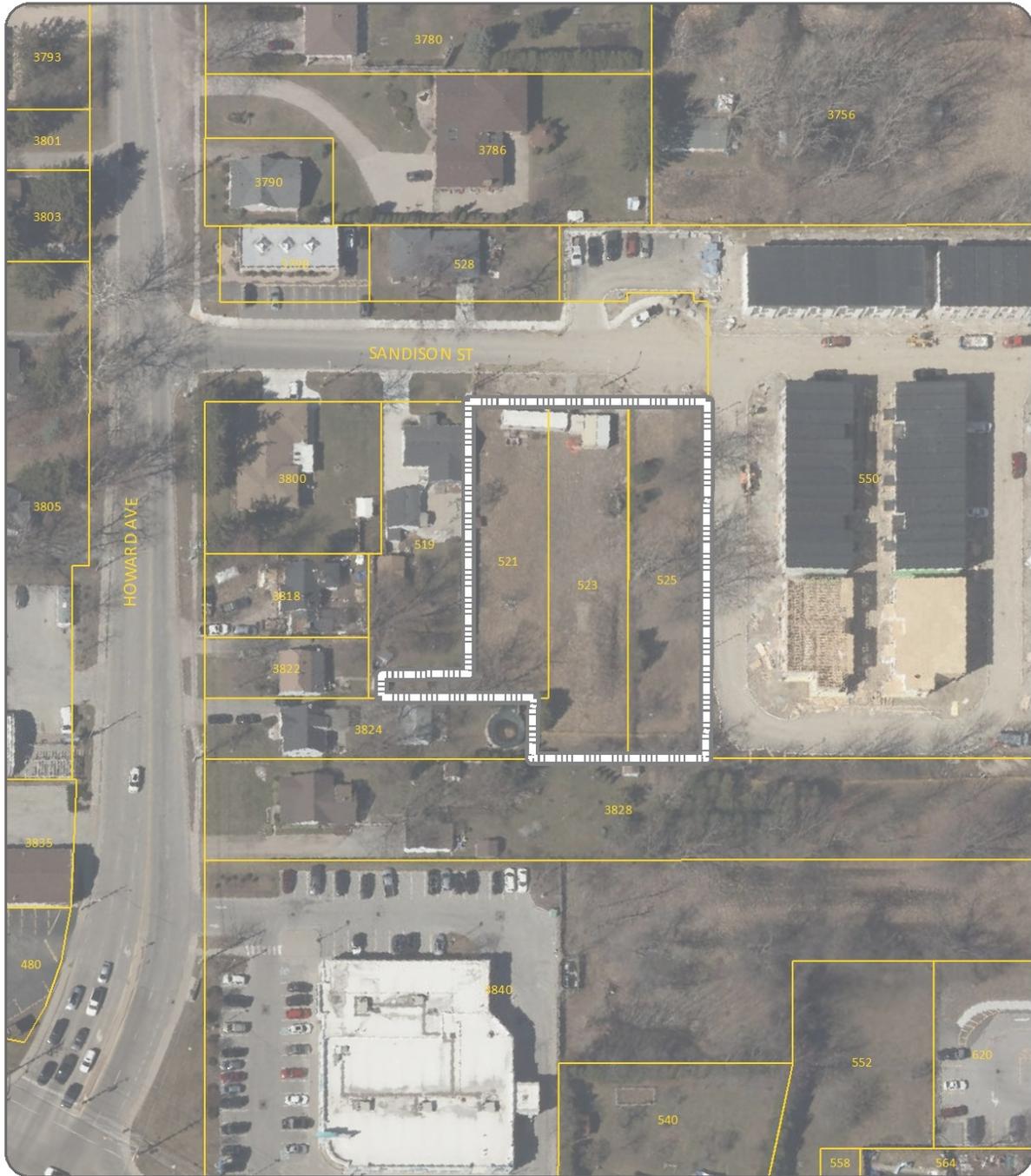


SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT

DATE : MARCH, 2022
FILE NO. : Z-009/22, ZNG/6673

Figure 3: Neighborhood Map



NEIGHBOURHOOD MAP - Z-009/22, ZNG/6673



SUBJECT LANDS

Neighbourhood Characteristics:

The subject lands are located in an established residential area undergoing significant redevelopment. There are numerous residential developments within the vicinity of the subject lands that have been recently constructed, are currently under construction, or proposed. The abutting commercial node of Howard Avenue and Cabana Road East is also experiencing redevelopment activity of commercial uses.

To the north are low profile residential uses on both sides of Howard Avenue, including newly constructed semi-detached dwelling units along Lily-Mac Blvd. A new 4-storey multiple dwelling development has been approved as part of a phased development proposal along Lily-Mac Blvd. To the east are recently constructed townhome dwelling units, Roseland Public School, and low profile residential uses. To the south are low profile residential uses coupled with commercial uses along the Cabana Road East corridor. To the west are additional low and medium profile residential uses, including a 78-unit mixed-use building currently under construction.

Sandison Street is a local road with curbs on both sides and sidewalks on the north side. On-street parking is permitted, however limited. The nearby Howard Avenue is a Class II Arterial road with three travel lanes at the Sandison Street intersection and curbs and sidewalks on both sides. On-street parking is prohibited on Howard Avenue. The City has completed a Class Environmental Assessment study to address capacity, safety, and operational improvements along Howard Avenue, with implementation of improvements subject to Council budget approvals.

Transit Windsor operates the South Windsor 7 bus route along Howard Avenue and Cabana Road, and the Dougall 6 route along Cabana Road, with stops approximately 200 m from the subject site. The Transit Master Plan recommends maintaining these existing transit services.

Storm and sanitary sewers are located in the Sandison Street right-of-way. No municipal infrastructure or service deficiencies have been identified.

Discussion:

Provincial Policy Statement, 2020

The Provincial Policy Statement (PPS) provides direction on matters of provincial interest related to land use planning and development and sets the policy foundation for regulating the development and use of land in Ontario.

Policy 1.1.1 of the PPS 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;*
- b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and*

long-term care homes), recreation, park and open space, and other uses to meet long-term needs;

- 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;”*

The proposed multi-unit residential development represents an efficient infill development and land use pattern that will have no adverse impact on the financial well-being of the City, land consumption, and servicing costs. The development proposal helps to provide a range of housing types in an area dominated by single detached dwellings, and optimizes investments in transit. The zoning amendment is consistent with Policy 1.1.1. of the PPS.

Policy 1.1.3.1 of the PPS states:

“Settlement areas shall be the focus of growth and development.”

Policy 1.1.3.2 of the PPS states:

“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;*
- e) support active transportation;*
- f) are transit-supportive, where transit is planned, exists or may be developed;”*

The subject lands are located within the settlement area. The proposed zoning amendment promotes a land use that makes efficient use of land and existing infrastructure. Active transportation options and transit services are located near the subject site. The zoning amendment is consistent with PPS Policies 1.1.3.1 and 1.1.3.2.

The proposed amendment to Zoning By-law 8600 is consistent with the PPS.

Official Plan:

Relevant excerpts from the Official Plan are attached as Appendix C. The subject lands are located within the South Windsor Planning District and are designated Residential on Schedule D: Land Use of the City of Windsor Official Plan.

Objective 6.1.14 of the Official Plan directs residential intensification to areas of the City where transportation, municipal services, community facilities, and goods and services are readily available. The subject lands are in close proximity to the Mixed-Use Node of the Howard Ave. and Cabana Rd. E. intersection, which provides a range of neighbourhood commercial uses and transit options. Municipal services are located adjacent the subject lands on the Sandison Street right-of-way. The zoning amendment satisfies the objectives set out in Section 6.1.14 of the Official Plan.

The proposed development conforms to the Residential objectives in the Official Plan, particularly with the promotion of a complementary housing type in an area dominated

by single detached residential dwellings, promotion of a compact neighbourhood, and promotion of infill and intensification initiatives (Objectives 6.3.1.1 through 6.3.1.3). The proposed multi-unit residential development is classified as a Medium Profile development under Section 6.2.1.2 (b), a permitted use in the Residential land use designation (Section 6.3.2.1).

Objective 6.3.2.4 of the Official Plan stipulates the locational criteria for residential intensification and directs such intensification to Mixed Use Nodes and areas in proximity to those Nodes. As noted above, the subject lands are in close proximity to the Mixed-Use Node of the Howard Ave. and Cabana Rd. E. intersection which provides for a range of neighbourhood commercial uses and transit options. The subject lands also have access to an arterial road, full municipal services, and adequate community services. As such, the zoning amendment satisfies the objectives set out in Section 6.3.2.4 of the Official Plan.

The proposed development is compatible with the surrounding area in terms of scale, massing, height, siting, orientation, and setbacks (Section 6.3.2.5 (c)), provides adequate off-street parking (Section 6.3.2.5 (d)), and no deficiencies in municipal physical services and emergency services have been identified (Section 6.3.2.5 (e)). The proposed orientation and setbacks of the development facilitate a gradual transition from the abutting Low Profile residential development, in accordance with recently adopted Design Guidelines (Section 6.3.2.5 (f)). The proposed zoning amendment conforms to the policies in Section 6.3.2.5 of the Official Plan.

The proposed zoning amendment conforms to the Zoning Amendment Policies, Section 11.6.3.1 and 11.6.3.3, of the Official Plan.

The proposed change to Zoning By-law 8600 conforms to the general policy direction of the Official Plan.

Zoning By-Law:

Relevant excerpts from Zoning By-law 8600 are attached as Appendix D.

The applicant is requesting a change from Residential District 1.1 (RD1.1) to a Residential District 3.1 (RD3.1), a zoning district that permits a multiple dwelling. The Residential District 3.1 (RD3.1) zoning category is appropriate for the proposed development and is compatible with the existing uses in the neighbourhood. RD3.1 permits one multiple dwelling on a lot with a minimum width of 18.0 m and a minimum area of 540.0 m² (first 4 dwelling units, plus 85.0 m² for each additional unit). A minimum front yard depth of 6.0 m, a minimum rear yard depth of 7.50 m, and a minimum side yard width of 3.0 m (6.0 m where a habitable room window faces a side lot line) is also required. The maximum building height is 10.0 m with a maximum lot coverage of 35%.

The development proposal meets and/or exceeds all of the provision of the RD3.1 zoning category. 1.25 parking spaces per dwelling unit are required, for a total of 42 parking spaces (Section 24.20.7.3 of By-Law 8600 specifies that the calculation of the number of required parking spaces is to be rounded down if the number contains a fraction). The applicant proposes to construct a new parking area per City of Windsor Engineering best practices, including all required bicycle and loading spaces.

No site-specific zoning deficiencies have been identified.

Site Plan Control

The proposed development will be subject to site plan control and will require the submission of a *Design Brief* to address implementation of corresponding zoning provisions and the City's recently adopted Intensification Design Guidelines.

Risk Analysis:

N/A

Climate Change Risks

Climate Change Mitigation:

The proposed development minimizes the impact on community greenhouse gas emissions as the utilization of currently available infrastructure, such as sewers, sidewalks, and public transit, is proposed.

Climate Change Adaptation:

The development proposal incorporates landscaping and building design elements to improve energy efficiency and increase resiliency of the development and surrounding area.

Financial Matters:

N/A

Consultations:

Comments received from municipal departments and external agencies are attached as Appendix E. There are no objections to the proposed amendment. Any specific requirements will be handled during the subsequent Site Plan Control and Building Permit process.

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 120m of the subject parcel.

Planner's Opinion:

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 zoning amendment has been evaluated for consistency with the Provincial Policy Statement 2020 and conformity with the policies of the Official Plan.

Based on the information in this report, it is my opinion that an amendment to Zoning By-law 8600 to change the zoning from Residential District 1.1 (RD1.1) to Residential

District 3.1 (RD3.1) is consistent with the PPS 2020, is in conformity with the City of Windsor Official Plan, and constitutes good planning.

Conclusion:

Staff recommend that Zoning By-law 8600 be amended to change the zoning from Residential District 1.1 (RD1.1) to Residential District 3.1 (RD3.1) to permit the construction of a new multiple dwelling residential development.

Planning Act Matters:

Pablo Golob, MCIP, RPP

Planner II

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

Neil Robertson, MCIP, RPP

Thom Hunt, MCIP, RPP

Manager of Urban Design

City Planner

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

JP

OC

Approvals:

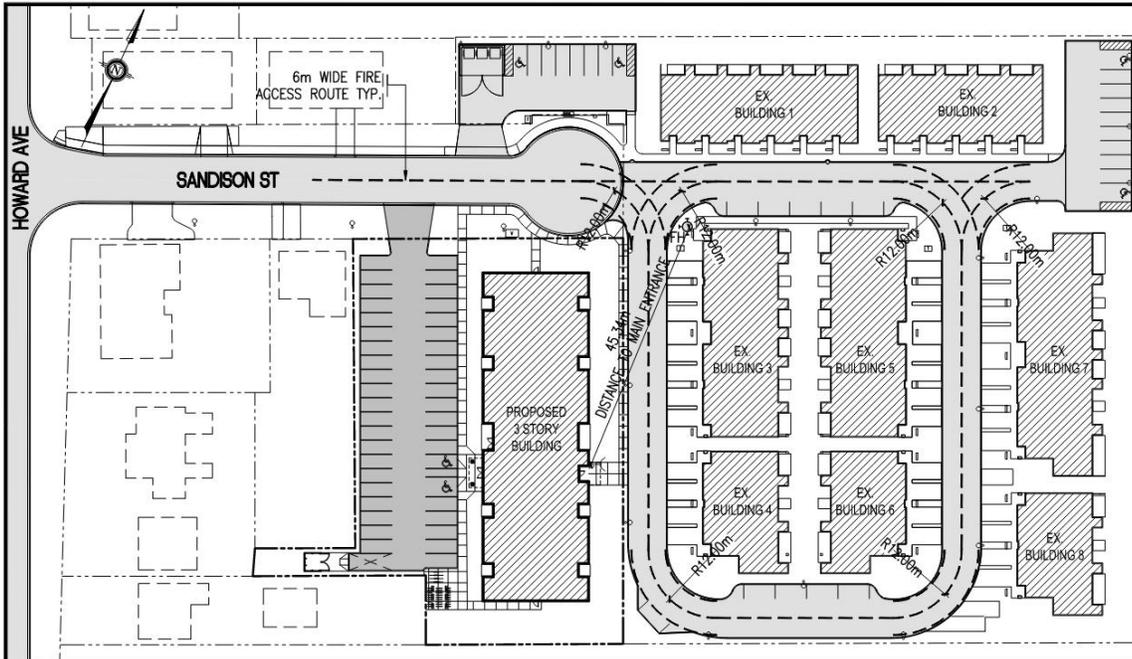
Name	Title
Neil Robertson	Manager of Urban Design / Deputy City Planner
Thom Hunt	City Planner / Executive Director, Planning & Development Services
Wira Vendrasco	Deputy City Solicitor, Legal Services & Real Estate
Jelena Payne	Commissioner, Economic Development & Innovation
Onorio Colucci	Acting Chief Administration Officer

Notifications:

Name	Address	Email
2847625 Ontario Ltd. ATTN: Matt Zhao	445 Apple Creek Blvd-unit 121 Markham, ON L3R 9X7	mattzhao1916@gmail.com
Pillon Abbs Inc. ATTN: Tracey Pillon-Abbs	23669 Prince Albert Road Chatham, ON N7M 5J7	tpillonabbs@gmail.com
Councillor McKenzie (Ward 9)		
Property owners and tenants within 120 m of the subject parcel		

Appendices:

- 1 Appendix A – Conceptual Plan
- 2 Appendix B – Site Images
- 3 Appendix C – Excerpts from Official Plan
- 4 Appendix D – Excerpts from Zoning By-law 8600
- 5 Appendix E – Consultations
- 6 Appendix F – Draft Amending By-law



1 KEY PLAN AND FIRE ACCESS ROUTE
SK-01 1:750

SITE DATA TABLE			
REFERENCE NUMBER	DESCRIPTION	REQUIRED	PROPOSED
-	ZONING	---	RD 3.1
12.1.5.1.	LOT FRONTAGE	18.0m MIN.	±47.7m
12.1.5.2.(a.&b.)	LOT AREA	540m ² +(30*85.0m) = 2835m ² MIN.	±3352.7m ²
12.1.5.3.	LOT COVERAGE	35%	±32%
12.1.5.4.	MAIN BUILDING HEIGHT	10.0m MAX.	10.0m
12.1.5.5.	FRONT YARD DEPTH	6.0m MIN.	6.1m
12.1.5.6.	REAR YARD DEPTH	7.5m MIN.	10.0m
12.1.5.7.	SIDE YARD WIDTH	6.0m MIN.	6.1m
12.1.5.8.	LANDSCAPE COVERAGE	35% MIN.	±37%

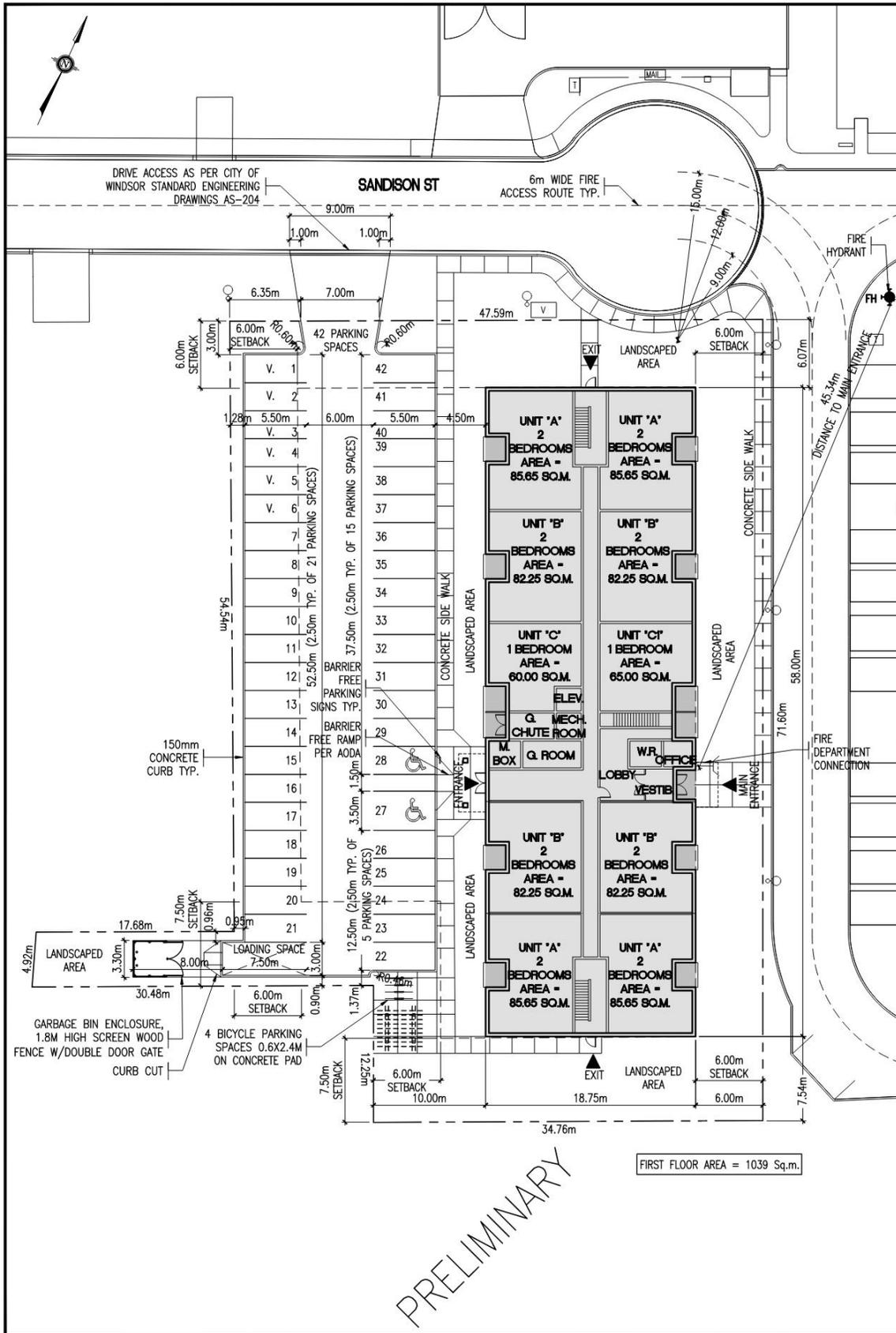
BUILDING INFORMATION	
BUILDING CLASSIFICATION	GROUP C, RESIDENTIAL
FACING STREET	1
STAND PIPE SYSTEM	SPRINKLER SYSTEM
NUMBER OF STOREYS	ABOVE GRADE = 3 BELOW GRADE = 1
BUILDING AREA	1034.85 Sq.m.
GROSS AREA	3104.55 Sq.m.
NUMBER OF UNITS	34 UNITS 1 BEDROOM = 10 UNITS 2 BEDROOMS = 24 UNITS

PARKING SPACES			
REFERENCE NUMBER	DESCRIPTION	REQUIRED	PROPOSED
24.20.5.1.	PARKING SPACES	34 * 1.25 = 42.5	42
24.20.10.1.	PARKING SPACE SIZE	LENGTH 5.5m WIDTH 2.5m	LENGTH 5.5m WIDTH 2.5m
24.24.1.	ACCESSIBLE PARKING SPACES	(2/100)*42=1 TYPE A (2/100)*42=1 TYPE B	(1) TYPE A (1) TYPE B
24.24.10.1.	ACCESSIBLE PARKING SIZE (TYPE A)	LENGTH 5.5m WIDTH 3.5m	LENGTH 5.5m WIDTH 3.5m
24.24.10.2.	ACCESSIBLE PARKING SIZE (TYPE B)	LENGTH 5.5m WIDTH 2.5m	LENGTH 5.5m WIDTH 2.5m
24.30.1.	BICYCLE PARKING SPACES	4	4
12.1.5.6.	BICYCLE PARKING SIZE	0.6mX2.5m	0.6mX2.5m
24.40.1.5.	LOADING SPACE NUMBER	1	1
24.40.10.1.	LOADING PARKING SIZE	LENGTH 7.50m WIDTH 3.00m	LENGTH 7.50m WIDTH 3.00m
24.22.1.1.	VISITOR PARKING SPACES	42X0.15= 6.3 PARKING SPACES	6

PARKING SEPARATION			
REFERENCE NUMBER	DESCRIPTION	REQUIRED	PROPOSED
25.5.20.2.	STREET	3.00m	3.00m
25.5.20.3.	INTERIOR LOT LINE OR ALLEY	0.90m	0.90m
25.5.20.5.	BUILDING WALL (MAIN ENTRANCE)	2.00m	4.35m
25.5.20.6.	BUILDING WALL (HABITABLE)	4.50m	4.50m

PRELIMINARY

PROJECT 521 SANDISON ST DEVELOPMENT WINDSOR, ON	DWG. TITLE KEY PLAN AND FIRE ACCESS ROUTE AND SITE DATA TABLE	DATE DEC 17, 2021	HADDAD, MORGAN AND ASSOCIATES LTD.
		DR. I.P. SA	CONSULTING ENGINEERS WINDSOR ONTARIO
		SCALE 1:750	SK-01



PROJECT: 521 SANDISON ST DEVELOPMENT
WINDSOR, ON

DATE: DEC 17, 2021
DR: SA
SCALE: 1:300

DATE: DEC 17, 2021
DR: SA
SCALE: 1:300

HADDAD, MORGAN AND ASSOCIATES LTD.
CONSULTING ENGINEERS
WINDSOR ONTARIO

21-a162
SK-02

APPENDIX B - SITE IMAGES

Photographs taken by agent (Pillon Abbs Inc.) during a site visit on April 10, 2021.

IMAGE 1



Looking north from subject parcel – 521,523, and 525 Sandison Street

IMAGE 2



**Looking east on Sandison Street
Subject parcel is located on the right side of Image 2**

IMAGE 3



**Looking south onto the subject parcel
(Left to Right: 525, 523, and 521 Sandison Street)**

IMAGE 4



**Looking west from the subject parcel
Subject parcel is on the left side of Image 4**

APPENDIX C - Extracts from City of Windsor Official Plan

VOLUME I – LAND USE

6.1 Goals

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

6.3 Residential

The lands designated as “Residential” on Schedule D: Land Use provide the main locations for housing in Windsor outside of the City Centre Planning District. In order to develop safe, caring and diverse neighbourhoods, opportunities for a broad range of housing types and complementary services and amenities are provided.

The following objectives and policies establish the framework for development decisions in Residential areas.

6.3.1 Objectives

<i>RANGE OF FORMS & TENURES</i>	6.3.1.1	To support a complementary range of housing forms and tenures in all neighbourhoods.
<i>NEIGHBOURHOODS</i>	6.3.1.2	To promote compact neighbourhoods which encourage a balanced transportation system.
<i>INTENSIFICATION, INFILL & REDEVELOPMENT</i>	6.3.1.3	To promote residential redevelopment, infill, and intensification initiatives in locations in accordance with this plan.

6.3.2 Policies

In order to facilitate the orderly development and integration of housing in Windsor, the following policies shall apply.

<i>PERMITTED USES</i>	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 on the City Centre, Mixed Use Centres, and Mixed Use Corridors.

*TYPES OF LOW
PROFILE
HOUSING* 6.3.2.3

For the purposes of this Plan, Low Profile housing development is further classified as follows:

- (a) small scale forms: single detached, semi-detached, duplex and row and multiplexes with up to 8 units; and
- (b) large scale forms: buildings with more than 8 units.

*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 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.

*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:

- (a) feasible having regard to the other provisions of this Plan, provincial legislation, policies and appropriate guidelines and support studies for uses:
 - (i) within or adjacent to any area identified on Schedule C: Development Constraint Areas and described in the Environment chapter of this Plan;
 - (ii) adjacent to sources of nuisance, such as noise, odour, vibration and dust;
 - (iii) within a site of potential or known contamination;
 - (iv) where traffic generation and distribution is a provincial or municipal concern; and

- (v) adjacent to heritage resources.
- (b) in keeping with the goals, objectives and policies of any secondary plan or guideline plan affecting the surrounding area;
- (c) In existing neighbourhoods, compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking, and amenity areas.

In Mature Neighbourhoods as shown on Schedule A-1, compatible with the surrounding area, as noted above, and consistent with the streetscape, architectural style and materials, landscape character and setback between the buildings and streets;

- (d) provided with adequate off street parking;
- (e) capable of being provided with full municipal physical services and emergency services; and
- (f) facilitating a gradual transition from Low Profile residential development to Medium and/or High profile development and vice versa, where appropriate, in accordance with Design Guidelines approved by Council.

VOLUME I – TOOLS

11.6.3 Zoning By-law Amendment Policies

*AMENDMENTS
MUST CONFORM*

11.6.3.1 All amendments to the Zoning By-law(s) shall conform with this Plan. The Municipality will, on each occasion of approval of a change to the zoning by-law(s), specify that conformity with the Official Plan is maintained or that the change will be in conformity upon the coming into effect of an amendment to the Official Plan.

*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 - Extracts from Zoning By-law 8600

SECTION 3 – DEFINITIONS

3.10 DEFINITIONS

DWELLING means a *building* or *structure* that is occupied for the purpose of human habitation. A *correctional institution, hotel, motor home, recreational vehicle, tent, tent trailer, or travel trailer* is not a *dwelling*.

MULTIPLE DWELLING means one *dwelling* containing a *minimum* of three *dwelling units*. A *double duplex dwelling, semi-detached dwelling, stacked dwelling, or townhome dwelling* is not a *multiple dwelling*.

DWELLING UNIT means a unit that consists of a self-contained set of rooms located in a *building* or *structure*, that is used or intended for use as residential premises, and that contains kitchen and bathroom facilities that are intended for the use of the unit only.

SECTION 10 - RESIDENTIAL DISTRICTS 1. (RD1.)

10.1 RESIDENTIAL DISTRICT 1.1 (RD1.1)

10.1.1 PERMITTED USES

- Existing Duplex Dwelling*
- Existing Semi-Detached Dwelling*
- One Single Unit Dwelling*
- Any use accessory to the preceding uses

10.1.5 PROVISIONS

	Duplex Dwelling	Semi-Detached Dwelling	Single Unit Dwelling
.1 Lot Width – minimum	9.0 m	15.0 m	15.0 m
.2 Lot Area – minimum	360.0 m ²	450.0 m ²	450.0 m ²
.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 – maximum	400 m ²	400 m ²	400 m ²

SECTION 12 - RESIDENTIAL DISTRICTS 3. (RD3.)

12.1 RESIDENTIAL DISTRICT 3.1 (RD3.1)

12.1.1 PERMITTED USES

Double Duplex Dwelling

Duplex Dwelling

Lodging House

Multiple Dwelling

Religious Residence

Residential Care Facility

Semi-Detached Dwelling

Single Unit Dwelling (Existing)

Townhome Dwelling

Any use accessory to any of the preceding uses

12.1.5 PROVISIONS

- | | | |
|-----|---|------------------------------|
| .1 | Lot Frontage – minimum | 18.0 m |
| .2 | Lot Area – minimum | |
| | For a <i>corner lot</i> having a minimum frontage of 30.0 m on each of the <i>exterior lot lines</i> : | |
| | a) For the first 5 <i>dwelling units</i> | 540.0 m ² |
| | b) For each additional <i>dwelling unit</i> | 67.0 m ² per unit |
| | For any other lot: | |
| | c) For the first 4 <i>dwelling units</i> | 540.0 m ² |
| | d) For each additional <i>dwelling unit</i> | 85.0 m ² per unit |
| .3 | Lot Coverage – maximum | 35.0% |
| .4 | Main Building Height – maximum | |
| | <i>Corner Lot</i> | 14.0 m |
| | <i>Interior Lot</i> | 10.0 m |
| .5 | Front Yard Depth – minimum | 6.0 m |
| .6 | Rear Yard Depth – minimum | 7.50 m |
| .7 | Side Yard Width – minimum | |
| | a) Where a <i>habitable room window</i> of any <i>dwelling unit</i> faces a <i>side lot line</i> | 6.0 m |
| | b) Any other side yard | 3.0 m |
| .8 | Landscaped Open Space Yard – minimum | 35.0% of <i>lot area</i> |
| .50 | A <i>Lodging House</i> for the accommodation of 10 persons or less, and any use accessory thereto, shall comply with the <i>Single Unit Dwelling</i> provisions of Section 10.1.5 and further, the whole of the <i>building</i> shall be used for a <i>Lodging House</i> , including any <i>accessory use</i> . | |

.55 A *Double Duplex Dwelling, Duplex Dwelling, Multiple Dwelling* having a maximum of 4 *dwelling units, Semi-Detached Dwelling* or *Townhome Dwelling*, or an addition to an *existing Single Unit Dwelling*, and any use accessory thereto, shall comply with the provisions of Section 11.2.5.

SECTION 24 – PARKING, LOADING AND STACKING PROVISIONS

24.20.7.1 CALCULATION OF REQUIRED PARKING SPACES

- .3 If the calculation of the number of required parking spaces results in a number containing a fraction, the number shall be rounded DOWN to the nearest whole number, but in no case may there be less than one parking space, except when the parking rate is zero.

APPENDIX E - Consultations

Jennifer Nantais – Environmental & Sustainability Coordinator

The Environmental Sustainability & Climate Change team request an energy strategy. Comments and terms of reference attached.

In response to the application for a zoning amendment there are no objections. Please also note the following comments for consideration:

Energy Conservation, Air Quality and Climate Change:

Please note PPS 2020 energy conservation and efficiency policies as they relate to long-term economic prosperity (1.7.1 (j)), as well as improved air quality and reduced greenhouse gas emissions (1.8.1). In addition, the City of Windsor Community Energy Plan (approved July 17 2017) aims to improve energy efficiency; modifying land use planning; reducing energy consumption and greenhouse gas emissions; and fostering green energy solutions throughout Windsor, while supporting local economic development.

As per these policies the developer should consider energy efficiency in the building design. This may include but not be limited to increased insulation, energy efficient appliances and fixtures, high efficiency windows and doors. In addition, consideration for EV charging infrastructure and opportunities to increase resiliency such as providing strategic back-up power capacity is warranted.

In addition, the large scale paving of natural space will increase the urban heat island in the area. It is recommended that the developer consider shade trees, white colour roofs or green roofs to mitigate this impact. For more suggestions please consult the following resources: LEED, Built Green Canada, and EnerGuide.

To promote the use of active transportation, bike racks should be included.

Stormwater Management:

Consideration should be given, as per PPS 2020 Section 1.6.6.7 to maximize the extent and function of vegetative and pervious surfaces; and promote stormwater management best practices, including stormwater attenuation and reuse, water conservation and efficiency, and low impact development.

Low Impact Design should be considered during Site Plan Review to address quantity and quality of stormwater leaving the site. The addition of Green Infrastructure here would be beneficial. Please see <https://greeninfrastructureontario.org> for examples.

Landscaping

Consideration for shade trees are recommended to minimize the urban heat island impacts. Consideration of native, drought resistant plants is encouraged to limit watering requirements.

In addition we encourage the developer to consider community gardening space for residents. Local food production is very popular in Windsor and considering the size of this development a space for community garden boxes is warranted.

George Robinson – Site Plan Control

- Proposed building and/or a parking area of 5 or more spaces meets the definition of ‘Development’ through By-law 1-2004, as such, proposed development will be subject to Site Plan Control.
- Pre-consultation review of the site plan application package is required prior to acceptance of an application for Site Plan Control, arrange consultation with a Site Plan Approval Officer. Contact George Robinson (grobinson@citywindsor.ca) or Jason Campigotto (jcampigotto@citywindsor.ca) with PDF copies of the plans to start application process.
- Refer to Appendix ‘B’ of the Site Plan Approval Application for drawing information requirements.

Mike Coste – Windsor Fire

What is the width of the road in front on the principal entrance. Needs to be 6 M width

Windsor Mapping – Enbridge

After reviewing the provided drawing at 523 Sandison and consulting our mapping system, please note that Enbridge Gas has active and abandoned infrastructure along the right-of-way of Sandison St near the proposed area. A PDF drawing has been attached for reference.

Please Note:

1. The shown piping locations are approximate and for information purposes only
2. The drawings are not to scale
3. This drawing does not replace field locates. Please contact Ontario One Call for onsite locates prior to excavating, digging, etc

Enbridge Gas requires a minimum separation of 0.6m horizontal and 0.3m vertical from all of our plant less than NPS 16 and a minimum separation 1.0m horizontal and 0.6m vertical between any CER-regulated and vital pipelines. For all pipelines (including vital pipelines), when drilling parallel to the pipeline, a minimum horizontal clearance measured from the edge of the pipeline to the edge of the final bore hole of 1 m (3.3 ft) is required. Please ensure that this minimum separation requirement is maintained, and that the contractor obtains locates prior to performing any work and utilizes safe excavation practices while performing any work in the vicinity.

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

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

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

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

Sherif Barsom – Parks D&D

Please note that Parks Design & development has no comments for the LIAISON: Z-009/22 [ZNG/6673] - Matt Zhao - 521, 523 & 525 Sandison St.

Stefan Fediuk – Landscape Architect

Pursuant to the application for a Rezoning Amendment (**Z 009/22**) from Residential District 1.1 (RD1.1) to Residential District 3.1 (RD3.1) zone to permit the construction of a 3 storey, 34 unit residential development with 42 parking spaces on the subject, please note no objections.

The development will be subject to Site Plan Control at which time detailed landscape requirements and comments will be made.

Please also note the following comments:

Zoning Provisions for Parking Setback:

No site specific relief is being requested.

Tree Preservation:

The Planning Rationale Report (PRR) prepared by Pillon Abbs, indicates in subsection 2.2.2 Vegetation and Soil that the site is largely a maintained lawn. Aerial photography and Site Photos #2 and #3 contained within the PRR indicate that there are existing trees suggest that there are existing trees on the site. As the development will be subject to Site Plan Control, it is required that the applicant provide a Tree Inventory and Preservation Plan to help assess the loss to the urban tree canopy for calculating the tree planting/compensation requirements through that process.

Parkland Dedication:

Require a parkland dedication representing 5% of the subject lands, to the satisfaction of the Executive Director of Parks, as per By-law 12780 and the Planning Act.

Enwin

HYDRO RESPONSE: No Objection, provided adequate clearances are achieved and maintained. ENWIN has existing overhead pole lines along the north limits with 120/240 volt secondary hydro distribution.

ENWIN has existing underground along the north limits with 16,000 volt primary hydro distribution.

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

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

WATER RESPONSE: Water Engineering Has No Objections to rezoning

Kristina Tang – Heritage Planner

There is no apparent built heritage concern with this property and it is located on an area of low archaeological potential.

Nevertheless, the Applicant should be notified of the following archaeological precaution.

1. Should archaeological resources be found during grading, construction or soil removal activities, all work in the area must stop immediately and the City's Planning & Building Department, the City's Manager of Culture and Events, and the Ontario Ministry of Heritage, Sport, Tourism and Culture Industries must be notified and confirm satisfaction of any archaeological requirements before work can recommence.
2. In the event that human remains are encountered during grading, construction or soil removal activities, all work in that area must be stopped immediately and the site secured. The local police or coroner must be contacted to determine whether or not the skeletal remains are human, and whether the remains constitute a part of a crime scene. The Local police or coroner will then notify the Ontario Ministry of Heritage, Sport, Tourism and Culture Industries and the Registrar at the Ministry of Government and Consumer Services if needed, and notification and satisfactory confirmation be given by the Ministry of Heritage, Sport, Tourism and Culture Industries.

Contacts:

Windsor Planning & Building Department:

519-255-6543 x6179, ktang@citywindsor.ca, planningdept@citywindsor.ca

Windsor Manager of Culture and Events (A):

Michelle Staaedegaard, (O) 519-253-2300x2726, (C) 519-816-0711,
mstaaedegaard@citywindsor.ca

Ontario Ministry of Heritage, Sport, Tourism and Culture Industries

Archaeology Programs Unit, 1-416-212-8886, Archaeology@ontario.ca

Windsor Police: 911

Ontario Ministry of Government & Consumer Services

A/Registrar of Burial Sites, War Graves, Abandoned Cemeteries and Cemetery Closures, 1-416-212-7499, Crystal.Forrest@ontario.ca

Amy Olsen – Engineering & ROW

The subject lands are located at 521, 523 & 525 Sandison Street, northeast of the Howard Avenue and Cabana Road East intersection. The lands are currently designated Residential by the City of Windsor Official Plan and zoned Residential District 1.1 (RD1.1) by Zoning By-Law 8600. The applicant is requesting an amendment to Zoning By-Law 8600 to rezone the site to Residential District 3.1 which would permit a 3 storey, 34 unit residential development with 43 parking spaces.

SEWERS - The site may be serviced by a 250mm diameter PVC sanitary sewer and a 450mm diameter PVC storm sewer located on Sandison Street. Existing private drain connections should be utilized if possible in order to minimize work within the right-of-way and any redundant private drain connections shall be abandoned as per Engineering Best Practices B.P.1.3.3. A sanitary sewer servicing study is required, demonstrating that there is adequate capacity in the municipal sanitary sewer network. It must verify that no negative impacts will be realized by existing areas adjacent to the proposed development. Site servicing, lot grading and stormwater management, completed in accordance with the Windsor/Essex Region Stormwater Management Standards Manual are required.

RIGHT-OF-WAY - Sandison Street is classified as a local road by the Official plan and is of sufficient width; therefore, land conveyance is not required. If these three sites will remain separate, a reciprocal agreement will be required for access. Driveways shall be constructed as per AS-204, complete with straight flares and no raised curbs within the right-of-way. Redundant curb cuts shall be removed and restored in accordance with City Standards to the satisfaction of the City Engineer. A Street Opening permit will be required for any work in the right-of-way. The proposed sidewalk in the Sandison Street right-of-way shall be shifted to and remain on private property, as a municipal sidewalk already exists along the north boulevard of Sandison Street. There is an existing curb inlet catch basin as well as an existing tree in the location of the proposed driveway. If this access cannot be shifted, the curb inlet catch basin shall be replaced with a standard catch basin within the pavement and the owner shall consult with the City Forester on any requirements regarding the removal or relocation of the existing tree.

In summary, we have no objections to the proposed rezoning application, subject to the following requirements:

Reciprocal Access– The owner agrees to enter into a reciprocal agreement with the abutting properties for access if the three properties if they will not be merged.

Servicing Study – The owner agrees, at its own expense, to retain a Consulting Engineer to provide a detailed sanitary servicing study report on the impact of the increased flow to the existing municipal sewer system, satisfactory in content to the City Engineer and prior to the issuance of a construction permit. The study shall review the proposed impact and recommend mitigating measures and implementation of those measures.

Tree Relocation - The owner further agrees to consult with the City Forester to coordinate the removal/relocation of the existing municipal tree, if it is found that the driveway cannot be relocated.

Rania Toufeili – Transportation Planning Services

- Sandison St. is a municipal roadway classified as a Local road requiring a 20 metre right-of-way width in accordance with the Official Plan. The current right-of-way width is 20.1 metres and therefore, land conveyance is not required.
- Vehicle and bicycle parking must comply with Zoning By-Law 8600.
- All accesses shall conform to the TAC Geometric Design Guide for Canadian Roads and the City of Windsor Standard Engineering Drawings.
- All exterior paths of travel must meet the requirements of the *Accessibility for Ontarians with Disabilities Act (AODA)*.

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

Passed the day of , 2022.

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

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

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

1. Item Number	2. Zoning District Map Part	3. Lands Affected	4. Official Plan Amendment Number	5. Zoning Symbol	6. New Zoning Symbol
1	9	Pt Block A, Plan 1259; Part 1 & 2, Plan 12R-26132 (known municipally as 521, 523, and 525 Sandison Sreet; Roll No. 070-090-07405, 070-090-07404, 070-090-07300; PIN 01561-5080, 01561-5081, 01561-5077; south side of Sandison Street, east of Howard Avenue)	--	RD1.1	RD3.1

DREW DILKENS, MAYOR

CLERK

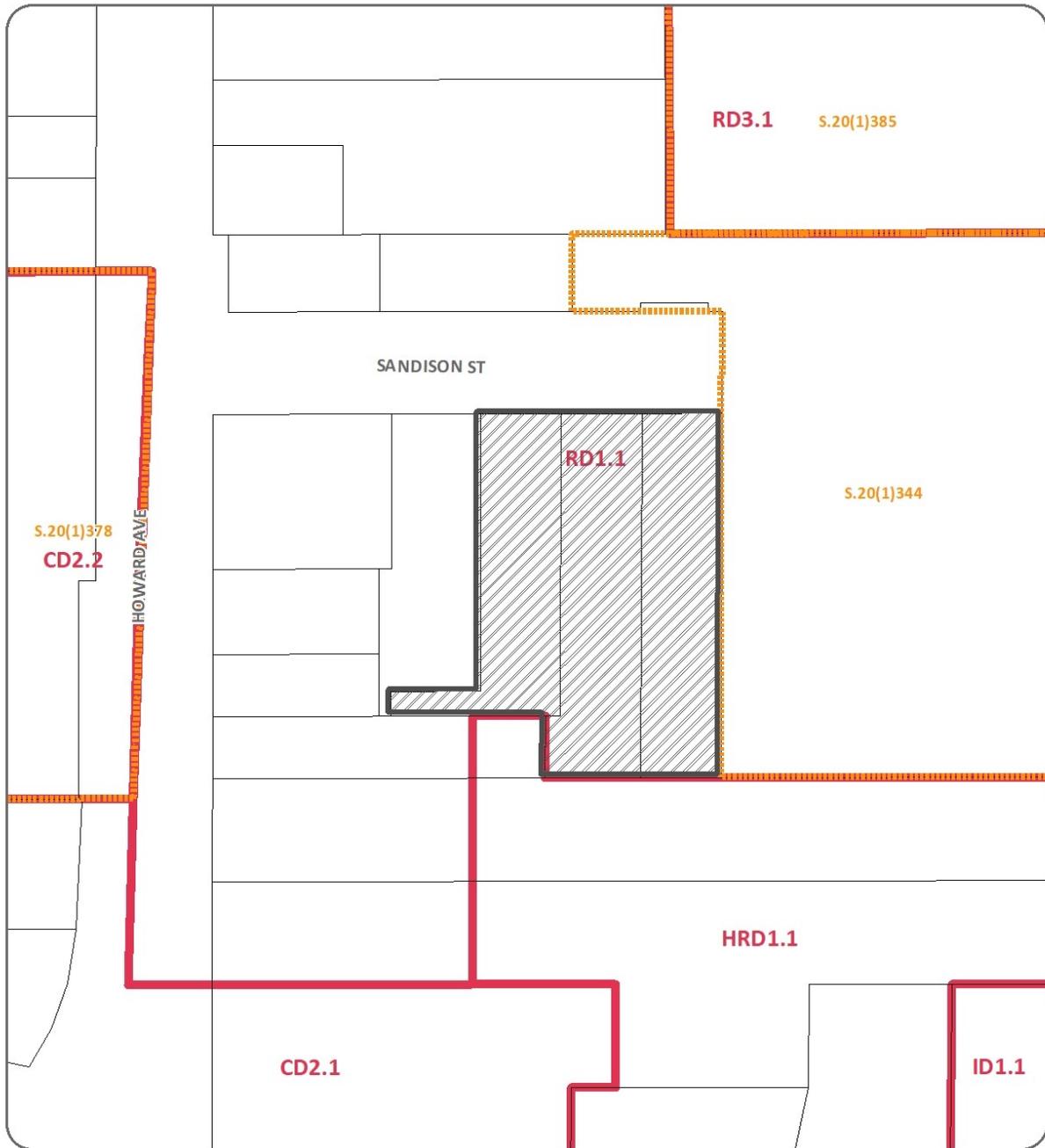
First Reading - , 2022
Second Reading - , 2022
Third Reading - , 2022

SCHEDULE 2

1. By-law _____ has the following purpose and effect:

To amend the zoning of Pt Block A, Plan 1259; Part 1 & 2, Plan 12R-26132, (known municipally as 521, 523, and 525 Sandison Street; Roll No. 070-090-07405, 070-090-07404, 070-090-07300; PIN 01561-5080, 01561-5081, 01561-5077), situated on the south side of Sandison Street east of Howard Avenue, from Residential District 1.1 (RD1.1) to Residential District 3.1 (RD3.1) to permit a multiple dwelling.

2. Key map showing the location of the lands to which By-law _____ applies.



PART OF ZONING DISTRICT MAPS 9

N.T.S.

SCHEDULE 2

Applicant: Matt Zhao



SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT

DATE : MARCH, 2022
FILE NO. : Z-009/22, ZNG/6673



**Subject: Zoning By-law Amendment - 1069 Shepherd Street East Z-012-22
[ZNG-6732]**

Moved by: Councillor Holt

Seconded by: Councillor Sleiman

Decision Number: **DHSC 422**

I. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning for Plan 1445 Lot 2 municipally known as 1069 Shepherd Street East, by adding a site-specific exception to Section 20(1) as follows:

452. SOUTH SIDE OF SHEPHERD STREET EAST, WEST OF BENJAMIN AVENUE

For the lands comprising Lot 2, Plan 1445, one *Multiple Dwelling* with a maximum of three *dwelling units* shall be an additional permitted main use and shall be subject to the following additional provisions:

- | | | |
|----|----------------------------------|----------------------|
| a) | Lot Width – minimum | 10.9 m |
| b) | Lot Area – minimum | 400.0 m ² |
| c) | Lot Coverage – maximum | 45.0% |
| d) | Main Building Height – maximum | 10.0 m |
| e) | Front Yard Depth – minimum | 6.0 m |
| f) | Rear Yard Depth – minimum | 7.50 m |
| g) | Side Yard Width (East) – minimum | 1.2 m |
| h) | Side Yard Width (West) – minimum | 0.6 m |

II. THAT the applicant provide an additional paved parking space as per Bylaw 8600 requirements, subject to Engineering Department's approval prior construction.

[ZDM7; ZNG/6732]

Carried.

Report Number: S 99/2022
Clerk's File: Z/14433

Clerk's Note:

1. The recommendation of the Standing Committee and Administration are the same.
2. Please refer to Item 7.3. from the Development & Heritage Standing Committee Meeting held on September 12, 2022.
3. To view the stream of this Standing Committee meeting, please refer to:
<http://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20220913/-1/7356>

**Subject: Zoning By-law Amendment - 1069 Shepherd Street East
Z-012-22 [ZNG-6732]**

Reference:

Date to Council: September 12, 2022

Samuel Switzer, Economic Development & Innovation Program Staff

sswitzer@citywindsor.ca

519-255-6543 x-6438

Simona Simion, Planner II – Research and Policy Support

ssimion@citywindsor.ca

519-255-6543 x-6397

Planning & Building Services

Report Date: August 12, 2022

Clerk's File #: Z/14433

To: Mayor and Members of City Council

Recommendation:

I. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning for Plan 1445 Lot 2 municipally known as 1069 Shepherd Street East, by adding a site-specific exception to Section 20(1) as follows:

452. SOUTH SIDE OF SHEPHERD STREET EAST, WEST OF BENJAMIN AVENUE

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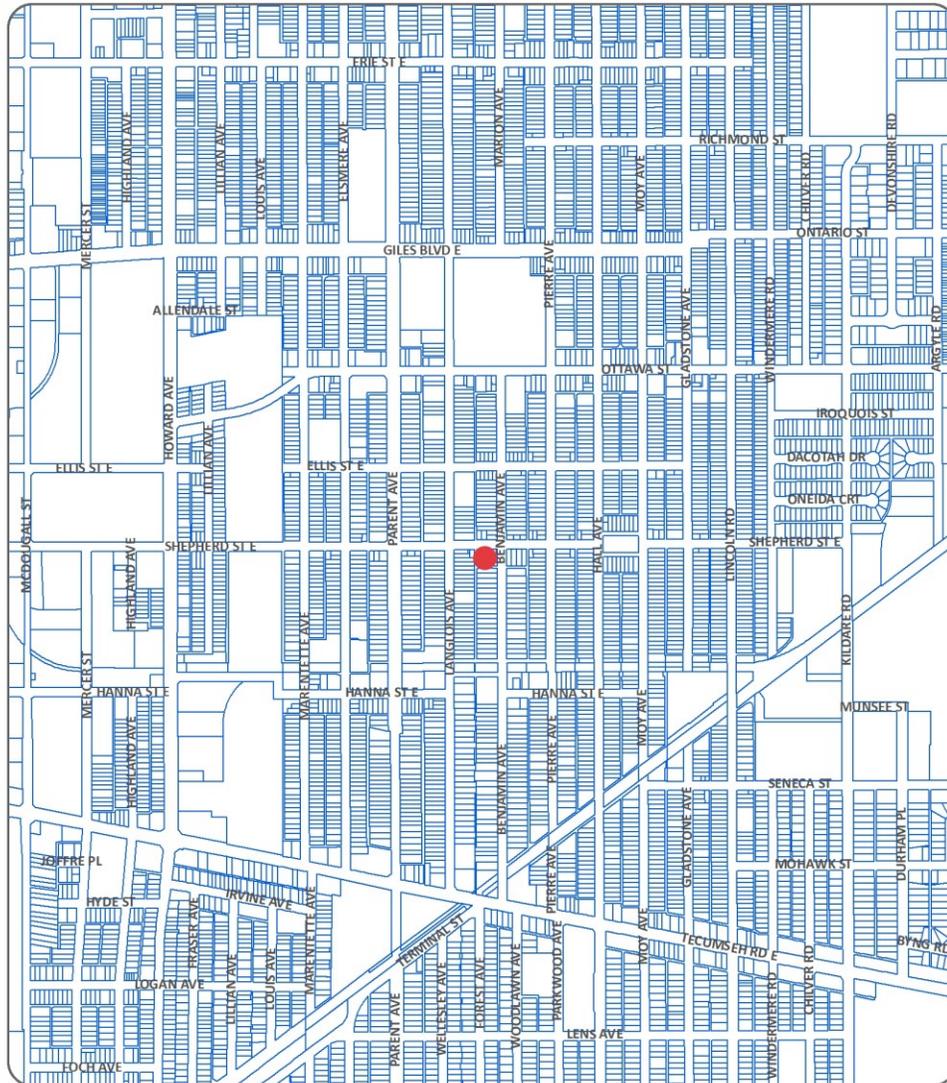
[ZDM7; ZNG/6732]

Executive Summary:

N/A

Background:

1. KEY MAP



KEY MAP - Z-012/22, ZNG-6732



● SUBJECT LANDS

APPLICANT: GARRETT MACGILLIVRAY & KRISTEN CUNNINGHAM

ADDRESS: 1069 SHEPHERD STREET

2. APPLICATION INFORMATION

Location: 1069 Shepherd St E; Roll No. 030-410-04900
Lot 2, Registered Plan 1445

Ward: 4

Planning District: 18 - Walkerville

Zoning District Map: 7

Applicants: Garrett MacGillivray & Kristen Cunningham

Agent: Pillon Abbs Inc., Tracey Pillon-Abbs, MCIP, RPP

Proposal: The subject lands are situated on the south side of Shepherd St E and west of Benjamin Ave. The subject site is occupied by a duplex dwelling. The applicant is proposing to convert the existing two (2) storey duplex into one *Multiple Dwelling* containing a maximum of three (3) *dwelling units*. The required parking will be provided on site as follows: existing two (2) parking spaces on the existing driveway and an additional minimum one (1) paved parking space on the property. If the proposed paved parking space will be accessed from the alley, consultation with Engineering Department is required and alley maintenance fee applies. The proposed paved parking space shall comply with Zoning Bylaw 8600 requirements.

The subject amendment to Zoning By-Law 8600 will maintain the current 'Residential District 1.3' (RD1.3) and add site specific provisions to allow a multiple dwelling with a maximum of three (3) units, and that for the additional permitted use site specific conditions apply (reduced lot width, lot area, and side yard – west).

Submissions By Applicant: Pre-submission Application, Site plan, Proposed Floor Plans

3. SITE INFORMATION

OFFICIAL PLAN	ZONING	CURRENT USE	PREVIOUS USE
Residential	RD1.3	Duplex	Single Dwelling Unit
FRONTAGE	DEPTH	AREA	SHAPE
10.97 M	36.58 M	401.34 SQ M	Rectangle

Note: All measurements are approximate.

2. REZONING MAP



PART OF ZONING DISTRICT MAP 7

N.T.S.

REZONING

APPLICANT: GARRETT MACGILLIVRAY & KRISTEN CUNNINGHAM



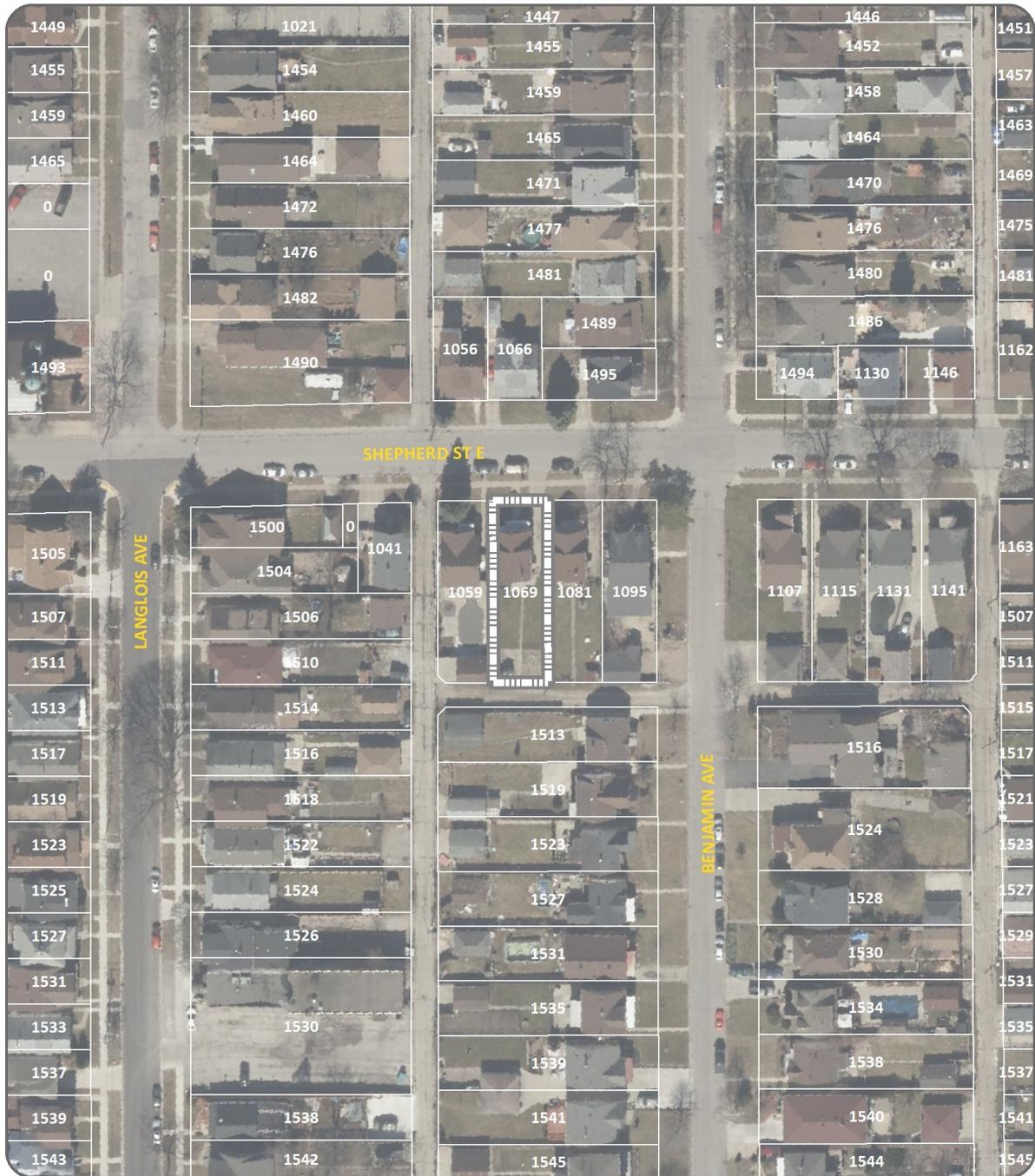
SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT



DATE : MAY 2022
FILE NO. : Z-012/22, ZNG-6732

3. NEIGHBOURHOOD CHARACTERISTICS NEIGHBOURHOOD MAP



NEIGHBOURHOOD MAP - Z-012/22, ZNG-6732



SUBJECT LANDS

APPLICANT: GARRETT MACGILLIVRAY & KRISTEN CUNNINGHAM

ADDRESS: 1069 SHEPHERD STREET

SURROUNDING LAND USES – refer to Appendix A: Site Photos

North side of subject lands contains: Residential Area (low density)

East side of the subject lands contains: Residential Area (low density)

West side of the subject lands contains: Residential Area (low density)

South side of the subject lands consists of: Residential Area (low density)

Side photos (Google Street View, September 2017) were attached to this report as Appendix A: Site Photos to identify the surrounding land uses and the character of the subject neighbourhood.

MUNICIPAL INFRASTRUCTURE

Sanitary sewer/Storm sewer: The site may be serviced by a 250mm Vitrified Clay combined sewer which is located in the south boulevard of Shepherd St E.

Water Fire Hydrants: Two fire hydrants are located approximately 70m to the east and 50m of the property.

The Official Plan classifies Shepherd St E as a local road (with bike lanes), requiring a right-of-way width of 20m. The current right-of-way width is 20.1m; therefore, a land conveyance is not required at this time. To the west, Benjamin Ave is a local road with a right-of-way of 20m.

Transit Windsor Bus: The closest existing bus stop, Parent 15 Northbound, is located on Parent Ave at Shepherd St E Northwest corner and is approximately 210.42m from the property. Another Bus route, Parent 14 Southbound is located on Parent Ave at Shepherd St E Southeast corner and is approximately 217.50m from the property.

Discussion:

1. PLANNING ACT

The comments, submissions or advice affecting planning matters provided by the council of a municipality, as well as the decision of the council of a municipality shall be consistent with the Provincial Policy Statement 2020 (PPS) and shall conform to the Official Plan (OP).

2. PROVINCIAL POLICY STATEMENT (PPS) 2020

The Provincial Policy Statement (PPS) provides direction on matters of provincial interest related to land use planning and development and sets the policy foundation for regulating the development and use of land in Ontario. This policy foundation takes into consideration efficient use of land and resources, accommodating an appropriate mix of residential uses, supporting active transportation/transit while preparing for the impacts of climate change. The PPS recognizes that land use are to be managed to meet the full range of current and future needs, while protecting public safety and natural environment.

Applicable PPS Sections can be found in detail in the Appendix B: Excerpts from PPS 2020.

The proposed multiple dwelling use contributes to building a strong healthy community as per policy 1.1.1. (a, b, c, d, e, f, and g) of PPS. The proposed amendment is consistent with the PPS as follows:

- The subject building is connected to municipal services.
- The proposed multiple dwelling represents an effective and appropriate re-use of the existing building.
- The subject site complements the surrounding neighbourhood of low profile small scale residential uses.
- The proposed multiple dwelling's accessibility will be established in compliance with Ontario Building Code (OBC).
- There are no impacts on the natural environment or, public health and safety.

The subject lands are within the urban area of the settlement for the City of Windsor. The proposed amendment would permit a higher density of residential units, making a more efficient use of land within the existing built up area.

PPS contains a definition of Intensification: the development of a property at a higher density than currently exists through the conversion of the existing buildings. The proposed multiple dwelling unit is contained within an existing building minimizing land consumption.

The PPS recommends accommodating affordable, market-based range, and a mix of residential types including multiple-unit housing, affordable housing such as the proposed multiple dwelling unit. The subject site is located near a transit route, which provides an opportunity to promote transit ridership.

The applicable PPS sections promote the vitality of the existing settlements recognizing the importance of long-term prosperity of the community while making use of existing infrastructure. The subject site is located within the existing settlement area, therefore promoting the vitality of the existing community (Section 1.1.3.1).

The recommended amendment to allow the conversion of the existing duplex dwelling to a multiple dwelling unit with a maximum of three dwelling units is consistent with PPS policies (Section 1.1.3.2 and Section 1.1.3.3). These policies promote a range of uses and opportunities for intensification within settlement area and taking into account existing building stock.

In my opinion, the proposed development is an efficient use of an existing building and promotes a healthy, liveable and safe community. The recommended amendment to Zoning By-Law 8600 represents a sound planning decision that is consistent with the above sections of the PPS.

3. OFFICIAL PLAN (OP)

Applicable Official Plan Sections:

Applicable OP Sections can be found in detail in the Appendix C: Excerpts from the Official Plan.

The subject property is located within the Walkerville Planning District and is designated Residential on Schedule D: Land Use of the City of Windsor Official Plan.

Official Plan, Schedule D: Land Use designates the subject land as “Residential”. Available municipal records indicate that the subject building has been used as a single unit dwelling since 1954 according to municipal records and later as a duplex.

The permitted uses in the Residential land use include low, medium and high profile dwelling units. The proposed development is a low profile, small scale form (multiplexes up to 8 units) complying with the Official Plan policies. The surrounding area near the subject property consists of dwellings with 1 to 2 units. The proposed use integrates well with the surrounding residential area. The height of the existing structure will be maintained. The proposed zoning change, an additional third unit within the basement, will be within the existing footprint.

Objective 6.3.1.1 supports a complementary range of housing forms and tenures in all neighbourhoods.

Objective 6.3.1.2 seeks to promote compact neighbourhoods and balanced transportation systems.

Objective 6.3.1.3 Intensification Infill & Redevelopment promote selective residential redevelopment, infill and intensification initiatives similar to the subject proposal.

Objective 6.3.1.4 Maintenance and Rehabilitation recommends that the existing housing stock is maintained and rehabilitated.

Section 3.3.3 Neighbourhood policies (policy 3.3.3) denotes that the residential areas are the most basic component on Windsor’s urban structure, facilitating a range of “low-to-medium density residential” built forms.

The Residential policies (Sections 6.3.2.4 and 6.3.2.5) stipulate location and evaluation criteria for Residential development. The proposed development meets the locational criteria that includes access to a collector road, full services, adequate open spaces and community services, and public transportation service.

The land use policies associated with the Residential Land Use designation support a complementary range of housing forms and tenures in all neighbourhoods, promote compact neighbourhoods that encourage a balanced transportation system, promote selective residential redevelopment, infill and intensification initiatives. The proposed development is a compatible residential housing type that will contribute to the diversity of housing forms in the neighbourhood.

The built form in terms of mass and height will not change.

The zoning amendment conforms to the Zoning Amendment Policies, Section 11.6.3.1 and 11.6.3.3, of the Official Plan.

The recommended Zoning By-law Amendment maintains conformity with the general policy direction of the Official Plan.

4. ZONING

The Zoning Bylaw 8600 designates the zoning for the subject property as 'Residential District 1.3 (RD 1.3). Applicable Zoning By-law Sections can be found in detail in the Appendix D: Excerpts from the Zoning Bylaw 8600. Current zoning category RD1.3 allows for the existing duplex, existing semidetached and single unit dwelling.

As per Planning Rational Report (see Appendix H), the applicant is requesting a change from Residential District 1.3 (RD1.3) to Residential District 2.2 (RD2.2) with site specific exception to allow the proposed multiple dwelling with a maximum of three (3) dwelling units. The site specific exceptions are: reduced minimum lot width from 18 m to 11 m, reduced minimum lot area from 540 sqm to 402.6 sqm, and reduced minimum side yard width (west side) from 1.8 m to 0.6 m. The maximum building height is 10.0 m with a maximum lot coverage of 45%.

The reductions in minimum lot width, minimum lot area, and minimum side yard width are for the lot as existing with no increase in lot coverage and building height; the proposed reductions will have no adverse impact on the proposed development or on surrounding uses. No other changes to the zoning provisions have been requested.

The Residential District 2.2 (RD2.2) zoning district is an appropriate zoning category, however, given that site specific exceptions are required and to avoid clutter on the zoning maps, the Planning Department recommends that the RD1.3 zoning be maintained and that applicable provisions for a multiple dwelling with a maximum of three units be included in the site specific exceptions and that for the additional permitted use additional site specific conditions apply for reduced lot width, lot area, and side yard – west.

The proposed multiple dwelling unit is not subject to site plan control.

As per Section 24.20.5.1 Parking Requirements, the added dwelling unit requires one (1) parking space and this requirement is not satisfied. Two (2) parking spaces are provided on the property, (2) parking spaces on the driveway as shown in Appendix F: Site Layout. An additional one (1) parking space is identified in the rear of the property, accessed by alleyway on the right-side of the lot, as shown in Appendix F: Site Layout. However, the additional parking space is not paved. This additional parking space must be paved by the property owner to comply with regulations under Section 24.20.5.1 Parking Requirements.

The recommended Zoning By-law amendment provides for an appropriate more intense use of an existing building.

5. SITE PLAN

N/A

6. ISSUES TO BE RESOLVED

N/A

7. ALTERNATIVES FOR CONSIDERATION

N/A

Risk Analysis:

There are no known risks to the Corporation of the City of Windsor.

Climate Change Risks

There are no climate change risks.

Climate Change Mitigation:

Proposed development is within walking distance to transit bus stops promoting active transportation.

Climate Change Adaptation:

Risk may be minimal and no further action is required.

Financial Matters:

N/A

Consultations:

1. City's Departments and Agencies

Comments from the municipal departments and external agencies are attached as Appendix E: Consultations to this report. There are no objections to the proposed amendment.

Please refer to Appendix E: Consultations for additional comments.

2. Public Notice

The official notice will be advertised in the Windsor Star newspaper as mandated by the Planning Act.

A courtesy notice will be mailed to all properties within 120 m (400 feet) of the subject site, prior to the Development Heritage & Economic Standing Committee (DHESC) meeting.

Planner’s Opinion:

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 requested 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.

Conclusion:

The recommended site-specific policy amendment to Zoning By-law promotes an efficient use of existing building, services and infrastructure. The recommended amendment is consistent with the Provincial Policy Statement 2020 and maintains conformity with the Official Plan. The subject Zoning By-law Amendment constitutes good planning.

Planning Act Matters:

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

*Michael Cooke, MCIP RPP
Manager, Planning Policy*

*Thom Hunt, MCIP RPP
City Planner*

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

JP OC

Approvals:

Name	Title
Michael Cooke	Manager of Planning Policy/Deputy City Planner
Thom Hunt	City Planner, Executive Director of Planning & Development
Wira Vendrasco	Deputy City Solicitor, Legal Services & Real Estate
Jelena Payne	Commissioner, Economic Development & Innovation
Onorio Colucci	Acting Chief Administrative Officer

Notifications:

Abutting property owners, tenants/occupants within 120m (400ft) radius of the subject land

Name	Address	Email
Registered Owner/Applicant: Garrett MacGillivray/Kristen Cunningham	55 East Liberty St. Toronto ON	garrett.macgillivray@gmail.com
Councillor Chris Holt		cholt@citywindsor.ca

Appendices:

- 1 APPENDIX A - SITE PHOTOS
- 2 APPENDIX B - EXCERPTS FROM THE PPS 2020
- 3 APPENDIX C - EXCERPTS FROM THE OP 2012
- 4 APPENDIX D - EXCERPTS FROM ZONING BY-LAW 8600
- 5 APPENDIX E - CONSULTATIONS
- 6 APPENDIX F - SITE LAYOUT
- 7 APPENDIX G - DRAFT BY-LAW AMENDMENT
- 8 APPENDIX H - PRR 1069 Shepherd St E Windsor

APPENDIX A - SITE IMAGES

IMAGE 1



**Subject Parcel – 1069 Shepherd Street East - Looking Southwest
Subject Property is directly in front**

IMAGE 2



**Looking South on 1069 Shepherd Street East
Subject property is left of the image**

IMAGE 3



Looking West from subject parcel

IMAGE 4



Looking North of subject parcel

Appendix B

Excerpts from the Provincial Policy Statement (PPS) 2020

Settlement areas are urban areas and rural settlement areas, and include cities, towns, villages and hamlets. Ontario's settlement areas vary significantly in terms of size, density, population, economic activity, diversity and intensity of land uses, service levels, and types of infrastructure available.

The vitality and regeneration of settlement areas is critical to the long-term economic prosperity of our communities. Development pressures and land use change will vary across Ontario. It is in the interest of all communities to use land and resources wisely, to promote efficient development patterns, protect resources, promote green spaces, ensure effective use of infrastructure and public service facilities and minimize unnecessary public expenditures.

1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns

1.1.1 Healthy, liveable and safe communities are sustained by:

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

Appendix B
Excerpts from the
Provincial Policy Statement (PPS) 2020

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

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

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

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

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

Appendix C
Excerpts from the
City of Windsor Official Plan (OP) 2012

Applicable Official Plan Sections:

2. Glossary

Development Profile refers to the height of a building or structure.

Low Profile development is a building or structure generally no greater than fourteen (14) metres in height. Low Profile Housing development is further classified as follows;

- (i) small scale forms: single detached, semi-detached, duplex, and row and multiplexes with up to 8 units; and

3 Development Strategy

3.2.1.2 Permitted Uses

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.

RESIDENTIAL 6.1.3 Housing suited to the needs of Windsor’s residents.

6.3 Residential

The lands designated as “Residential” on Schedule D: Land Use provide the main locations for housing in Windsor outside of the City Centre Planning District. In order to develop safe, caring and diverse neighbourhoods, opportunities for a broad range of housing types and complementary services and amenities are provided.

PERMITTED USES

6.3.2.1 Uses permitted in the Residential land use designation identified on Schedule D: Land Use include Low, Medium and High Profile dwelling units.

NEIGHBOURHOODS

6.3.1.2 To promote compact neighbourhoods which encourage a balanced transportation system.

Appendix C
Excerpts from the
City of Windsor Official Plan (OP) 2012

INTENSIFICATION, INFILL & REDEVELOPMENT

6.3.1.3 To promote selective residential redevelopment, infill and intensification initiatives.

MAINTENANCE & REHABILITATION

6.3.1.4 To ensure that the existing housing stock is maintained and rehabilitated.

6.3.2.4 Locational Criteria Residential development 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.

Appendix D Excerpts from the Zoning By-Law 8600

The City of Windsor Zoning Bylaw 8600 designates the zoning for the subject property as ‘Residential District 1.3’ (RD 1.3).

Zoning By-law 8600

Section 3 – Definitions

Page 3.15

MULTIPLE DWELLING means one *dwelling* containing a *minimum* of three *dwelling units*. A *double duplex dwelling*, *semi-detached dwelling*, *stacked dwelling*, or *townhome dwelling* is not a *multiple dwelling*.

CURRENT USE: EXISTING DUPLEX

10.3 RESIDENTIAL DISTRICT 1.3 (RD1.3)

10.3.1 PERMITTED USES

Existing Duplex Dwelling

Existing Semi-Detached Dwelling

One Single Unit Dwelling

Any use accessory to the preceding uses

10.3.5 PROVISIONS

	Duplex Dwelling	Semi-Detached Dwelling	Single Unit Dwelling
.1 Lot Width – minimum	9.0 m	15.0 m	9.0 m
.2 Lot Area – minimum	360.0 m ²	450.0 m ²	270.0 m ²
.3 Lot Coverage – maximum	45.0%	45.0%	45.0%
.4 Main Building Height – maximum	10.0 m	10.0 m	10.0 m
.5 Front Yard Depth – minimum	6.0 m	6.0 m	6.0 m
.6 Rear Yard Depth – minimum	7.50 m	7.50 m	7.50 m
.7 Side Yard Width – minimum	1.20 m	1.20 m	1.20 m

PROPOSED USE: MULTIPLE DWELLING WITH A MAXIMUM OF THREE UNITS WITH SITE SPECIFIC PROVISIONS

THAT Zoning By-law 8600 BE AMENDED for Plan 1445 Lot 2 municipally known as 1069 Shepherd Street East, by adding a site-specific exception to Section 20(1) as follows:

452. SOUTH SIDE OF SHEPHERD STREET EAST, WEST OF BENJAMIN AVENUE

For the lands comprising Lot 2, Plan 1445, one *Multiple Dwelling* with a maximum of three *dwelling units* shall be an additional permitted main use and shall be subject to the following additional provisions:

- a) Lot Width – minimum 10.9 m
- b) Lot Area – minimum 400.0 m²
- c) Lot Coverage – maximum 45.0%
- d) Main Building Height – maximum 10.0 m
- e) Front Yard Depth – minimum 6.0 m
- f) Rear Yard Depth – minimum 7.50 m
- g) Side Yard Width (East) – minimum 1.2 m
- h) Side Yard Width (West) – minimum 0.6 m

OTHER ZONING CONSIDERATIONS

TABLE 24.20.5.1 - REQUIRED PARKING SPACES	
USE	PARKING RATE - MINIMUM
Multiple Dwelling containing a maximum of 4 Dwelling units	1 for each dwelling unit

Two (2) parking spaces are provided on the property, (2) parking spaces on the driveway as shown in Appendix F: Site Layout. An additional one (1) parking space is identified in the rear of the property, accessed by alleyway on the right-side of the lot, as shown in Appendix F: Site Layout. This additional parking space must be paved by the property owner to comply with regulations under Section 24.20.5.1 Parking Requirements.

COMMENTS

Canada Post

This development, as described, falls within our centralized mail policy.

I will specify the condition which I request to be added for Canada Post Corporation's purposes.

- a) Canada Post's multi-unit policy, which requires that the owner/developer provide the centralized mail facility (front loading lockbox assembly or rear-loading mailroom [mandatory for 100 units or more]), at their own expense, will be in effect for buildings and complexes with a common lobby, common indoor or sheltered space.

Should the description of the project change, I would appreciate an update in order to assess the impact of the change on mail service.

Anne Marie Albidone – Environmental Services

No concerns from Environmental Services.

Barbara Rusan – Building Dept

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

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

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

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

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

Jose Meilli – Assessment Management Officer

No objection to the zoning amendment to allow the 3rd basement unit.

Shannon Deehan – Transportation Planning

- The Official Plan classifies Shepherd Street E as a Local Road with a required right-of-way width of 20 meters. The current right-of-way width is sufficient and therefore no conveyance is required.
- Parking supply must meet Zoning By-Law 8600 requirements.
- Driveways must comply with and be constructed to City Standards.
- All accesses shall conform to the TAC Geometric Design Guide for Canadian Roads and the City of Windsor Standard Engineering Drawings.
- All exterior paths of travel must meet the requirements of the Accessibility for Ontarians with Disabilities Act (AODA).

Tracy Tang – Heritage Planning

No supporting information required.

There is no apparent built heritage concern with this property and it is located on an area of low archaeological potential.

Nevertheless, the Applicant should be notified of the following archaeological precaution.

1. Should archaeological resources be found during grading, construction or soil removal activities, all work in the area must stop immediately and the City's Planning & Building Department, the City's Manager of Culture and Events, and the Ontario Ministry of Heritage, Sport, Tourism and Culture Industries must be notified and confirm satisfaction of any archaeological requirements before work can recommence.
2. In the event that human remains are encountered during grading, construction or soil removal activities, all work in that area must be stopped immediately and the site secured. The local police or coroner must be contacted to determine whether or not the skeletal remains are human, and whether the remains constitute a part of a crime scene. The Local police or coroner will then notify the Ontario Ministry of Heritage, Sport, Tourism and Culture Industries and the Registrar at the Ministry of Government and Consumer Services if needed, and notification and satisfactory confirmation be given by the Ministry of Heritage, Sport, Tourism and Culture Industries.

Contacts:

Windsor Planning & Building Department:

519-255-6543 x6179, ktang@citywindsor.ca, planningdept@citywindsor.ca

Windsor Manager of Culture and Events (A):

Michelle Staadegaard, (O) 519-253-2300x2726, (C) 519-816-0711,
mstaadegaard@citywindsor.ca

Ontario Ministry of Heritage, Sport, Tourism and Culture Industries

Archaeology Programs Unit, 1-416-212-8886, Archaeology@ontario.ca

Windsor Police: 911

Ontario Ministry of Government & Consumer Services

A/Registrar of Burial Sites, War Graves, Abandoned Cemeteries and Cemetery Closures, 1-416-212-7499, Crystal.Forrest@ontario.ca

Enwin

HYDRO ENGINEERING: No Objection to the rezoning.

WATER ENGINEERING: Water Engineering has no objections to the rezoning.

Engineering

Memo

Date: July 22, 2022
To: Planning Department, Attention: Simona Simion
From: Engineering Department – Right-of-Way Division
Subject: **1069 Shepherd St East**
Roll# 030-410-04900
Z-012/22

The subject lands are located at 1069 Shepherd St E, zoned Residential District 1.3 (RD1.3) by Zoning By-Law 8600. The applicant is requesting an amendment to Zoning By-law 8600 in order to rezone the property from RD1.3 to RD 2.2 to allow for the conversion of the basement into a third unit.

SEWERS - The site may be serviced by a 250mm Vitrified Clay combined sewer which is located in the south boulevard of Shepherd St E.

RIGHT-OF-WAY – The Official Plan classifies Shepherd St E as a local road, requiring a right-of-way width of 20m. The current right-of-way width is 20.1m; therefore a land conveyance is not required at this time.

The proposed development includes use of the alley located at the rear of the property; therefore alley contribution as per the 2022 User Fee Schedule will be required for the purpose of maintenance. The parking in the rear of the property should be provided one common entrance. The alley should not be used to back out the parking spaces.

In summary we have no objection to the proposed rezoning, subject to the following requirements (Requirements can be enforced prior to issuance of Building Permits):

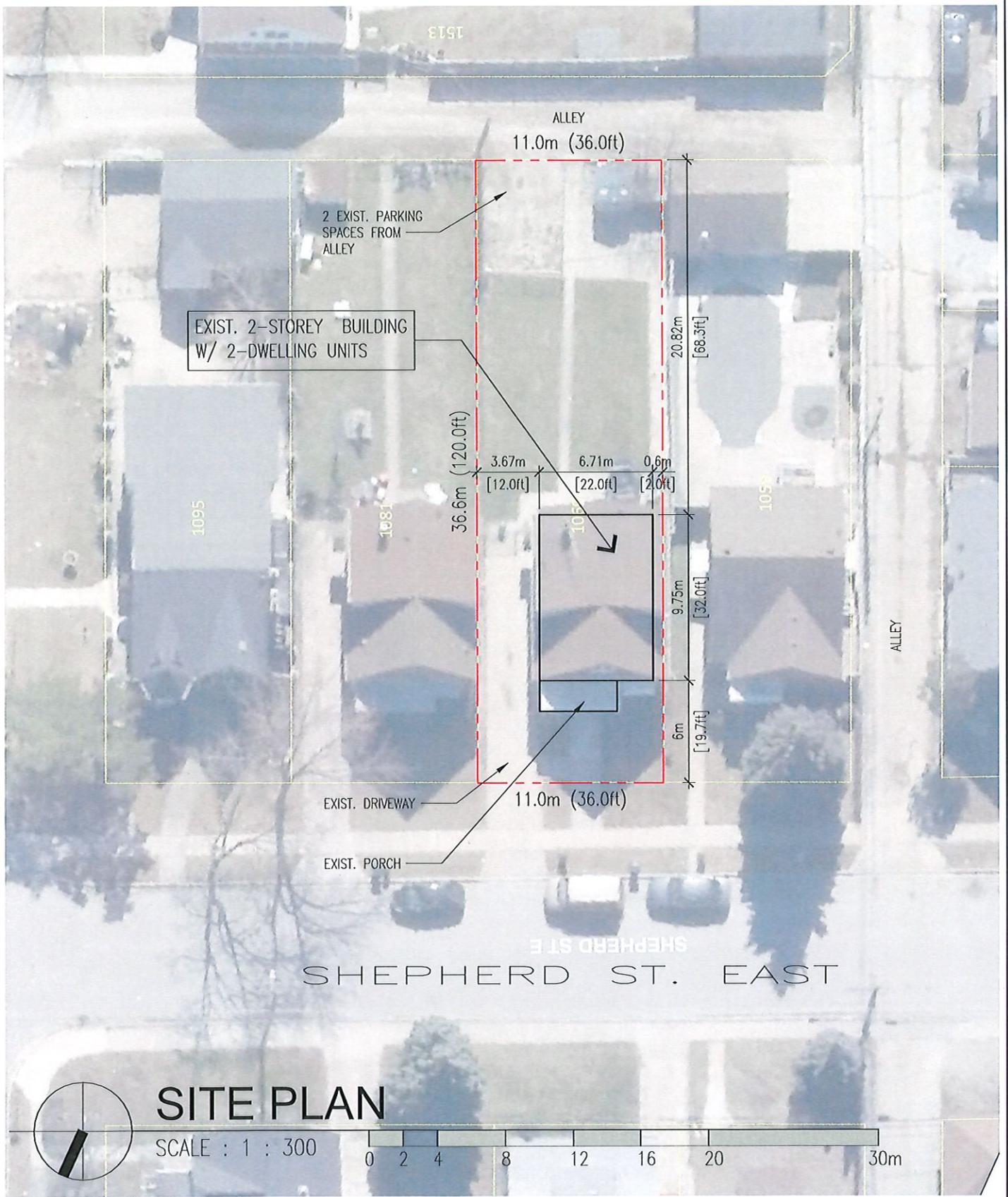
Right-of-Way Permits – The owner agrees to obtain right-of-way permits for sewer taps, drain taps, flatworks, landscaping, curb cuts, and driveway approaches from the City Engineer, prior to commencement of any construction on the public highway.

Alley Contribution – The owner agrees, prior to the issuance of a Building Permit, to contribute \$250 per linear meter payable to the City of Windsor and deposited in the General Fund intended for the upkeep of alleys within the City of Windsor.

If you have any further questions or concerns, please contact Andrew Boroski, of this department at aboroski@citywindsor.ca

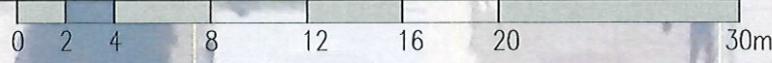
Rob Perissinotti
Development Engineer

AB



SITE PLAN

SCALE : 1 : 300



A architectural
D design
A associates
inc. architect

1670 mercer street
windsor ontario canada n8x 3p7
ph 519.254.3430 fax 519.254.3642
email - info@ada-architect.ca www.ada-architect.ca

project:
1069 SHEPHERD ST. E.
WINDSOR, ONT.

client:
GARRET MACGILLIVRAY

title:
SITE PLAN

drawn by: TC

checked by: SMB / TC

date: MAY 2021

comm. no.:

dwg. no.:

A0.1a

DATE: July 27, 2022
TO: City Solicitor
FROM: City Planner – Executive Director
RE: ZONING AMENDMENT BY-LAW FOR COUNCIL CONSIDERATION AT
SAME TIME AS THEIR REVIEW OF THE APPLICATION
Planning File Number: Z-012/22 (ZNG/6732) Agenda.Net: S xxx/2022

APPLICANT: Garrett MacGillivray & Kristen Cunningham

Phone: 613-856-6563

Address: 55 East Liberty St, Unit 1608, Toronto, ON M6K3P9

Email: garrettmacgillivray@gmail.com

AGENT: n/a

Phone: n/a

Address: n/a

OWNER: Same as Applicant

Address: n/a

ASSESSMENT ROLL NO: 030-410-04900

LOCATION: 1069 Shepherd Street East

COUNCIL APPROVAL DATE: _____

CR TBD DHSC TBD

ENCLOSURES:

Schedule 1 - Draft Zoning Amendment

Schedule 2 - Purpose and effect of the By-law and, if applicable, a Key Map

After approval, forward all schedules to City Clerk for submission to Council and public notification.

REQUIREMENTS PRIOR TO BY-LAW ENACTMENT AND NOTIFICATION:

1. Official Plan Amendment By-law Enactment: NO YES:

2. Executed Servicing Agreement: NO YES

3. Other:

SIGNED _____

TH:ss

B Y - L A W N U M B E R -2022

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

Passed the day of , 2022.

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 is amended by adding the following paragraph:

452. SOUTH SIDE OF SHEPHERD STREET EAST, WEST OF BENJAMIN AVE

For the lands comprising Lot 2, Plan 1445, one *Multiple Dwelling* with a maximum of three *dwelling units* shall be an additional permitted main use and shall be subject to the following additional provisions:

- | | | |
|----|----------------------------------|----------------------|
| a) | Lot Width – minimum | 10.9 m |
| b) | Lot Area – minimum | 400.0 m ² |
| c) | Lot Coverage – maximum | 45.0% |
| d) | Main Building Height – maximum | 10.0 m |
| e) | Front Yard Depth – minimum | 6.0 m |
| f) | Rear Yard Depth – minimum | 7.50 m |
| g) | Side Yard Width (East) – minimum | 1.20 m |
| h) | Side Yard Width (West) – minimum | 0.60 m |

[ZDM 7; ZNG/6732]

2. The said by-law is further amended by amending the Zoning District Map identified in Column 2 so that the Lands Affected described in Column 3 are delineated by a broken line and further identified by the specific zoning exception symbol shown in Column 5:

1. Item Number	2. Zoning District Map	3. Lands Affected	4. Official Plan Amendment Number	5. Specific Zoning Exception Symbol
1	7	Lot 2, Plan 1445 (known municipally as 1069 Shepherd St E, Roll No. 030-410-04900; South side of Shepherd St E, West of Benjamin Ave)	--	S.20(1)452

DREW DILKENS, MAYOR

CLERK

First Reading - , 2022
Second Reading - , 2022
Third Reading - , 2022

SCHEDULE 2

1. By-law _____ has the following purpose and effect

To amend the zoning of Plan 1445 Lot 2 municipally known as 1069 Shepherd Street East; Roll No 030 410 04900 0000; PIN 011580002), situated South side of Shepherd Street East, West side of Benjamin Ave), by adding a site specific exception to Section 20(1) to allow one *multiple dwelling* with a maximum of three *dwelling units* as an additional permitted main use on the subject property and subject to site specific provisions.

2. Key map showing the location of the lands to which By-law _____ applies.



PART OF ZONING DISTRICT MAP 7

N.T.S.

REZONING

APPLICANT: GARRETT MACGILLIVRAY & KRISTEN CUNNINGHAM

 SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT



DATE : MAY 2022
FILE NO. : Z-012/22, ZNG-6732

PLANNING RATIONALE REPORT

ZONING BY-LAW AMENDMENT

1069 Shepherd Street East
City of Windsor, Ontario

December 22, 2021

Prepared by:



Tracey Pillon-Abbs, RPP
Principal Planner
23669 Prince Albert Road
Chatham, ON N7M 5J7
226-340-1232
tpillonabbs@gmail.com
www.tpillonabbs.ca

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1.0 INTRODUCTION

I have been retained by Garret MacGillivray and Kristen Cunningham, the applicants, to provide a land use Planning Rationale Report (PRR) in support of a proposed residential renovation for property located at 1069 Shepherd Street East (herein the "Site") in the City of Windsor, Province of Ontario.

There is presently a 2 storey residential dwelling on the subject lands. The dwelling is an existing duplex dwelling with two (2) units.

The Site is an interior lot with access from Shepherd Street East and an existing alley at the rear of the dwelling.

The applicant intends to convert the basement of the existing structure into an additional one (1) unit for a total of three (3) units, which will be considered a multiple dwelling unit.

The Site will provide for an affordable housing choice in an existing neighbourhood.

There are currently two (2) existing parking spaces on the property accessible from the alley along with a driveway for two (2) cars.

A site specific Zoning By-law Amendment (ZBA) is required in support of the proposed development. Council for the City of Windsor is the approval authority.

The purpose of this report is to review the relevant land use documents, including Provincial Policy Statement (PPS) 2020, the City of Windsor Official Plan (OP) and the City of Windsor Zoning By-law (ZBL) as it pertains to the ZBA application.

Pre-submission was completed (City File #PS-074/21). Comments dated July 5, 2021, were received and have been incorporated into the proposed application.

This PRR will show that the proposed development represents good planning addressing the need for the City to provide residential infilling development in the form of a multiple dwelling unit, which contributes to affordability and intensification requirements.



Figure 1b – Street View (Source: Google Maps 2021)

2.2 Physical Features of the Site

2.2.1 Size and Site Dimension

The Site is an interior lot and consists of a total area of approximately 402.6 square metres. It has 11 m of frontage along the south side of Shepherd Street East and a 36.6 m of depth.

2.2.2 Vegetation

The Site is made up of manicured lawn with no existing trees.

2.2.3 Topography

The Site is flat and is outside the regulated area of the Essex Region Conservation Authority (ERCA).

2.2.4 Other Physical Features

The property is currently fenced for separation between the neighbors.

There is a patio at the rear of the building and a small accessory building abutting the alley.

The driveway is paved with sidewalks leading to the front and rear of the building.

2.2.5 Municipal Services

The property has access to municipal water, storm and sanitary services.

The subject property is in close proximity to major transportation corridors including Parent Ave, Ellis St E and Tecumseh Road East.

Shepherd St. E. is a two-way street with on-street parking on the south side of the street.

There are streetlights and sidewalks along Shepherd St. E.

The nearest fire hydrant is located on the east corner of Shepherd St. E. and Benjamin Ave.

2.2.6 Nearby Amenities

There are several schools located nearby the Site including St. Angela Catholic Elementary School and Prince Edward Public School.

There are parks and recreation opportunities in close proximity of the Site including Lanspeary Park.

There are nearby commercial nodes, such as food service, personal service shops, and retail. There are also nearby employment lands, places of worship, and local/regional amenities.

The Site has access to transit, with the nearest bus stop located at the corner of Parent Ave and Shepherd St. E. (Stop ID 2069), which is part of City of Windsor Bus Route 14.

2.3 Surrounding Land Uses

Overall, the Site is located within an existing low profile residential neighbourhood (Photo Source: Google 2021).

North – The lands to the north of the Site are used for residential with frontage on Shepherd Street East (see Photo 1 – North).



Photo 1 – North

East – The lands east of the Site are used for residential with frontage on Shepherd Street East (see Photo 3 - East).



Photo 3 – East

South – the lands to the south of the Site are used for residential with frontage on Benjamin Ave and also includes the alley (see Photo 3 - South).



Photo 3 – South

West – The lands to the west of the Site are used for residential with frontage on Shepherd St. E.. There is also a place of worship at the corner to Langlois Ave and Shepherd St, E. (see Photo 4 – West).



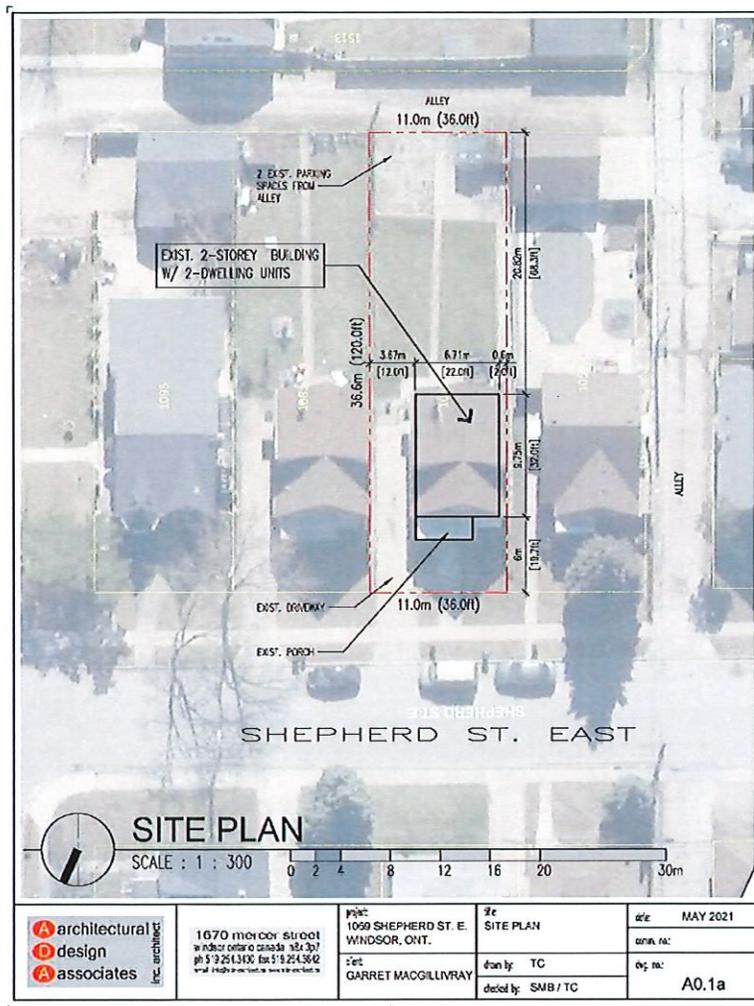
Photo 4 – West

3.0 DEVELOPMENT PROPOSAL

3.1 Proposal

There is presently a 2 storey residential dwelling on the subject lands. The dwelling is an existing duplex dwelling with two (2) units. The units are located on the first and second floor of the structure.

The applicant intends to convert the basement of the existing structure into an additional one (1) unit for a total of three (3) units, which will be considered a multiple dwelling unit (see Figure 2a – Site Plan).



1069 Shepherd St. E., Windsor, Ontario

Figure 2a – Site Plan

The basement is an existing space in the residential dwelling and will have direct access from the exterior of the building (see Figure 2b – Floor Plan).

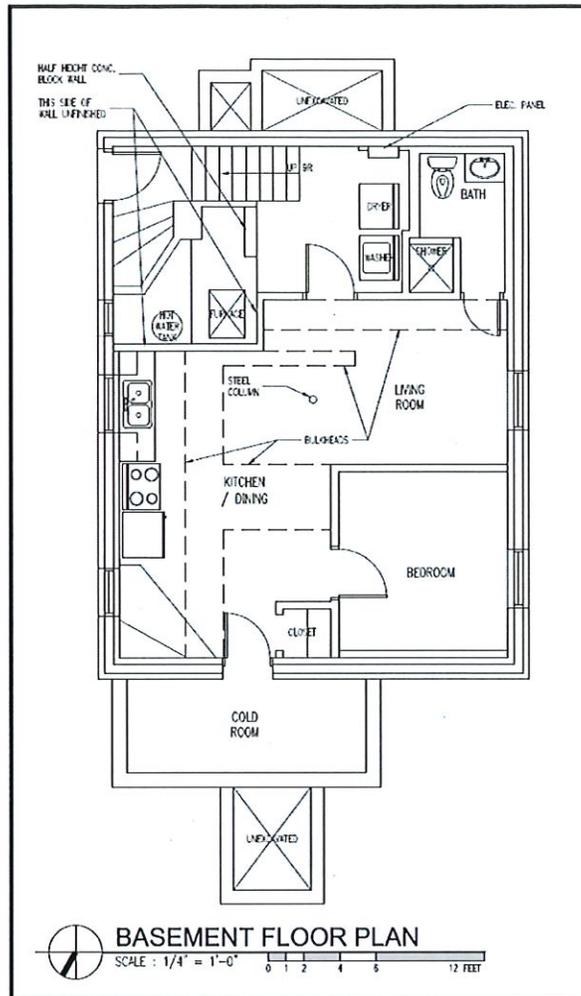


Figure 2b – Floor Plan

Renovations will only be required in the interior of the existing building. There will be no required or proposed alterations to the exterior of the dwelling.

The current building is 65.42 m2 in size in addition to an existing front porch. This represents an existing lot coverage of approximately 16.25% and a net density of 75 units per hectare.

There are 2 parking spaces located at the rear of the existing building with access from the alley. There is also parking on the paved driveway for 2 cars which has access from Shepherd St. E. on the east side of the building.

There is storage in the accessory structure for bicycles.

3.2 Support Studies

No support studies are required.

3.3 Public Consultation Strategy

The Planning Act requires that the applicant submit a proposed strategy for public consultation with respect to an application, as part of the complete application requirements.

As part of a public consultation strategy, the applicant proposes that the required public meeting will be sufficient as the size of development is small scale.

At this time, no informal public open house is proposed to be held by the applicant.

4.0 PROPOSED APPLICATION

4.1 Zoning By-Law Amendment (ZBA)

A site specific Zoning By-law Amendment (ZBA) is required in order to permit the proposed residential renovation.

The Site is currently zoned "Residential District 1.3 (RD1.3)" on Map 7 of the City of Windsor Zoning By-Law.

It is proposed to change the zoning of the Site from the existing "Residential District 1.3(RD1.3)" zoning to a site specific "Residential District 2.2 (RD2.2 –(20)(1) (XXX)" to permit a one multiple dwelling containing a maximum of four dwelling units.

All other RD2.2 provisions will comply with the exception of the following requested relief;

1. *decrease minimum lot width from 18.0 m to 11.0 m,*
2. *decrease minimum lot area from 540.0 m² to 402.6 m², and*
3. *decrease minimum side yard width (west side) from 1.80 m to 0.6 m.*

Further analysis is provided in Section 5.1.3 of this PRR.

4.2 Other

Prior to renovation, a building permit will be required to be obtained.

5.0 PLANNING ANALYSIS

5.1 Policy and Regulatory Overview

5.1.1 Provincial Policy Statement (PPS), 2020

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development providing for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environments.

The PPS is issued under Section 3 of the Planning Act and came into effect on May 1, 2020. It applies to all land use planning matters considered after this date.

The PPS supports improved land use planning and management, which contributes to a more effective and efficient land use planning system.

The following provides a summary of the key policy considerations of the PPS as it relates to the proposed development.

PPS Policy #	Policy	Response
1.0Ontario's long-term prosperity, environmental health and social well-being depend on wisely managing change and promoting efficient land use and development patterns.....	The City has directed growth where the Site is located which will contribute positively to promoting efficient land use and development patterns.
1.1.1	Healthy, liveable and safe communities are sustained by: a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term; b) accommodating an appropriate affordable and market-based range and mix of residential types, employment, institutional, recreation, park and open space, and other uses to meet long-term needs;	The proposed development is consistent with the policy to build strong, healthy and livable communities as it provides for a range and mix of residential in the form of affordable development. There are no environmental or public health and safety concerns as the area is well established. The development pattern does not require expansion of the settlement area as it is

PPS Policy #	Policy	Response
	<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>development of an existing structure.</p> <p>The Site has access to full municipal services and is close to existing local parks, places of worship, parks and schools.</p> <p>Accessibility of the basement unit will be addressed at the time of the building permit application.</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	<p>Sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of up to 25 years.</p> <p>Within settlement areas, sufficient land shall be made available through intensification and redevelopment and, if necessary, designated growth areas.</p>	<p>The proposed development will help the City meet the full range of current and future residential needs through intensification.</p> <p>The intensification can be accommodated for the proposed development as it is a development opportunity within an existing neighbourhood.</p> <p>The Site will provide for affordable residential infilling within an existing settlement area in the form of a multiple dwelling.</p>
1.1.3.1	Settlement areas shall be the focus of growth and development.	The proposal enhances the vitality of the municipality, as

PPS Policy #	Policy	Response
		<p>the proposal is within the City's settlement area.</p> <p>The Site will provide for affordable housing.</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"> a) efficiently use land and resources; b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion; c) minimize negative impacts to air quality and climate change, and promote energy efficiency; d) prepare for the impacts of a changing climate; e) support active transportation; f) are transit-supportive, where transit is planned, exists or may be developed; and g) are freight-supportive. 	<p>The total density of the proposed development is considered appropriate as most of the existing neighborhood is made up of low profile residential in the form of single unit dwellings.</p> <p>The Site offers an opportunity for intensification by creating a new residential unit in an existing structure.</p> <p>The intensification can be accommodated for the proposed development as it is an infilling opportunity within an existing neighbourhood.</p> <p>The existing design and style of the residential dwelling will be unchanged.</p> <p>The existing building blends with the dwellings in the area and is a similar scale and massing of the existing dwellings in the neighborhood.</p> <p>Minor relief is requested for the existing structure.</p> <p>The land area is sufficient to accommodate the proposed development with adequate existing buffering from abutting land uses.</p>

PPS Policy #	Policy	Response
		<p>Residents will have immediate access to shopping, employment, parks and institutional uses.</p> <p>Transit is available for the area.</p> <p>There is storage in the accessory structure for bicycles.</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 intensification can be accommodated for the proposed residential renovation as it is an appropriate use of the existing basement space.</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 intensification can be accommodated for the proposed development as it is a development opportunity within an existing building.</p> <p>There will be no risks to the public. 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.</p> <p>The proposed development will assist in meeting those targets as the Site is located</p>

PPS Policy #	Policy	Response
		<p>in an existing built-up area and will add a new residential unit.</p> <p>The Site will provide for affordable housing.</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 form.</p> <p>The low profile density will allow for the efficient use of land, infrastructure and public services.</p>
1.4.1	<p>To provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall:</p> <p>a) maintain at all times the ability to accommodate residential growth for a minimum of 15 years through residential intensification and redevelopment and, if necessary, lands which are designated and available for residential development; and</p> <p>b) maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned to facilitate residential intensification and redevelopment, and land in</p>	<p>The proposed development will provide for a mix of housing options in the existing built-up area.</p> <p>The intensification can be accommodated for the proposed development as it is a development opportunity within an existing neighbourhood.</p> <p>The area is pedestrian friendly, allowing people to access nearby amenities, such as public spaces, commercial nodes, and recreational activities.</p> <p>Existing municipal services are available.</p> <p>The proposed density offers an opportunity to efficiently use municipal infrastructure.</p>

PPS Policy #	Policy	Response
	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 affordable housing needs of current and future residents of the regional market area.	<p>The proposed low profile density is compatible with the surrounding area and will provide affordable intensification and infilling through the efficient use of an existing dwelling.</p> <p>The Site will provide for affordable housing.</p> <p>The Site is close to amenities.</p>
1.6.1	Infrastructure and public service facilities shall be provided in an efficient manner that prepares for the impacts of a changing climate while accommodating projected needs.	<p>The development is on existing full municipal services.</p> <p>Access to public transit is available.</p>
1.6.6.2	Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. Within settlement areas with existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services.	The proposed development will be serviced by municipal sewer, water and storm, which is the preferred form of serving for existing settlement areas.
1.6.6.7	<p>Planning for stormwater management shall:</p> <p>a) be integrated with planning for sewage and water services and ensure that</p>	There will be no risk to health and safety. The area is outside ERCA regulated areas.

PPS Policy #	Policy	Response
	<p>systems are optimized, feasible and financially viable over the long term;</p> <p>b) minimize, or, where possible, prevent increases in contaminant loads;</p> <p>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;</p> <p>d) mitigate risks to human health, safety, property and the environment;</p> <p>e) maximize the extent and function of vegetative and pervious surfaces; and</p> <p>f) promote stormwater management best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development.</p>	<p>Renovations will only be required in the interior of the existing building.</p> <p>There will be no required or proposed alterations to the exterior of the dwelling.</p> <p>The Site is a large interior lot with access from Shepherd St. E and the alley.</p>
1.6.7.1	<p>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>	<p>The subject property is in close proximity to major transportation corridors and has access to transit.</p>
1.6.7.2	<p>Efficient use should be made of existing and planned infrastructure, including through the use of transportation demand management strategies, where feasible.</p>	<p>The proposed development contributes to the City's requirements for development within an existing built-up area.</p> <p>The area is serviced by transit.</p>
1.6.7.4	<p>A land use pattern, density and mix of uses should be promoted that minimize the</p>	<p>The proposed development contributes to the City's</p>

PPS Policy #	Policy	Response
	length and number of vehicle trips and support current and future use of transit and active transportation.	<p>requirement for affordable infilling within a built-up area.</p> <p>There are 2 parking spaces located on the Site as well as parking on the paved driveway for 2 cars.</p> <p>The area is pedestrian friendly allowing people to access nearby amenities, such as public spaces, commercial nodes, and recreational activities.</p> <p>The proposed density offers an opportunity to efficiently use existing municipal infrastructure.</p>
1.8	Planning authorities shall support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and preparing for the impacts of a changing climate through land use and development patterns.	<p>The proposed development supports compact form within an existing built-up area of the City.</p> <p>The Site has access to transit and local amenities.</p>
2.1.1	Natural features and areas shall be protected for the long term.	There are no natural features that apply to this Site.
2.2.1	Planning authorities shall protect, improve or restore the quality and quantity of water.	Existing services are already in place on this site.
2.6.1	Significant built heritage resources and significant cultural heritage landscapes shall be conserved.	There are no heritage resources that apply to this Site.
3.0	Development shall be directed away from areas of natural or human-made hazards where there is an unacceptable risk to public health or safety or of property damage, and not	There are no natural or human-made hazards that apply to this Site.

PPS Policy #	Policy	Response
	create new or aggravate existing hazards.	

Therefore, the proposed development is consistent with the PPS.

5.1.2 Official Plan (OP)

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 – City of Windsor OP, Schedule “D”).

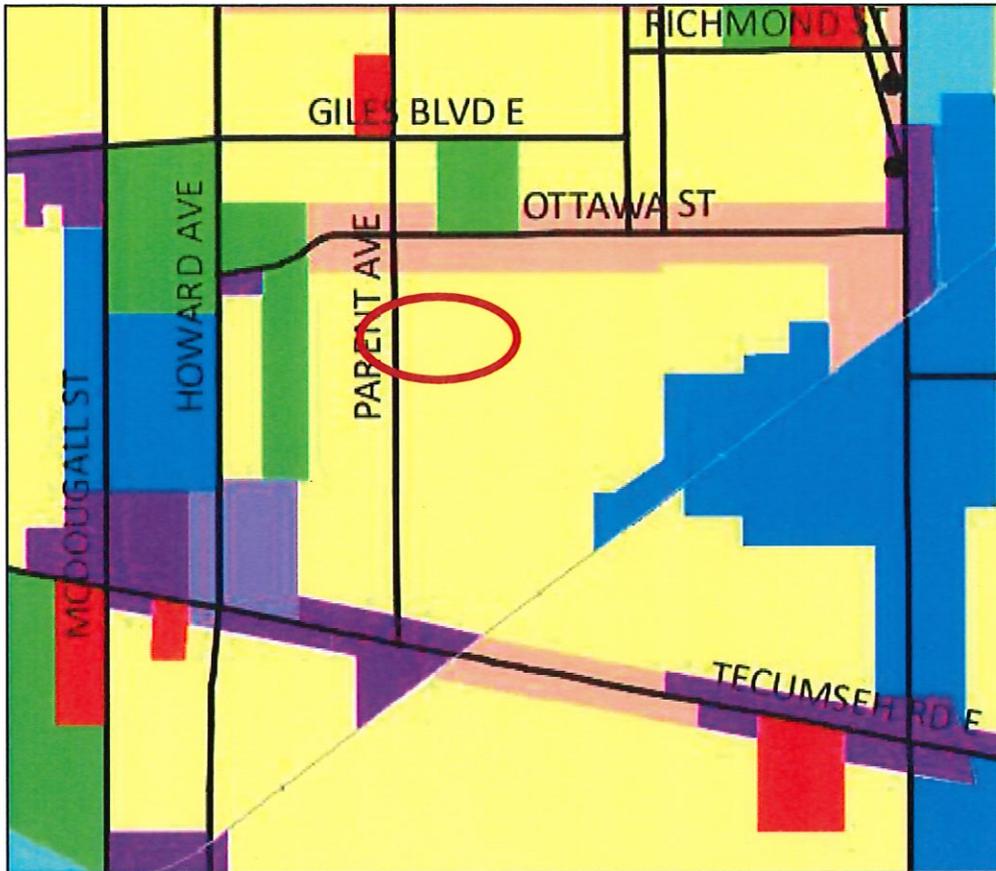


Figure 3 – City of Windsor OP, Schedule "D"

The following provides a summary of the key policy considerations of the OP as it relates to the proposed development.

OP Policy #	Policy	Response
3.2.1.2	Encouraging a range of housing types will ensure that people have an opportunity to live in their neighbourhoods as they pass through the various stages of their lives.	<p>The proposed residential renovation supports one of the City's overall development strategies of providing for a range of housing types.</p> <p>It is proposed to convert the existing basement into an additional dwelling unit in an existing residential dwelling.</p> <p>The new unit will be an affordable rental unit with</p>

OP Policy #	Policy	Response
		<p>access from the exterior of the building.</p> <p>The Site is close to transit and local amenities.</p>
3.3.3	<p>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.</p> <p>The three dominant types of dwellings in Windsor's neighbourhoods are single detached, semi-detached and townhouses.</p> <p>The density range for Windsor's neighbourhoods is between 20 to 35 units per net hectare.</p> <p>This density range provides for low and some medium-density intensification to occur in existing neighbourhoods. Multiple dwelling buildings with medium and high-densities are encouraged at nodes identified in the Urban Structure Plan.</p>	<p>The proposed residential renovation is in an existing built-up area.</p> <p>There will be no change to the exterior of the structure, which allows the multiple dwelling to blend with the surrounding area.</p> <p>Minor relief is requested for the existing structure.</p> <p>The land area is sufficient to accommodate the proposed development with adequate existing buffering from abutting land uses.</p> <p>The area is pedestrian friendly allowing people to access nearby amenities, such as public spaces, commercial nodes, and recreational activities.</p> <p>The proposed density offers an opportunity to efficiently use municipal infrastructure.</p> <p>The Site will provide for affordable housing.</p>
4.0	<p>The implementing healthy community policies are interwoven throughout the remainder of the Plan, particularly within the Environment, Land Use,</p>	<p>The proposed development will support the City's goal of promoting a healthy community (live, work and play).</p>

OP Policy #	Policy	Response
	Infrastructure and Urban Design chapters, to ensure their consideration and application as a part of the planning process.	The proposed development is close to nearby transit, employment, shopping, local/regional amenities and parks.
5.0	A healthy and sustainable environment represents a balance between human activities and natural features and functions. In order to attain this balance, Council will enhance the quality of Windsor's natural environment and manage development in a manner that recognizes the environment as the basis of a safe, caring and diverse community and a vibrant economy.	<p>The proposed development will support the City's goal of a healthy and sustainable environment.</p> <p>The Site is pedestrian friendly as there are sidewalks along the roadway which link to the surrounding amenities.</p> <p>There are no anticipated traffic concerns, no environmental concerns, and no expected hazards.</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.	<p>The proposed development supports the policy set out in the OP as it is suited for the residential needs of the City.</p> <p>The Site will provide for affordable housing.</p>
6.1 - Goals	<p>In keeping with the Strategic Directions, Council's land use goals are to achieve:</p> <p>6.1.1 Safe, caring and diverse neighbourhoods.</p> <p>6.1.3 Housing suited to the needs of Windsor's residents.</p> <p>6.1.10 Pedestrian oriented clusters of residential, commercial,</p>	The proposed development supports the goals set out in the OP as it provides for housing that is suited to residents in this area of Windsor, is pedestrian oriented, close to employment and schooling opportunities.

OP Policy #	Policy	Response
	employment and institutional uses.	
6.2.1.2 – General Policies	<p>For the purpose of this Plan, Development Profile refers to the height of a building or structure. Accordingly, the following Development Profiles apply to all land use designations on Schedule D: Land Use unless specifically provided elsewhere in this Plan:</p> <p>(a) Low Profile developments are buildings or structures generally no greater than three (3) storeys in height;</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 current structure is considered a low profile building.</p> <p>The Site is a large interior lot with access from Shepherd St. E. and the alley.</p>
6.3.2.1 – Permitted uses/Residential	Uses permitted in the Residential land use designation identified on Schedule D: Land Use include Low, Medium and High Profile dwelling units.	Residential is a permitted use.
6.3.2.5 – Evaluation Criteria	<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</p>	<p>This PRR has attempted to address these requirements.</p> <p>The proposed renovation is feasible.</p> <p>The goals and objectives set out in the PPS and the City OP are being maintained.</p>

OP Policy #	Policy	Response
	<p>Plan, provincial legislation, policies and appropriate guidelines and support studies for uses: (i) within or adjacent to any area identified on Schedule C: Development Constraint Areas and described in the Environment chapter of this Plan; (ii) adjacent to sources of nuisance, such as noise, odour, vibration and dust; (iii) within a site of potential or known contamination; (iv) where traffic generation and distribution is a provincial or municipal concern; and (v) adjacent to heritage resources. (b) in keeping with the goals, objectives and policies of any secondary plan or guideline plan affecting the surrounding area; (c) compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and amenity areas; (d) provided with adequate off street parking; (e) capable of being provided with full municipal physical services and emergency services; and (f) facilitating a gradual transition from Low Profile residential development to Medium and/or High profile development and vice versa, where appropriate.</p>	<p>The existing residential designation is supportive of this type of development.</p>
7.0 - Infrastructure	<p>The provision of proper infrastructure provides a safe, healthy and efficient living environment. In order to accommodate transportation and physical service needs in</p>	<p>The Site is close to nearby transit, off major transportation corridors and has access to full municipal services.</p>

OP Policy #	Policy	Response
	Windsor, Council is committed to ensuring that infrastructure is provided in a sustainable, orderly and coordinated fashion.	The Site has access to full municipal services.
8 – Urban Design	A memorable, attractive and liveable city is one where people feel comfortable and are inspired by their surroundings. The physical systems and built form of the city are also designed to protect, maintain and improve the quality of life for present and future generations by integrating the principles of sustainability and place making. In order for Windsor to be such a city, Council is committed to urban design principles that enhance the enjoyment and image of Windsor and its people	<p>The existing design of the dwelling blends with the surrounding area and there will be no exterior changes.</p> <p>The land area is sufficient to accommodate the proposed development with adequate existing buffering from abutting land uses.</p> <p>The Site is a large interior lot with access from Shepherd St. E. and the alley.</p> <p>The Site is pedestrian-friendly, has a clean façade and is a safe place for people to live.</p> <p>There are 2 parking spaces located on the Site and parking on the paved driveway for 2 cars.</p> <p>There is storage in the accessory structure for bicycles.</p> <p>The Site will provide for affordable housing.</p> <p>The existing building is compatible with the surrounding area in terms of scale, massing, height and siting and the conversion of the dwelling will integrate well with the area.</p> <p>Minor relief is requested for the existing structure.</p>

Therefore, the proposed development conforms to the City of Windsor OP.

5.1.3 Zoning By-law (ZBL)

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 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 7 attached to the ZBL the Site is currently zoned "Residential District 1.3 (RD1.3)" category (see Figures 4 – City of Windsor Zoning Map 7).



Figure 4 – City of Windsor Zoning Map 7

It is proposed to change the zoning of the Site from the existing "Residential District 1.3(RD1.3)" zoning to a site specific "Residential District 2.2 (RD2.2 –(20)(1) (XXX)" to permit a one multiple dwelling containing a maximum of four dwelling units.

A Multiple Dwelling is defined in the City of Windsor ZBL as:

MULTIPLE DWELLING means one dwelling containing a minimum of three dwelling units. A double duplex dwelling, semi-detached dwelling, stacked dwelling, or townhome dwelling is not a multiple dwelling.

A review of the RD2.3 zone provisions, as set out in Section 11.2 of the ZBL are as follows:

Zone Regulations (Section 11.2)	Required RD2.2 (Existing duplex)	Proposed (Multiple Dwelling with 3 units)	Compliance and/or Relief Requested with Justification
Permitted Uses	One Double Duplex Dwelling One Duplex Dwelling One Multiple Dwelling containing a maximum of four dwelling units One Semi-Detached Dwelling One Single Unit Dwelling Townhome Dwelling Any use accessory to any of the preceding uses	One Multiple Dwelling containing a maximum of four dwelling units	Subject to the ZBL amendment.
Minimum Lot Width	18.0 m	11.0 m	Relief required of 7 m. The lot is existing. The lot is very deep.
Minimum Lot Area	540.0 m ²	402.6 m ²	Relief required of 137.4 m ² . The lot is existing. The rear yard is very deep and provides for amenity area. Maximum lot coverage can be complied with and is very low.
Maximum Lot Coverage	45.0 %	16.25 %	Complies
Maximum Main Building Height	10.0 m	< 10.0 m	Complies. No change to the building exterior.

		Existing 2 storey residential dwelling	
Minimum Front Yard Depth	6.0 m	6.0 m	Complies, the building is existing.
Minimum Rear Yard Depth	7.50 m	20.81 m	Complies, the building is existing.
Minimum Side Yard Width	1.80 m	3.67 m / 0.6 m	East side complies. West side requires relief of 1.2 m. The building is existing. There is room to access the rear yard from the east side and there is access from the alley.
Parking 24.20.5.1	Multiple Dwelling containing a maximum of 4 Dwelling units 1 for each dwelling unit 1 x 3 = 3 total	2 parking spaces from alley 2 parking spaces on the driveway 4 total	Complies The Site is also close to transit. There is storage in the accessory structure for bicycles.

Therefore, the proposed development will require a site specific "Residential District 2.2 (RD2.2 –(20)(1) (XXX)" to permit a one multiple dwelling containing a maximum of four dwelling units.

All other RD2.2 provisions will comply with the exception of the following requested relief;

1. decrease minimum lot width from 18.0 m to 11.0 m,
2. decrease minimum lot area from 540.0 m² to 402.6 m², and
3. decrease minimum side yard width (west side) from 1.80 m to 0.6 m.

6.0 SUMMARY AND CONCLUSION

6.1 Context and Site Suitability Summary

6.1.1 Site Suitability

The Site is ideally suited for further residential renovation for the following reasons:

- The land area is sufficient to accommodate the existing development with adequate existing buffering from abutting land uses,
- The Site already accommodates municipal water, storm and sewer systems,
- There are no anticipated traffic concerns,
- There are no environmental concerns,
- There are no hazards, and
- The location of the proposed development is appropriate in that it will blend well with the residential uses in the surrounding area.

6.1.2 Compatibility of Design

The Site is compatible with the surrounding area in terms of scale, massing, existing height and siting. Minor relief is requested for the existing structure.

The Site is a large interior lot with access from Shepherd St. E. and the alley.

There are 2 parking spaces located on the Site in addition to parking on the paved driveway for 2 cars.

6.1.3 Good Planning

The proposal represents good planning as it addresses the need for the City to provide residential infilling development.

The additional unit will contribute toward affordability and intensification requirements.

Continued residential use on the Site represents an efficient development pattern that optimizes the use of land in an existing neighbourhood which has a low profile residential use.

The Site currently accommodates a dwelling with 3 units on municipal services. The additional basement unit will not put any additional stress on municipal infrastructure.

6.1.4 Natural Environment Impacts

The proposal does not have any negative natural environment impacts, as there are no natural heritage features on the Site.

6.1.5 Municipal Services Impacts

There will be no negative impacts on the municipal system as the residential renovation is limited to low profile and will not add to the capacity in a significant way.

6.1.6 Social and/or Economic Conditions

The proposed development does not negatively affect the social environment as the Site is in close proximity to major transportation corridors, transit, parks and community amenities.

Adding an additional residential unit in an existing residential dwelling in an area with similar residential uses contributes toward the goal of 'live, work and play' where citizens share a strong sense of belonging and a collective pride of place.

The proposed development promotes efficient development and land use pattern which sustains the financial well-being of the municipality.

The proposal does not cause any public health and safety concerns. The proposal represents a cost effective development pattern that minimizes land consumption and servicing costs.

There will be no urban sprawl as the proposed development is within the existing settlement area and is an ideal development opportunity.

6.2 Conclusion

The proposal to add an additional residential unit on the Site is appropriate and should be approved by the City of Windsor.

This PRR has shown that the proposed development is suitable intensification of affordable residential use, 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





Subject: Closure of the north/south alley between Guy Street and the east/west alley between Bernard Road and Francois Road - Ward 5

Moved by: Councillor Sleiman

Seconded by: Councillor Gill

Decision Number: **DHSC 423**

- I. THAT the 4.27 metre wide north/south alley located between Guy Street and the southwest corner of the property known municipally as 1969 Francois Road (legally described as Lot 130, Plan 907), and shown as Part 1 on Drawing No. CC-1755 *attached* hereto as Appendix "A", **BE ASSUMED** for subsequent closure;

- II. THAT the 4.27 metre wide north/south alley located between Guy Street and the southwest corner of the property known municipally as 1969 Francois Road (legally described as Lot 130, Plan 907), and shown as Part 1 on Drawing No. CC-1755 *attached* hereto as Appendix "A", **BE CLOSED AND CONVEYED** to the abutting property owners and as necessary, in a manner deemed appropriate by the City Planner, subject to the following:
 - a. 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. Bell Canada to protect existing aerial facilities in accordance with diagrams submitted with EnWin Utilities Ltd. comments *attached* hereto as Appendix "C".;
 - ii. Cogeco Connexion Inc. to accommodate existing infrastructure in accordance with diagrams submitted with EnWin Utilities Ltd. comments *attached* hereto as Appendix "C".;
 - iii. EnWin Utilities Ltd. to accommodate existing overhead 28kV primary hydro distribution, 120/240V, 120/208V and 347/600V secondary hydro distribution, poles, transformers, associated down guys and anchors in accordance with diagrams submitted with comments *attached* hereto as Appendix "C".
 - iv. MNSi to accommodate existing aerial infrastructure in accordance with diagrams submitted with EnWin Utilities Ltd. comments *attached* hereto as Appendix "C".

- III. THAT Conveyance Cost **BE SET** as follows:
- a. For alley conveyed to abutting lands zoned RD1.2: \$1.00 plus deed preparation fee and proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.
- IV. THAT the City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1755, *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: S 90/2022
Clerk's File: SAA2022

Clerk's Note:

1. The recommendation of the Standing Committee and Administration are the same.
2. Please refer to Item 11.1. from the Development & Heritage Standing Committee Meeting held on September 12, 2022.
3. To view the stream of this Standing Committee meeting, please refer to:
<http://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20220913/-1/7356>

Subject: Closure of the north/south alley between Guy Street and the east/west alley between Bernard Road and Francois Road - Ward 5
Applicant/Owner: Terrence and Connie Cullen File No.: SAA-5809

Reference:

Date to Council: September 12, 2022
Author: Brian Nagata, MCIP, RPP
Planner II - Development Review
(519) 255-6543 ext. 6181
Planning & Building Services

Report Date: July 14, 2022
Clerk's File #: SAA2022

To: Mayor and Members of City Council

Recommendation:

- I. THAT the 4.27 metre wide north/south alley located between Guy Street and the southwest corner of the property known municipally as 1969 Francois Road (legally described as Lot 130, Plan 907), and shown as Part 1 on Drawing No. CC-1755 *attached* hereto as Appendix "A", **BE ASSUMED** for subsequent closure;
- II. THAT the 4.27 metre wide north/south alley located between Guy Street and the southwest corner of the property known municipally as 1969 Francois Road (legally described as Lot 130, Plan 907), and shown as Part 1 on Drawing No. CC-1755 *attached* hereto as Appendix "A", **BE CLOSED AND CONVEYED** to the abutting property owners and as necessary, in a manner deemed appropriate by the City Planner, subject to the following:
 - a. 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. Bell Canada to protect existing aerial facilities in accordance with diagrams submitted with EnWin Utilities Ltd. comments *attached* hereto as Appendix "C".;
 - ii. Cogeco Connexion Inc. to accommodate existing infrastructure in accordance with diagrams submitted with EnWin Utilities Ltd. comments *attached* hereto as Appendix "C".;
 - iii. EnWin Utilities Ltd. to accommodate existing overhead 28kV primary hydro distribution, 120/240V, 120/208V and 347/600V

secondary hydro distribution, poles, transformers, associated down guys and anchors in accordance with diagrams submitted with comments *attached* hereto as Appendix “C”.

- iv. MNSi to accommodate existing aerial infrastructure in accordance with diagrams submitted with EnWin Utilities Ltd. comments *attached* hereto as Appendix “C”.

III. THAT Conveyance Cost **BE SET** as follows:

- a. For alley conveyed to abutting lands zoned RD1.2: \$1.00 plus deed preparation fee and proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.

IV. THAT the City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1755, *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.

Executive Summary:

N/A

Background:

The applicants, Terrence and Connie Cullen, owners of the property known municipally as 1969 Francois Road (the subject property), applied to close the 4.27 metre wide north/south alley (the alley) that abuts the subject property to the west, and shown on Drawing No. CC-1755 *attached* hereto as **Appendix “A”**, and also shown on the aerial photo *attached* hereto as **Appendix “B”**.

The alley is composed primarily of grass, save and except for an asphalt section abutting the property known municipally as 1983 Francois Road. The alley is unmaintained and contains utility poles with overhead wires, transformers and associated down guys and anchors along its west limit, together with small patches of vegetation scattered along its east and west limits. There is an existing curb cut serving the alley from Guy Street. The abutting residential properties to the east known municipally 1907 Francois Road and 1971 Francois Road each have a detached rear yard garage with an overhead door that fronts the alley.

The applicant wishes to close the said portion of the alley to enlarge the subject property for the purpose of establishing new gardens and eliminating illegal vehicle parking.

Discussion:

The decision to recommend closure of an alley is derived from the City's *Classification of Alleys and Suitability for Closure* guideline document (the document), **attached** hereto as **Appendix "E"**. The document details four classifications of alleys based on their usefulness, and provides corresponding criteria for determining suitability for closure.

Classification of Public Right-of-Ways

The initial step is to determine if the alley is indispensable. This is achieved through the evaluation of the following criteria set forth in Section 1 of the document.

1. *Does the subject alley serve commercial properties?*
 - a. The alley does not serve any commercial properties.
2. *Does the subject alley serve properties fronting on heavily traveled streets i.e. major arterial routes?*
 - a. The alley does not serve properties fronting on heavily traveled streets.
3. *Does the subject alley contain sewers, and must the alley remain accessible for servicing?*
 - a. The alley does not contain any sewers.
4. *Does the subject alley serve as the only vehicular means of access to rear parking areas and garages where the property has insufficient lot width for a side drive?*
 - a. The detached rear garage at 1907 Francois Road has vehicular access from the alley and Francois Road.
 - b. The alley serves as the only vehicular means of access to the detached rear garage at 1971 Francois Road.
 - There is not sufficient lot width to accommodate a side driveway.
5. *Does the subject alley contain Fire Department connections that are deemed to be necessary for firefighting access?*
 - a. The alley does not contain any Fire Department connections.

Based on the above, the Planning Department deems the subject alley "indispensable".

Notwithstanding the alley being deemed indispensable, the Planning Department is recommending that it be closed and conveyed in the following alternative manner:

- The 234.7 metre portion of the 4.27 metre wide alley located between Guy Street and the southwest corner of the subject property be closed and conveyed to the abutting property owners, thus avoiding eliminating vehicular access to the detached rear garage at 1971 Francois Road.

It is our recommendation that, upon closure, the property owners be given a chance to acquire the subject alley. Hence the recommendation is to close and convey the alley to the abutting property owners.

Risk Analysis:

The recommended closure will divest the City of associated liability risks and maintenance costs. The recommended closure poses no known risk to City.

Climate Change Risks

Climate Change Mitigation:

N/A

Climate Change Adaptation:

N/A

Financial Matters:

The rate for an alley conveyed to abutting lands zoned RD1.2 is assessed at \$1.00 plus deed preparation fee and proportionate share of the survey costs as invoiced to the City by an Ontario Land Surveyor.

Consultations:

Consultations were held with Municipal Departments and Utility Companies, which resulted in the information found in attached **hereto** as **Appendix “C”**.

Notice of Development & Heritage Standing Committee meeting and Council meeting are published in the Windsor Star prior to each of the meetings. In addition, notice of each of the public meetings will be mailed to the abutting/affected property owners prior to the meetings.

Conclusion:

The Planning Department recommends closure of the north/south alley shown on **attached Appendix “A”** as Part 1, subject to the easements as in Recommendation II of this report, in favour of Bell Canada, Cogeco Connexion Inc., Enwin Utilities Ltd. and MNSi.

The closed alley is to be conveyed to the abutting property owners, as in Recommendation II of this report.

Planning Act Matters:

N/A

Approvals:

Name	Title
Michael Cooke	Manager of Planning Policy/Deputy City Planner
Thom Hunt	City Planner / Executive Director, Planning & Development Services
Chris Carpenter	Coordinator of Real Estate Services
Wira Vendrasco	Deputy City Solicitor, Legal Services & Real Estate
Jelena Payne	Commissioner, Economic Development & Innovation
Onorio Colucci	Acting Chief Administration Officer

Notifications:

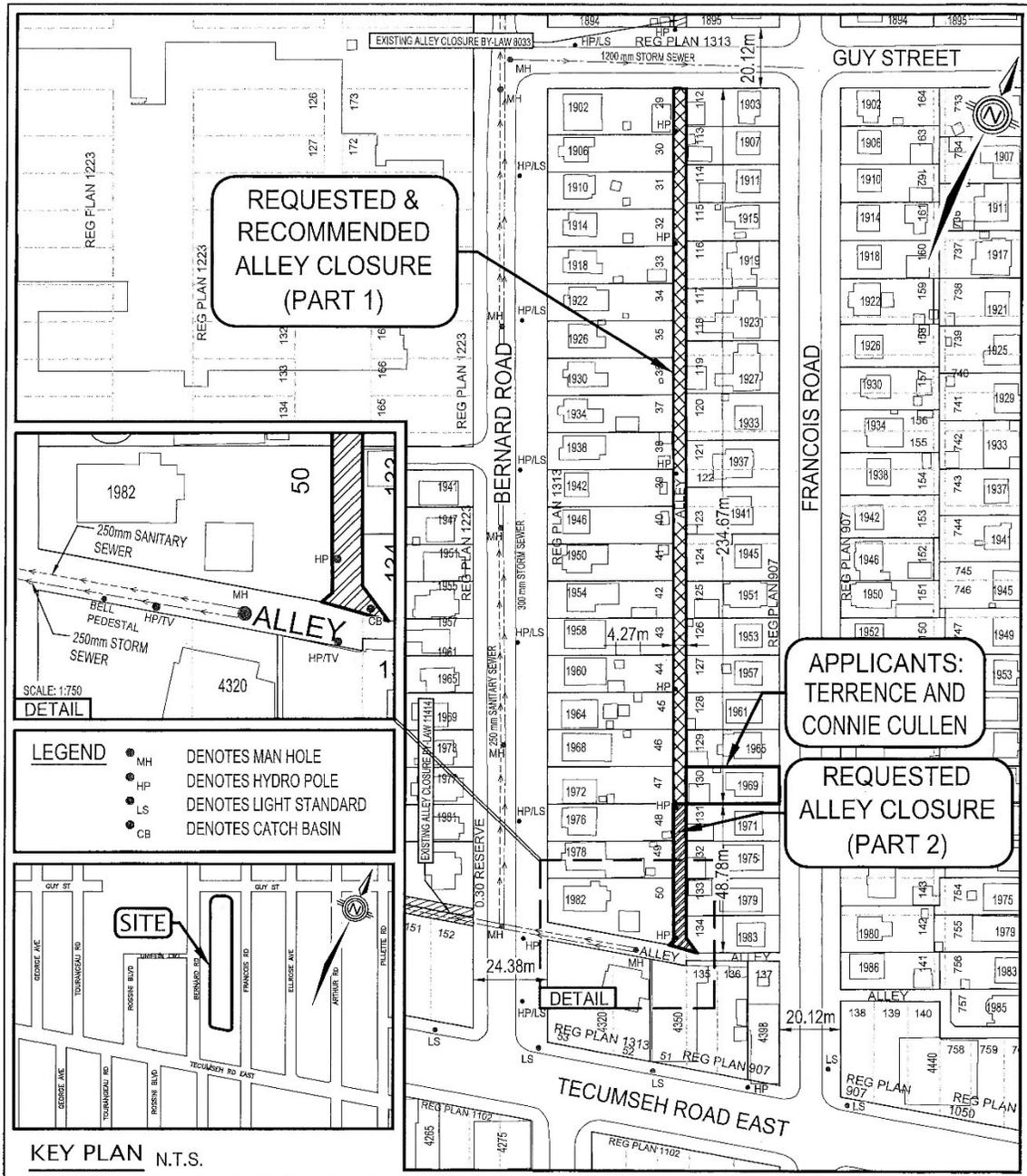
Name	Address	Email
Councillor Ed Sleiman		esleiman@citywindsor.ca
Property owners abutting the alley		

Appendices:

- 1 Appendix A - Drawing No. CC-1755
- 2 Appendix B - EIS Drawing - Aerial Photo
- 3 Appendix C - Consultations with Municipal Departments and Utility Companies
- 4 Appendix D - Site Photos
- 5 Appendix E - Classification of Alleys and Suitability for Closure

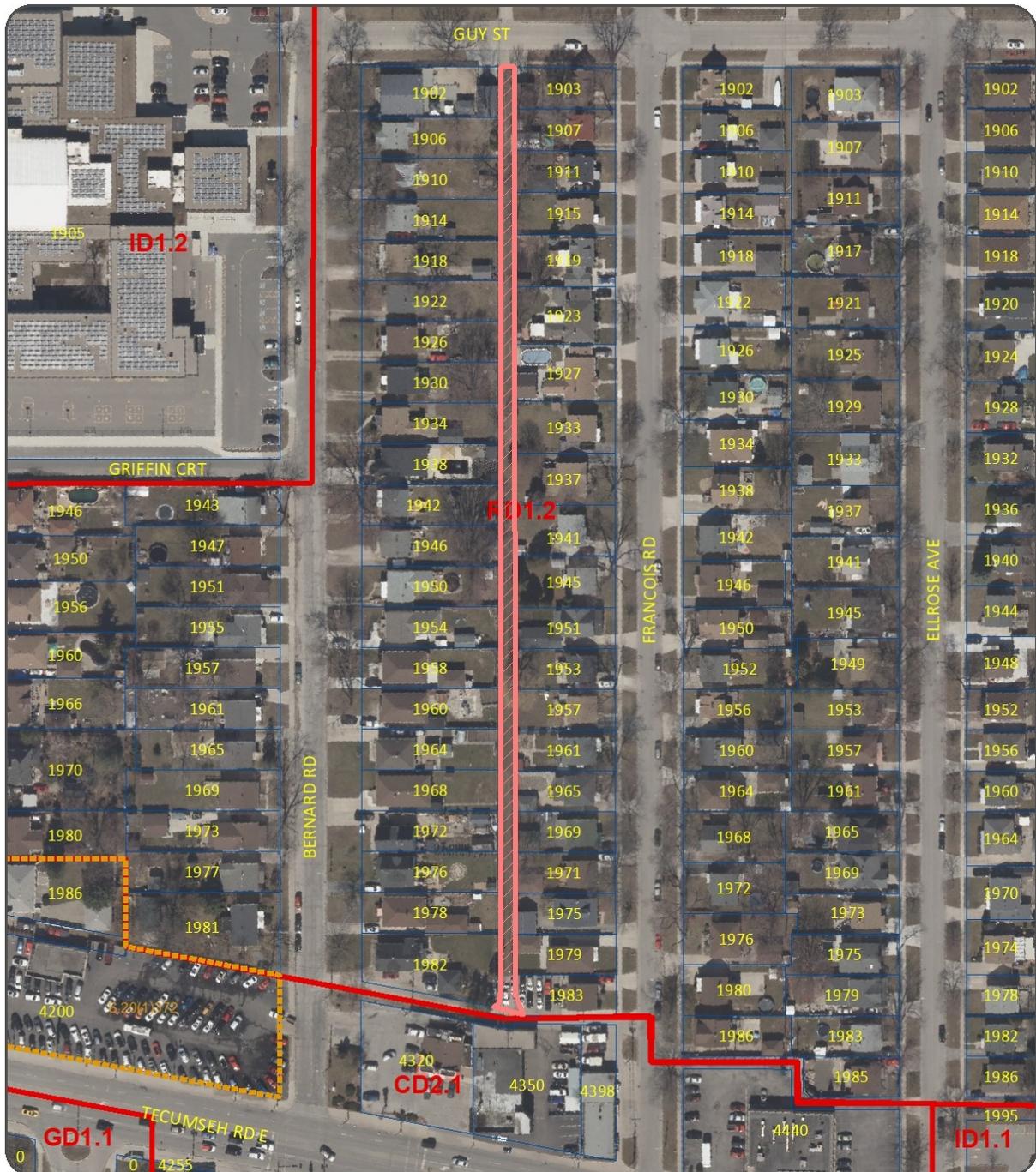
APPENDIX "A"

Drawing No. CC-1755



THE CORPORATION OF THE CITY OF WINDSOR - ENGINEERING DEPARTMENT			
Proposed Closure of the North/South Alley from Guy Street to Alley North of Tecumseh Rd. East Between Bernard Rd. and Francois Rd.			
Kirk Tamm, Manager of Geomatics	SCALE: 1:750	DATE: JULY 2022	REVISED:
	DWN BY: AN, NS	CHKD BY: PJU / BN	REVISION NO.:
			DWG. NO. CC-1755

APPENDIX "B" EIS Drawing - Aerial Photo



STREET & ALLEY CLOSING (SAA/5809)

1:1,500

APPLICANT : CONNIE & TERRY CULLEN



 SUBJECT LANDS

PLANNING DEPARTMENT - DEVELOPMENT DIVISION

DATE: AUGUST, 2021

APPENDIX “C”**Consultations with Municipal Departments and Utility Companies****BELL CANADA WSP**

Bell Canada requests an easement over the entire alley for protection of aerial facilities.

[Charleyne Hall, Right-of-Way Associate]

CANADA POST

Canada Post has no comments

[Bruno DeSando, Delivery Planning]

COGECO CABLE SYSTEMS INC.

Please be advised that Cogeco Connexion Inc. will require this Easement.

[Rebecca Borsellino, Senior Agreements Administrator]

ENVIRONMENTAL SERVICES

No concerns from Environmental Services

[Anne-Marie Albidone, Manager of Environmental Services]

ENWIN UTILITIES - HYDRO

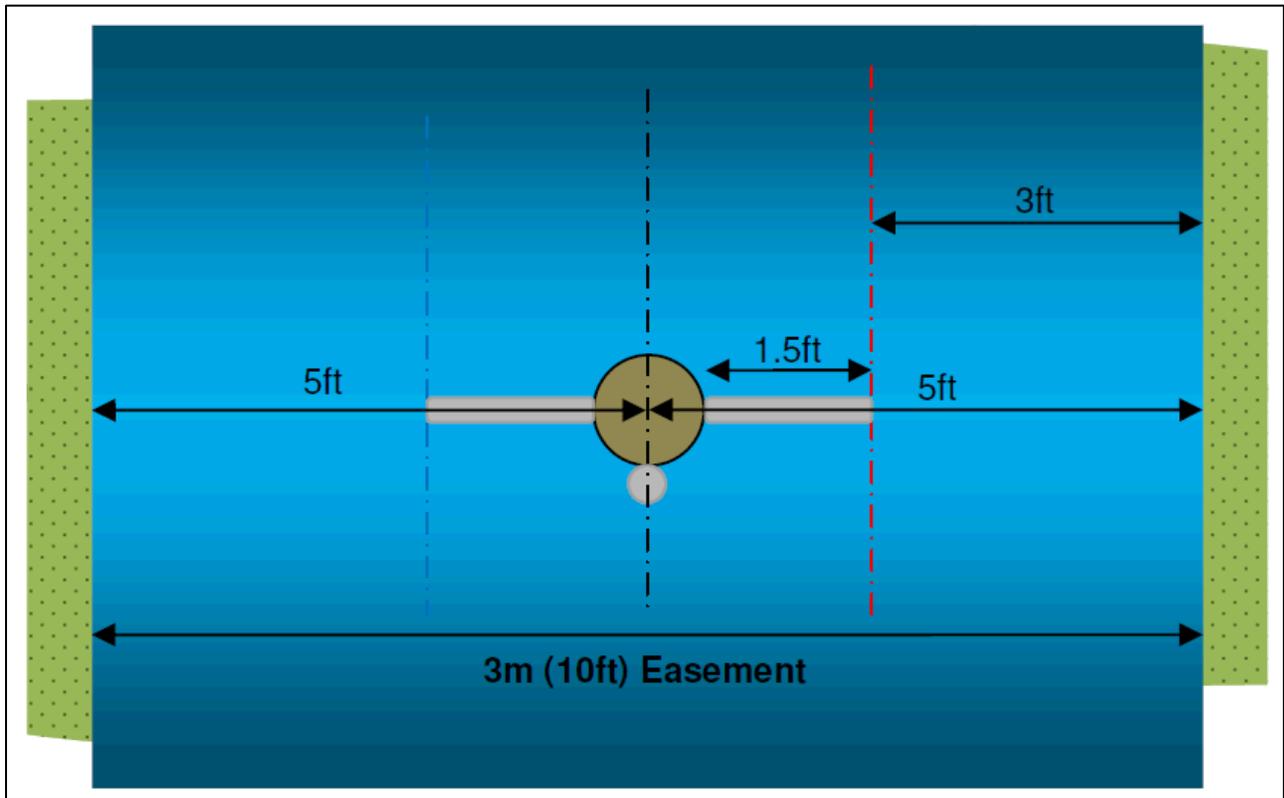
May 7, 2019

No Objection, however, an easement named to ENWIN Utilities Ltd is required for the entire north / south alley between Bernard Rd. and Francois Rd. from Guy St. to Tecumseh Rd. E and the alley along the north property limit of 4320 Tecumseh Rd. E between Bernard Rd. and Francois Rd. upon closing to accommodate existing overhead 28kV primary hydro distribution, 120/240V, 120/208V and 347/600V secondary hydro distribution, poles, transformers, associated down guys and anchors.

Refer to documentation attached below for easement requirements.

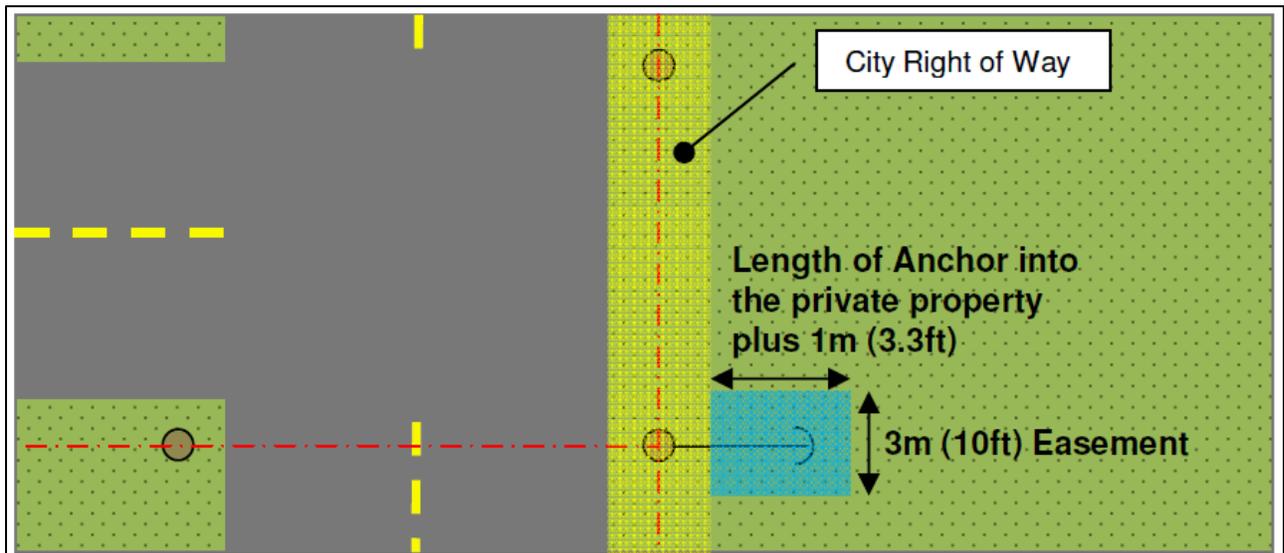
Overhead Line

A 3m (10ft) Easement is required for a straight pole line (5ft on each side). This takes into consideration a 1ft pole diameter, 1.5ft primary insulator, and 3ft clearance from any nearby structure. See top view representation below:



Guy and Anchor

A 3m (10ft) wide easement is required for guy and anchor installations into private property. This easement should extend 1m (3.3ft) into the property.



September 10, 2021

No Objections. However an easement will be required as previously stated, as well as E/W as highlight in the picture below.

September 16, 2021

If we are closing off the entire ally we will not object however an easement will be required all the way down the alley.

[Usman Bhatti, Hydro Engineering Technologist]



ENWIN UTILITIES - WATER

Water Engineering has no objections to the alley closure.

[Bruce Ogg, Water Project Review Officer]

LEGAL DEPARTMENT

For land abutting properties zoned RD1.1, \$1.00 plus deed preparation fee and proportionate share of the survey cost as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor. For lands abutting properties zoned CD2.1, \$15.00 per square foot without easements and \$7.50 per square foot with easements.

[Chris Carpenter, Coordinator of Real Estate Services]

MNSi

MNSi would like to be included in an aerial easement through this entire alley closure.

[Dave Hartleib, Outside Plant Manager]

PARKS & FACILITIES

No objections.

[Mike Clement, Manager of Parks Development]

PLANNING DEPARTMENT

No comments provided

PLANNING DEPARTMENT - LANDSCAPE ARCHITECT

No objection from a Landscape Architectural perspective.

[Stefan Fediuk - Landscape Architect]

PUBLIC WORKS DEPARTMENT

The subject alley closure is approximately 4.26m (14ft) wide, untraveled and composed mostly of grass. There are municipal sewers in the east/west section of the closure an easement will be required. There are hydro poles, guy wires, anchors and overhead wires running through the closure. An easement is required for utilities. There is concrete driveway approach and curb cut on Guy Street to access the alley; it may be the responsibility of the City to remove the curb cut in the future when funds exist. There is a gravel approach off Bernard Road and if the abutting owner at 1982 Bernard use this approach for access they will be required to obtain a driveway permit to complete and maintain the approach to City Standard AS-221 or AS-222. This alley appears to serve no useful purpose by CR146/2005; therefore, we have no objections to the closure of this alley.

[Adam Pillon - Manager of Right-of-Way]

PUBLIC WORKS – TRANSPORTATION/TRAFFIC

The only garage was at the back of 1907 Francois. If resident needs vehicular access, then recommend leaving the alley open from Guy to the south side of 1907. No objections closing the remainder of the alley.

[Mike Spagnuolo, Signal Systems Analyst]

ROGERS COMMUNICATIONS

No comments provided

TELUS COMMUNICATIONS

TELUS has no underground infrastructure in the area of your proposed work. Permit expires six (6) months from approval date.

[Indira Sharma, Project Support]

TRANSPORTATION PLANNING

No comments provided

UNION GAS

I can confirm that Union Gas Limited does not have any facility located within the proposed closure.

[Mary Jane Patrick, Analyst, Land Services]

WINDSOR FIRE

No concerns from WFRS

[John Lee, Chief Fire Prevention Officer]

WINDSOR POLICE

The Windsor Police Service has no concerns or objections with this proposed closure, particularly since the City will no longer maintain it. Unmaintained alleys attract unlawful behaviour/activity and closure will be the best measure available to permanently mitigate such activity over the long term. We do not require this alley for police patrol or incident response capability so closure will not have a negative impact on public safety.

[Barry Horrobin, Director of Planning & Physical Resources]

APPENDIX "D"
Site Photos (June 29, 2022)



Figure 1 - Looking south towards alley from Guy Street 1



Figure 2 - Looking south towards alley from Guy Street 2



Figure 3 - Alley looking south from point between 1910 Bernard Road and 1911 Francois Road



Figure 4 - Looking north towards alley from east/west alley



Figure 5 - Detached Rear Yard Garage at 1907 Francois Road



Figure 6 - Detached Rear Yard Garage at 1971 Francois Road

APPENDIX “E”

Classification of Alleys and Suitability for Closure

Classification of Public Rights-of-Ways:

Currently streets and alleys fall into four classifications on the basis of their usefulness:

- 1) Alleys that are **indispensable**. These would be alleys serving commercial properties and properties fronting on heavily traveled streets i.e. major arterial routes and alleys which contain sewers and must remain accessible for servicing; alleys or streets which serve as the only vehicular means of access to rear parking areas and garages where the property has insufficient lot width for a side drive; and, alleys which contain Fire Department connections that are deemed to be necessary for firefighting access.
- 2) Alleys that, **have some usefulness**, are nevertheless dispensable and may or may not be a complete liability.
- 3) Alleys that appear to serve **no useful purpose**, either now, or anticipated. Such alleys are in residential areas and locations where generally the lots are wide enough for side drives, or those alleys abutting parks and other parcels of land that do not require any servicing from the alley. Remnant or stub-end streets which are dead-ended and do not serve as access to other streets.
- 4) Alleys lying in Holding zones and other similar undeveloped areas where the alley system is **clearly obsolete** and has never been developed, but where the City needs to keep its options open until new area plans are prepared and development is imminent.

Suitability for Closing:

Following are the criteria and suitability for closing alleys in each of the above classifications.

- 1) Indispensable alleys should **not be closed**, conveyed, reduced or otherwise jeopardized through minority interests unless a suitable substitute alley is opened in lieu thereof. They are essential from the viewpoint of fire protection, police protection, emergency services (i.e. ambulance) and loading or unloading of goods, refuse collection, servicing of blocked sewers and utility services. Without such alleys, the above noted services would at least be more costly if not impossible to complete or adequately access; and would noticeably interfere with street traffic, thereby reducing the access capacity of the adjacent arterial, collector, or street for business.
- 2) Alleys having some usefulness should **be considered for closing** only upon request of abutting owners rather than by encouragement of the City.
- 3) Alleys that serve no useful purpose should **be closed** if at all possible, and in fact the owners abutting thereon should be encouraged to accept conveyance.
- 4) Alleys that are clearly obsolete should **not be closed** unless there is a municipal need or specific development proposals acceptable to the City are submitted.

Item No. 8.9



Committee Matters: SCM 259/2022

Subject: Closure of the north/south alley between Totten St and Quebec Street, east of California Ave and west of Askin Ave; together with the Declaration of the north/south 0.3 metre reserve making up the east limit of the said alley as Surplus – Ward 10

Moved by: Councillor Holt
Seconded by: Councillor Morrison

Decision Number: **DHSC 424**

- I. THAT the 3.96 metre wide north/south alley located between Totten Street and Quebec Street, east of California Avenue and west of Askin Avenue, and shown on Drawing No. CC-1797 *attached* hereto as Appendix “A”, **BE ASSUMED** for subsequent closure;

- II. THAT the 3.96 metre wide north/south alley located between Totten Street and Quebec Street, east of California Avenue and west of Askin Avenue, and shown on Drawing No. CC-1797 *attached* hereto as Appendix “A”, **BE CLOSED AND CONVEYED** to the abutting property owners and as necessary, in a manner deemed appropriate by the City Planner, subject to the following:
 - Easement, subject to there being accepted in the City’s standard form and in accordance with the City’s standard practice, be granted to:
 - EnWin to accommodate existing down guy wires and anchors in the portion of the west half of the said alley abutting the property known municipally as 1700 California Avenue (legally described as Lots 55 & 56, Plan 629), in accordance with the Guy and Anchor diagram submitted with their comments *attached* hereto as Appendix “C”;
 - Ontario Land Surveyor be directed to use existing encroachments for determining the boundaries of the lands to be conveyed to each abutting property owner (i.e. accessory buildings, features, fences, hedges and/or structures).

- III. THAT Conveyance Cost **BE SET** as follows:
- a. For alley conveyed to abutting lands zoned RD1.1: \$1.00 plus deed preparation fee and proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.
- IV. THAT the City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1797, *attached* hereto as Appendix "A".
- V. THAT the City Solicitor **BE REQUESTED** to prepare the necessary by-law(s).
- VI. THAT upon the registration of the necessary by-laws, the following vacant parcel of land **BE DECLARED** surplus:
- a. 0.3 metre wide north/south reserve located between Totten Street and Quebec Street, east of California Avenue and west of Askin Avenue, and shown on the excerpt from Reference Plan 12R-14496 *attached* hereto as Appendix "F".
 - i. Legal Description: Reserve Plan 629 Sandwich West between Totten Street & Quebec Street
 - ii. Lot Area: 83.61 m²
- VII. THAT the 0.3 metre wide north/south reserve located between Totten Street and Quebec Street, east of California Avenue and west of Askin Avenue, and shown on the excerpt from Reference Plan 12R-14496 *attached* hereto as Appendix "F"
- VIII. THAT Conveyance Cost **BE SET** as follows:
- a. For reserve conveyed to abutting lands zoned RD1.1: \$1.00 plus deed preparation fee and proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.
- IX. 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.
- X. THAT the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003.

Carried.

Report Number: S 94/2022
Clerk's File: SAA2022

Clerk's Note:

1. The recommendation of the Standing Committee and Administration are the same.
2. Please refer to Item 11.2. from the Development & Heritage Standing Committee Meeting held on September 12, 2022.
3. To view the stream of this Standing Committee meeting, please refer to:
<http://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20220913/-1/7356>

Subject: Closure of the n/s alley between Totten St and Quebec St, east of California Ave and west of Askin Ave - Ward 10 Applicant/Owner: Hassan Farhat & Sana Shana'a File No.: SAA-6516

Reference:

Date to Council: September 12, 2022
Author: Brian Nagata, MCIP, RPP
Planner II - Development Review
(519) 255-6543 ext. 6181
Planning & Building Services

Report Date: July 19, 2022
Clerk's File #:

To: Mayor and Members of City Council

Recommendation:

- I. THAT the 3.96 metre wide north/south alley located between Totten Street and Quebec Street, east of California Avenue and west of Askin Avenue, and shown on Drawing No. CC-1797 *attached* hereto as Appendix "A", **BE ASSUMED** for subsequent closure;
- II. THAT the 3.96 metre wide north/south alley located between Totten Street and Quebec Street, east of California Avenue and west of Askin Avenue, and shown on Drawing No. CC-1797 *attached* hereto as Appendix "A", **BE CLOSED AND CONVEYED** to the abutting property owners and as necessary, in a manner deemed appropriate by the City Planner, subject to the following:
 - a. 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. EnWin to accommodate existing down guy wires and anchors in the portion of the west half of the said alley abutting the property known municipally as 1700 California Avenue (legally described as Lots 55 & 56, Plan 629), in accordance with the Guy and Anchor diagram submitted with their comments *attached* hereto as **Appendix "C"**;
 - b. Ontario Land Surveyor be directed to use existing encroachments for determining the boundaries of the lands to be conveyed to each abutting property owner (i.e. accessory buildings, features, fences, hedges and/or structures).
- III. THAT Conveyance Cost **BE SET** as follows:

- a. For alley conveyed to abutting lands zoned RD1.1: \$1.00 plus deed preparation fee and proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.
- IV. THAT the City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1797, **attached** hereto as **Appendix "A"**.
- V. THAT the City Solicitor **BE REQUESTED** to prepare the necessary by-law(s).
- VI. THAT upon the registration of the necessary by-laws, the following vacant parcel of land **BE DECLARED** surplus:
 - a. 0.3 metre wide north/south reserve located between Totten Street and Quebec Street, east of California Avenue and west of Askin Avenue, and shown on the excerpt from Reference Plan 12R-14496 **attached** hereto as Appendix "F".
 - i. Legal Description: Reserve Plan 629 Sandwich West between Totten Street & Quebec Street
 - ii. Lot Area: 83.61 m²
- VII. THAT the 0.3 metre wide north/south reserve located between Totten Street and Quebec Street, east of California Avenue and west of Askin Avenue, and shown on the excerpt from Reference Plan 12R-14496 **attached hereto as Appendix "F" BE CONVEYED** to the abutting property owners to the east and as necessary, in a manner deemed appropriate by the City Planner.
- VIII. THAT Conveyance Cost BE SET as follows:
 - a. For reserve conveyed to abutting lands zoned RD1.1: \$1.00 plus deed preparation fee and proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.
- IX. 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.
- X. THAT the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003.

Executive Summary:

N/A

Background:

The applicants, Hassan Farhat and Sana Shana'a, owners of the property known municipally as 1761 Askin Avenue (the subject property), applied to close the portion of

the east half of the 4.27 metre wide north/south alley (the alley) that abuts the subject property to the west, and shown on Drawing No. CC-1797 **attached** hereto as **Appendix “A”**, and also shown on the aerial photo **attached** hereto as **Appendix “B”**.

The alley was established by Windsor Park Subdivision Plan 629 (Plan 629), registered on February 25, 1913, and used for agricultural purposes until approximately 1990 when the abutting lands began to be developed as Single Family Dwelling lots. The abutting property owners have extended their rear yards to include approximately half of the alley, by constructing encroaching accessory buildings, features, fences and/or structures within. The alley also includes guy wires and anchors from an existing utility pole located within the Totten Street right-of-way. There are no Encroachment Agreements on record for the use of the alley. (See Site Visit Photos **attached** hereto as **Appendix “D”**)

Plan 629 also established a north/south 0.3 metre wide reserve (the reserve) along its eastern limit. The reserve runs through the alley, constituting its eastern limit, and shown on the excerpt from Reference Plan 12R-14496 **attached** hereto as **Appendix “F”**. The purpose of the reserve was likely to restrict the development of the abutting lands to the east until a Subdivision Plan was registered and all required services are in place.

Plan of Subdivision 883 was registered on May 17, 1919 for the lands to the east. The portion of the reserve within the alley could have been deemed surplus and conveyed to the abutting property owners to the east at the time when building permits were submitted to develop the aforesaid Single Family Dwelling lots.

The applicant wishes to close the said portion of the alley to enlarge the subject property for the purpose of accommodating a new 3.66 metre by 7.32 metre aboveground swimming pool.

Discussion:

The decision to recommend closure of an alley is derived from the City's *Classification of Alleys and Suitability for Closure* guideline document (the document), **attached** hereto as **Appendix “E”**. The document details four classifications of alleys based on their usefulness, and provides corresponding criteria for determining suitability for closure.

Classification of Public Right-of-Ways

The initial step is to determine if the alley is indispensable. This is achieved through the evaluation of the following criteria set forth in Section 1 of the document.

1. *Does the subject alley serve commercial properties?*
 - a. The alley does not serve any commercial properties.
2. *Does the subject alley serve properties fronting on heavily traveled streets i.e. major arterial routes?*

- a. The alley does not serve properties fronting on heavily traveled streets.
3. *Does the subject alley contain sewers, and must the alley remain accessible for servicing?*
 - a. The alley does not contain any sewers.
4. *Does the subject alley serve as the only vehicular means of access to rear parking areas and garages where the property has insufficient lot width for a side drive?*
 - a. The alley does not serve as a means of vehicular access to rear parking areas and garages.
5. *Does the subject alley contain Fire Department connections that are deemed to be necessary for firefighting access?*
 - a. The alley does not contain any Fire Department connections.

Based on the above, the Planning Department deems the subject alley “dispensable”, and supports the requested closure together with the closure of the remainder of the alley. The closure will exclude the reserve, which is not designated as a public highway.

It is our recommendation that, upon closure, the property owners be given a chance to acquire the subject alley. Hence the recommendation is to close and convey the alley to the abutting property owners.

0.3 Metre Reserve

The *Corporation of the City of Windsor Disposal of Land Policy*, included as Schedule “A” to By-law 52-2014, requires City Real Estate staff to determine if City-owned land may be considered surplus and disposed.

Consultation was held with a representative of the Legal, Real Estate & Risk Management Department on July 6, 2022, who confirmed that the reserve is deemed surplus and can be disposed of via conveyance to the abutting property owners to the east.

It is our recommendation that, upon being deemed surplus, the property owners be given a chance to acquire the reserve. Hence the recommendation is to deem the reserve surplus and convey it to the abutting property owners.

Risk Analysis:

The recommended closure and deeming of lands surplus will divest the City of associated liability risks and maintenance costs. The recommended closure and deeming of land surplus poses no known risk to City.

Climate Change Risks

Climate Change Mitigation:

N/A

Climate Change Adaptation:

N/A

Financial Matters:

The rate for an alley and surplus lands conveyed to abutting lands zoned RD1.1 is assessed at \$1.00 plus deed preparation fee and proportionate share of the survey costs as invoiced to the City by an Ontario Land Surveyor.

Consultations:

Consultations were held with Municipal Departments and Utility Companies, which resulted in the information found in attached **hereto** as **Appendix “C”**.

Notice of Development & Heritage Standing Committee meeting and Council meeting are published in the Windsor Star prior to each of the meetings. In addition, notice of each of the public meetings will be mailed to the abutting/affected property owners prior to the meetings.

Conclusion:

The Planning Department recommends closure of the north/south alley shown on **attached Appendix “A”**, subject to the easement as in Recommendation II of this report, in favour of Enwin Utilities Ltd.

The closed alley is to be conveyed to the abutting property owners, as in Recommendation II of this report.

The Planning Department recommends that the north/south 0.3 metre reserve shown on **attached Appendix “F”**, be deemed surplus, subject to the easement as in Recommendation VI of this report, in favour of Enwin Utilities Ltd.

The surplus 0.3 metre reserve is to be conveyed to the abutting property owners to the east, as in Recommendation VII of this report.

Planning Act Matters:

Brian Nagata, MCIP, RPP
Planner II - Development

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

Michael Cooke, MCIP, RPP
Manager of Policy Planning

Thom Hunt, MCIP, RPP
City Planner

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

JP OC

Approvals:

Name	Title
Michael Cooke	Manager of Planning Policy/Deputy City Planner
Thom Hunt	City Planner / Executive Director, Planning & Development Services
Chris Carpenter	Coordinator of Real Estate Services
Wira Vendrasco	Deputy City Solicitor, Legal Services & Real Estate
Jelena Payne	Commissioner, Economic Development & Innovation
Onorio Colucci	Acting Chief Administration Officer

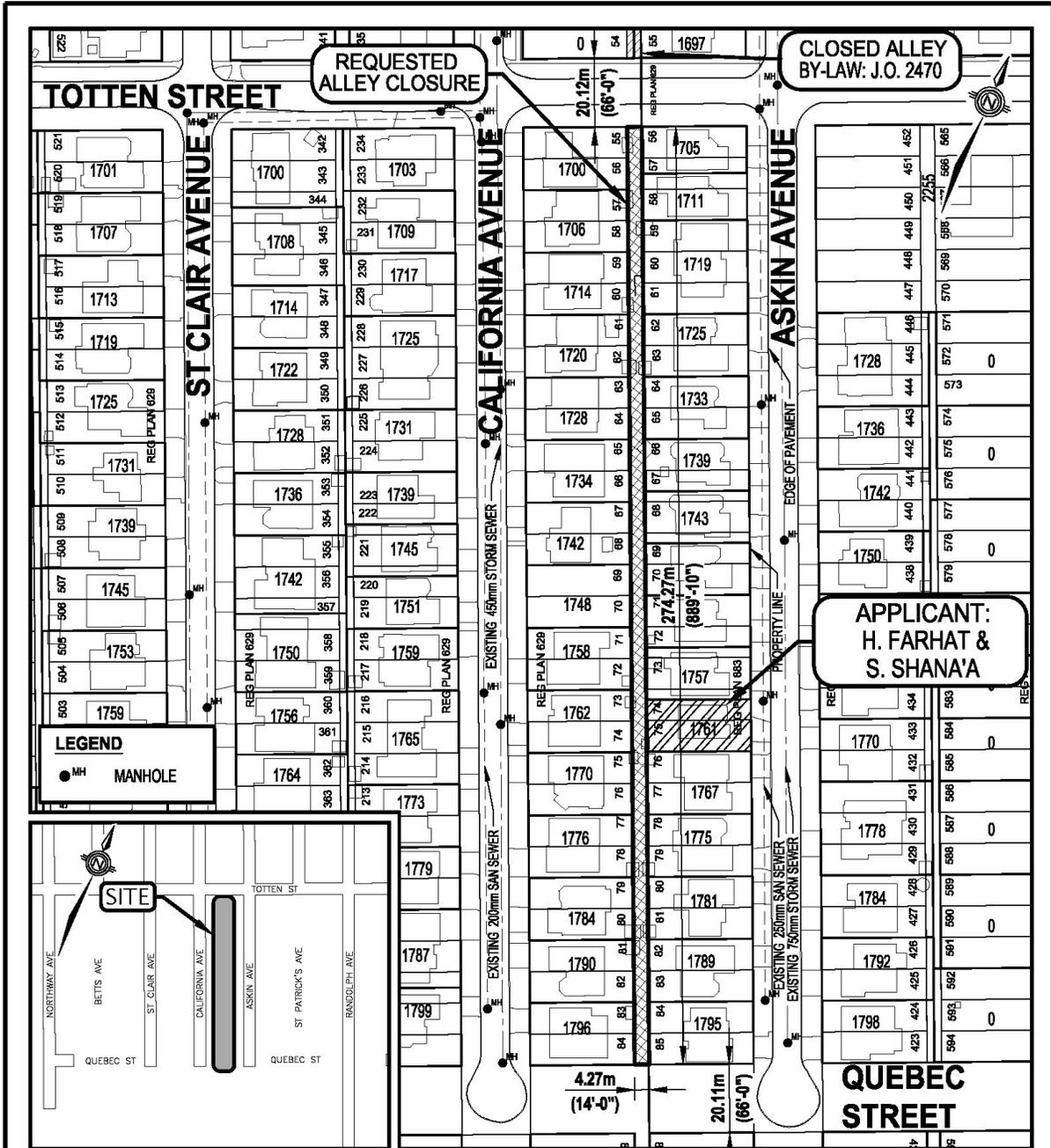
Notifications:

Name	Address	Email
Councillor Jim Morrison	350 City Hall Square West, Suite 220 Windsor, ON N9A 6S1	jmorrison@citywindsor.ca
Property owners abutting the alley		

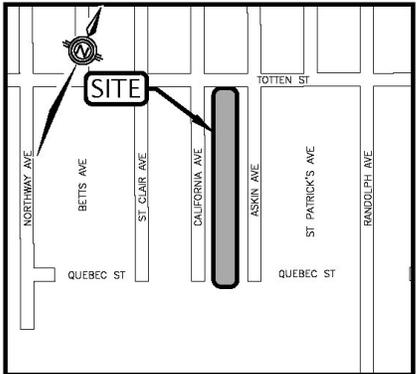
Appendices:

- 1 Appendix A - Drawing No. CC-1797
- 2 Appendix B - EIS Drawing - Aerial Photo
- 3 Appendix C - Consultations with Municipal Departments and Utility Companies
- 4 Appendix D - Site Photos
- 5 Appendix E - Classification of Alleys and Suitability for Closure
- 6 Appendix F - Excerpt from Windsor Park Subdivision Plan 629

APPENDIX "A"
Drawing No. CC-1797



LEGEND
 ● MH MANHOLE



KEY PLAN N.T.S.

THE CORPORATION OF THE CITY OF WINDSOR - ENGINEERING DEPARTMENT Proposed Closure of North/South Alley from Totten Street to Quebec Street and between California Avenue and Askin Avenue			
SCALE: 1:1500 DWN BY: JLH	DATE: AUGUST 2021 CHKD BY: PJU / JC	REVISED: REVISION NO.:	DWG. NO. CC-1797
Kirk Tamm, Manager of Geomatics			

APPENDIX "B" EIS Drawing - Aerial Photo



STREET & ALLEY CLOSING (SAA/6516)

1:1,500

APPLICANT : H. FARHAT & S. SHANA'A

 SUBJECT LANDS

PLANNING DEPARTMENT - DEVELOPMENT DIVISION

DATE: JULY, 2021



APPENDIX “C”

Consultations with Municipal Departments and Utility Companies

BELL CANADA WSP

Bell Canada has no easement requirements regarding this liaison.

[Charleyne Hall, Bell Canada External Liaison]

CANADA POST

No comments provided

COGECO CABLE SYSTEMS INC.

No comments provided

ENVIRONMENTAL SERVICES

No comments provided

ENWIN UTILITIES - HYDRO

August 10, 2021

No Objection, however, an easement named to Enwin Utilities Ltd. is required upon closing of the alley at the highlighted location to accommodate existing down guy wires and anchors.

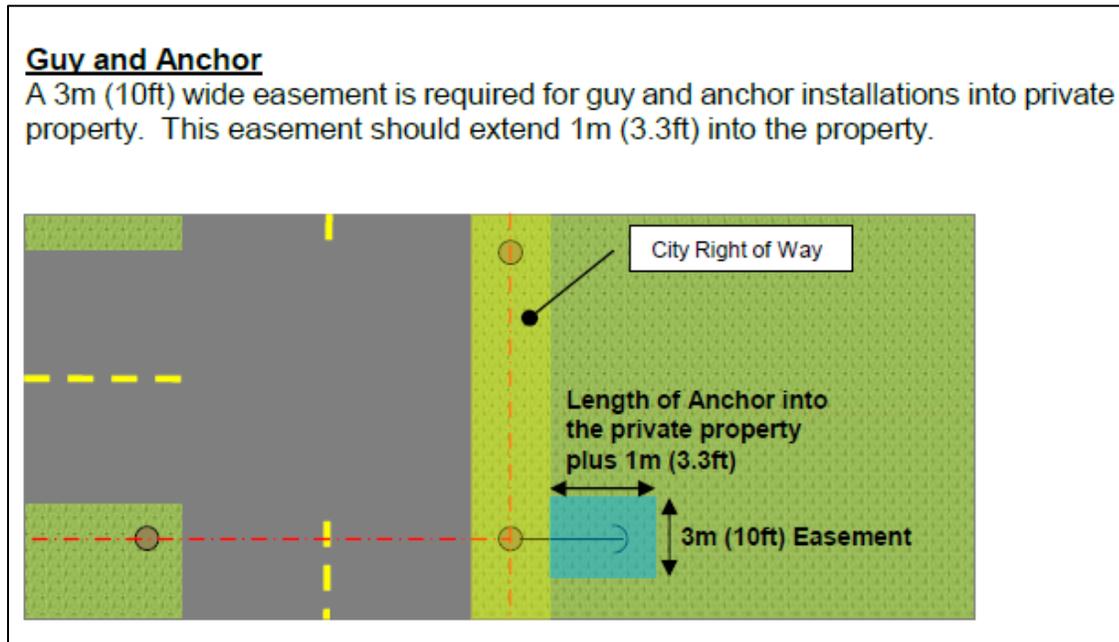
Find this marked location in the sketch below.

[Cassidy Chevalier-Gray, Hydro Engineering Technologist]



July 18, 2022

ENWIN will require an easement for the down guy and anchor in the backyard of 1700 California that meets the requirements of the attachment below.



[Steve Zambito, Senior Hydro Engineering Technologist]

ENWIN UTILITIES - WATER

Water Engineering has no objections.

[Bruce Ogg, Water Project Review Officer]

LEGAL DEPARTMENT

For lands abutting RD1.1, \$1.00 plus deed preparation fee and proportionate share of the survey cost as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.

[Chris Carpenter, Coordinator of Real Estate Services]

MNSi

MNSi does not require an easement through this alley closing.

[Dave Hartleib, Outside Plant Manager]

PARKS & FACILITIES

No comments / objection from Park Department; depending further review by City Planning Landscape Architect (Stefan) copied on this e-mail.

[Wadah Al-Yassiri, Manager of Parks Development]

PLANNING DEPARTMENT

No comments provided

PLANNING DEPARTMENT - LANDSCAPE ARCHITECT

No objection from a landscape architectural perspective.

[Stefan Fediuk - Landscape Architect]

PUBLIC WORKS DEPARTMENT

No comments provided

PUBLIC WORKS – TRANSPORTATION/TRAFFIC

No objections

[Mike Spagnuolo, Signal Systems Analyst]

ROGERS COMMUNICATIONS

No comments provided

TELUS COMMUNICATIONS

TELUS has no underground infrastructure in the area of your proposed work. Permit expires six (6) months from approval date.

[Indira Sharma, Project Support]

TRANSPORTATION PLANNING

No comments provided

UNION GAS

After reviewing the provided drawing at the Alley between Askin Avenue and California Avenue and consulting our mapping system, please note that Enbridge Gas has no active infrastructure in the proposed area. A PDF drawing is provided below for reference.

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

- Any pipe that is excavated, please assume that it is live

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

[Gord Joynson, Drafter Estimator]



WINDSOR FIRE

No comments provided

WINDSOR POLICE

The Windsor Police Service has no concerns or objections with this application. The alley in question appears to be largely untraversable and the outcome from this closure will not impair police patrol or incident response capability in any way to the general area.

[Barry Horrobin, Director of Planning & Physical Resources]

APPENDIX "D"
Site Photos (June 28, 2022)



Figure 1 - Looking east towards alley from Totten Street



Figure 2 - Looking south towards alley from Totten Street



Figure 3 - Looking south towards alley from Totten Street

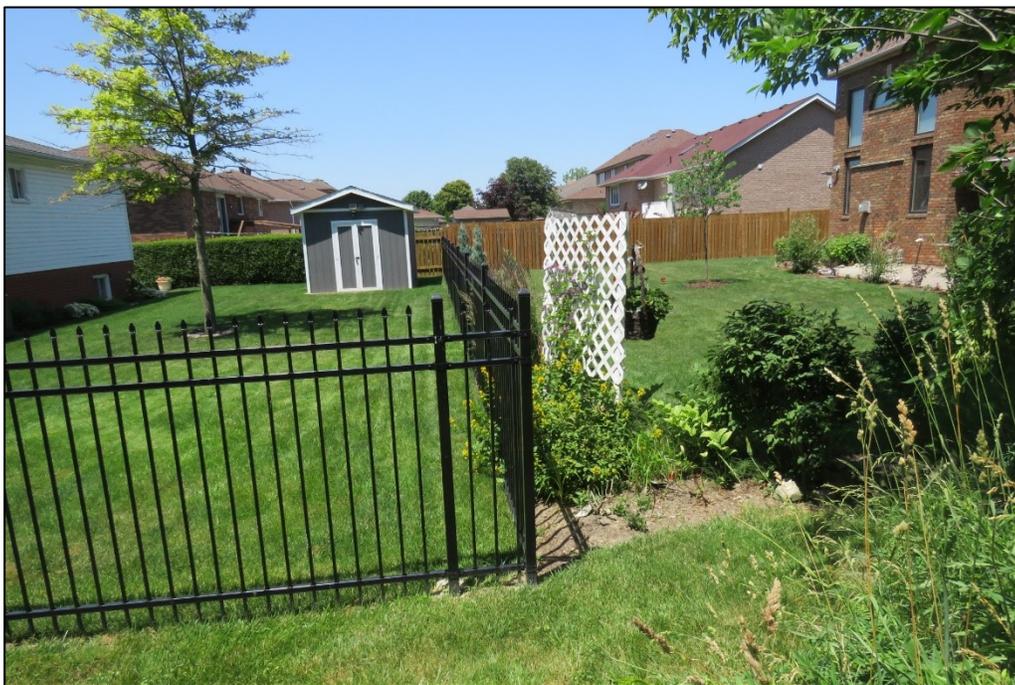


Figure 4 - Looking north towards alley from Quebec Street right-of-way

APPENDIX “E”

Classification of Alleys and Suitability for Closure

Classification of Public Rights-of-Ways:

Currently streets and alleys fall into four classifications on the basis of their usefulness:

- 1) Alleys that are **indispensable**. These would be alleys serving commercial properties and properties fronting on heavily traveled streets i.e. major arterial routes and alleys which contain sewers and must remain accessible for servicing; alleys or streets which serve as the only vehicular means of access to rear parking areas and garages where the property has insufficient lot width for a side drive; and, alleys which contain Fire Department connections that are deemed to be necessary for firefighting access.
- 2) Alleys that, **have some usefulness**, are nevertheless dispensable and may or may not be a complete liability.
- 3) Alleys that appear to serve **no useful purpose**, either now, or anticipated. Such alleys are in residential areas and locations where generally the lots are wide enough for side drives, or those alleys abutting parks and other parcels of land that do not require any servicing from the alley. Remnant or stub-end streets which are dead-ended and do not serve as access to other streets.
- 4) Alleys lying in Holding zones and other similar undeveloped areas where the alley system is **clearly obsolete** and has never been developed, but where the City needs to keep its options open until new area plans are prepared and development is imminent.

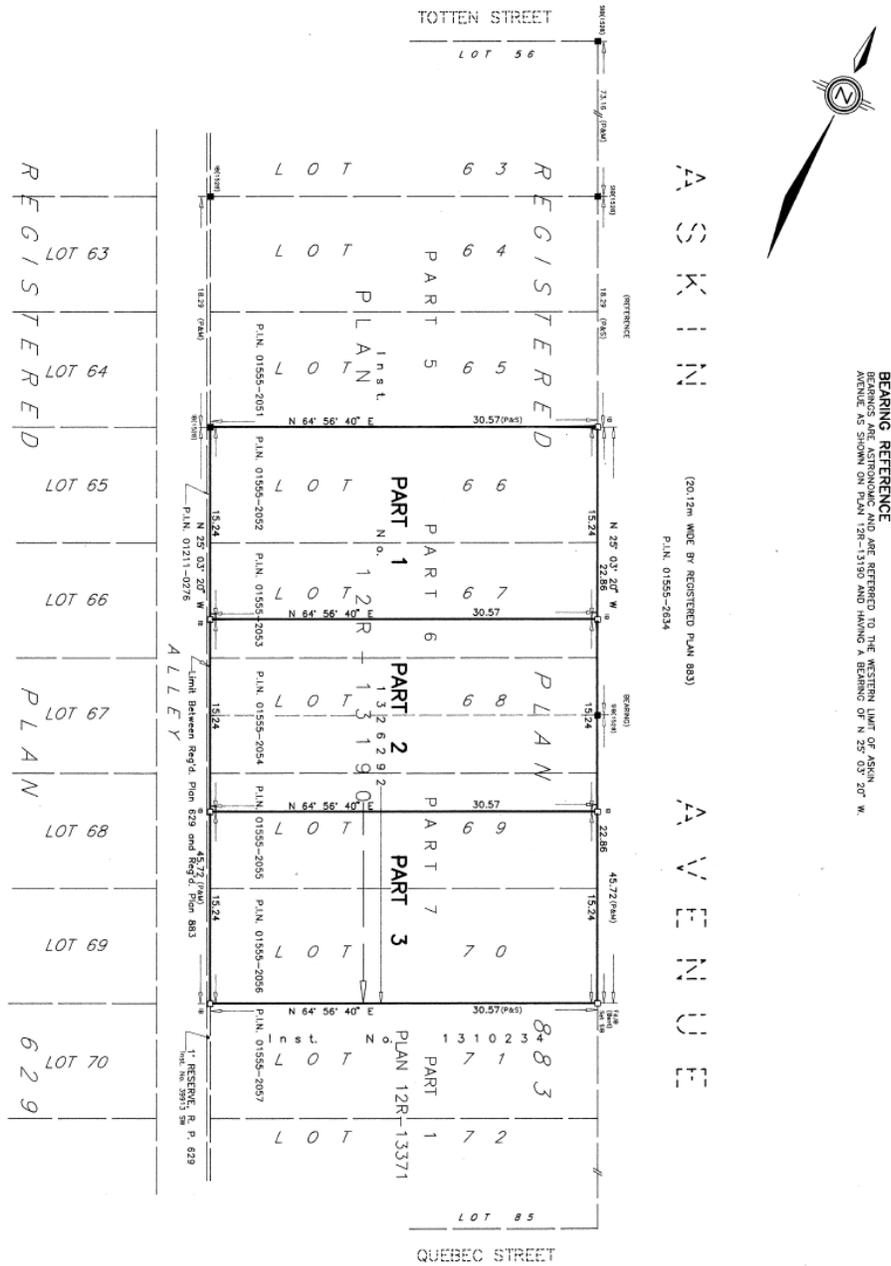
Suitability for Closing:

Following are the criteria and suitability for closing alleys in each of the above classifications.

- 1) Indispensable alleys should **not be closed**, conveyed, reduced or otherwise jeopardized through minority interests unless a suitable substitute alley is opened in lieu thereof. They are essential from the viewpoint of fire protection, police protection, emergency services (i.e. ambulance) and loading or unloading of goods, refuse collection, servicing of blocked sewers and utility services. Without such alleys, the above noted services would at least be more costly if not impossible to complete or adequately access; and would noticeably interfere with street traffic, thereby reducing the access capacity of the adjacent arterial, collector, or street for business.
- 2) Alleys having some usefulness should **be considered for closing** only upon request of abutting owners rather than by encouragement of the City.
- 3) Alleys that serve no useful purpose should **be closed** if at all possible, and in fact the owners abutting thereon should be encouraged to accept conveyance.
- 4) Alleys that are clearly obsolete should **not be closed** unless there is a municipal need or specific development proposals acceptable to the City are submitted.

APPENDIX "F"

Excerpt from Reference Plan 12R-14496





Committee Matters: SCM 260/2022

Subject: Closure of the north/south alley between 1983 Ellrose Avenue and 4440 Tecumseh Road East; east/west alley between Francois Road and said north/south alley; and east/west alley between said north/south alley and Ellrose Avenue – Ward 5

Moved by: Councillor Sleiman

Seconded by: Councillor Gill

Decision Number: **DHSC 425**

- I. THAT the 3.66 metre wide north/south alley located between the properties known municipally as 1983 Ellrose Avenue (legally described as Lot 756 & Part of Closed Alley, Plan 1050) and 4440 Tecumseh Road East (legally described as Part of Lots 138 to 140, Plan 907; and Part of Lots 758 to 760, Plan 1050), and shown on Drawing No. CC-1788 *attached* hereto as Appendix "A", **BE DENIED** for subsequent closure.

Carried.

Report Number: S 95/2022

Clerk's File: SAA2022

Clerk's Note:

1. The recommendation of the Standing Committee and Administration are the same.
2. Please refer to Item 11.3. from the Development & Heritage Standing Committee Meeting held on September 12, 2022.
3. To view the stream of this Standing Committee meeting, please refer to:
<http://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20220913/-1/7356>

Subject: Closure of the north/south and east/west alleys north of 4440 Tecumseh Road E between Francois Road and Ellrose Avenue - Ward 5

Applicant/Owner: Ontario Inc, 2767226 (Alireza Bagherli) File No.: SAA-6347

Reference:

Date to Council: September 12, 2022

Author: Brian Nagata, MCIP, RPP

Planner II - Development Review

(519) 255-6543 ext. 6181

Planning & Building Services

Report Date: July 20, 2022

Clerk's File #: SAA2022

To: Mayor and Members of City Council

Recommendation:

- I. THAT the 3.66 metre wide north/south alley located between the properties known municipally as 1983 Ellrose Avenue (legally described as Lot 756 & Part of Closed Alley, Plan 1050) and 4440 Tecumseh Road East (legally described as Part of Lots 138 to 140, Plan 907; and Part of Lots 758 to 760, Plan 1050), and shown on Drawing No. CC-1788 *attached* hereto as Appendix "A", **BE DENIED** for subsequent closure.

Executive Summary:

N/A

Background:

The applicant, Ontario Inc., 2767226 (Alireza Bagherli), owner of the property known municipally as 4440 Tecumseh Road East (the subject property), applied to close the north/south alley between 1983 Ellrose Avenue and 4440 Tecumseh Road East; east/west alley between Francois Road and said north/south alley; and east/west alley between said north/south alley and Ellrose Avenue that abuts the subject property to the north and east (the alley), and shown on Drawing No. CC-1788 *attached* hereto as **Appendix "A"**, and also shown on the aerial photo *attached* hereto as **Appendix "B"**.

The alley is maintained and provides vehicular access to the two parking areas on the subject property. City of Windsor aerial photos show that this arrangement has been in place for the east parking area since at least 1987, and west parking area since at least

1969 (Refer to Figures 1 to 4 below). There are two existing curb cuts serving the alley from Francois Road and Ellrose Avenue.

The alley is composed primarily of asphalt paving, and contains a 250 millimetre PVC sanitary sewer with manhole and two 250 millimetre PVC storm sewers, one of which contains a manhole; together with two utility poles, one of which has a guy wire and anchor. The alley also includes multiple encroachments in the form of concrete bumper curbs, screening fences, and a raised garden. There are no Encroachment Agreements on record for the use of the alley.

The **submission** of an application to close the alley is a condition of the Site Plan Agreement for the development at the subject property, approved by Site Plan Control file SPC-045/20 (the development). The scope of SPC-045/20 includes the change of use of the existing commercial building from a Restaurant (formerly *Rise'n Shine Cuisine* Restaurant) to a Medical Office, together with improvements to the parking areas and surrounding site. The development is **not** dependent on the alley being closed.



Figure 1 - 1969 Aerial Photo



Figure 2- 1978 Aerial Photo



Figure 3 - 1987 Aerial Photo



Figure 4 - 1996 Aerial Photo

Discussion:

The decision to recommend closure of an alley is derived from the City's *Classification of Alleys and Suitability for Closure* guideline document (the document), **attached** hereto as **Appendix "E"**. The document details four classifications of alleys based on their usefulness, and provides corresponding criteria for determining suitability for closure.

Classification of Public Right-of-Ways

The initial step is to determine if the alley is indispensable. This is achieved through the evaluation of the following criteria set forth in Section 1 of the document.

1. *Does the subject alley serve commercial properties?*
 - a. The alley provides tertiary and quaternary vehicular access to the parking areas on the subject property.
 - The conveyance of half of the alley to the abutting properties to the north, known municipally as 1985 Ellrose Avenue and 1986 Francois Road, will eliminate these accesses, both of which are required for the development.
 - The standard manner of conveyance is to offer the abutting property owners first right to purchase their half of the alley.
2. *Does the subject alley serve properties fronting on heavily traveled streets i.e. major arterial routes?*
 - a. The subject property fronts Tecumseh Road East, which is classified as a Class II Arterial Road on *Schedule F: Roads and Bikeways* to the *Official Plan*.
 - b. The conveyance of half of the alley to 1985 Ellrose Avenue and 1986 Francois Road will leave the development with only one vehicular access off of Tecumseh Road East.
 - This will increase the volume of traffic using this access, which further disrupts traffic flow and heightens the chance of collisions at this juncture of Tecumseh Road East.
 - The Official Plan discourages vehicular access from a property to a Class Arterial Road II (Section 7.2.6.5 of Chapter 7 Infrastructure to the Official Plan). Granted that this access is existing, its impact on Tecumseh Road East should not be heightened where alternative solutions exist.

3. *Does the subject alley contain sewers, and must the alley remain accessible for servicing?*
 - a. The alley contains a 250 millimetre PVC sanitary sewer and two 250 millimetre PVC storm sewers.
 - b. The Public Works Department has confirmed that the alley must remain accessible for servicing the sewers, and thus objects to its closure.

4. *Does the subject alley serve as the only vehicular means of access to rear parking areas and garages where the property has insufficient lot width for a side drive?*
 - a. The alley serves as the only vehicular means of access to the east parking area.
 - b. Refer to sections 1 and 2 above.

5. *Does the subject alley contain Fire Department connections that are deemed to be necessary for firefighting access?*
 - a. The alley does not contain any Fire Department connections.

Based on the above, the Planning Department deems the subject alley “indispensable”.

It is our recommendation that, for the reasons noted above, the request to close the alley be denied.

Risk Analysis:

The denial of the recommended closure places no additional liability risks and maintenance costs on the City.

Climate Change Risks

Climate Change Mitigation:

N/A

Climate Change Adaptation:

N/A

Financial Matters:

The rate for an alley conveyed to abutting lands zoned CD2.1 is assessed at \$18 per square foot without easements and \$9 per square foot with easements.

The rate for an alley conveyed to abutting lands zoned RD1.2 is assessed at \$1 plus deed preparation and proportionate share of the survey cost as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.

Consultations:

Consultations were held with Municipal Departments and Utility Companies, which resulted in the information found in attached **hereto** as **Appendix “C”**.

The owner of 1985 Ellrose Avenue through email correspondence **attached** hereto as **Appendix “G”** has confirmed that they wish to purchase their half of the alley should it be closed. The owner claims that they have been maintaining the abutting alley for over 20 years.

Notice of Development & Heritage Standing Committee meeting and Council meeting are published in the Windsor Star prior to each of the meetings. In addition, notice of each of the public meetings will be mailed to the abutting/affected property owners prior to the meetings.

Conclusion:

The Planning Department recommends based on information presented in this report that closure of the alley shown on attached Appendix “A”, be denied.

Planning Act Matters:

Brian Nagata, MCIP, RPP
Planner II - Development

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

Michael Cooke, MCIP, RPP
Manager of Policy Planning

Thom Hunt, MCIP, RPP
City Planner

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

JP *OC*

Approvals:

Name	Title
Michael Cooke	Manager of Planning Policy/Deputy City Planner
Thom Hunt	City Planner / Executive Director, Planning & Development Services
Chris Carpenter	Coordinator of Real Estate Services
Wira Vendrasco	Deputy City Solicitor, Legal Services & Real Estate
Jelena Payne	Commissioner, Economic Development & Innovation
Onorio Colucci	Acting Chief Administration Officer

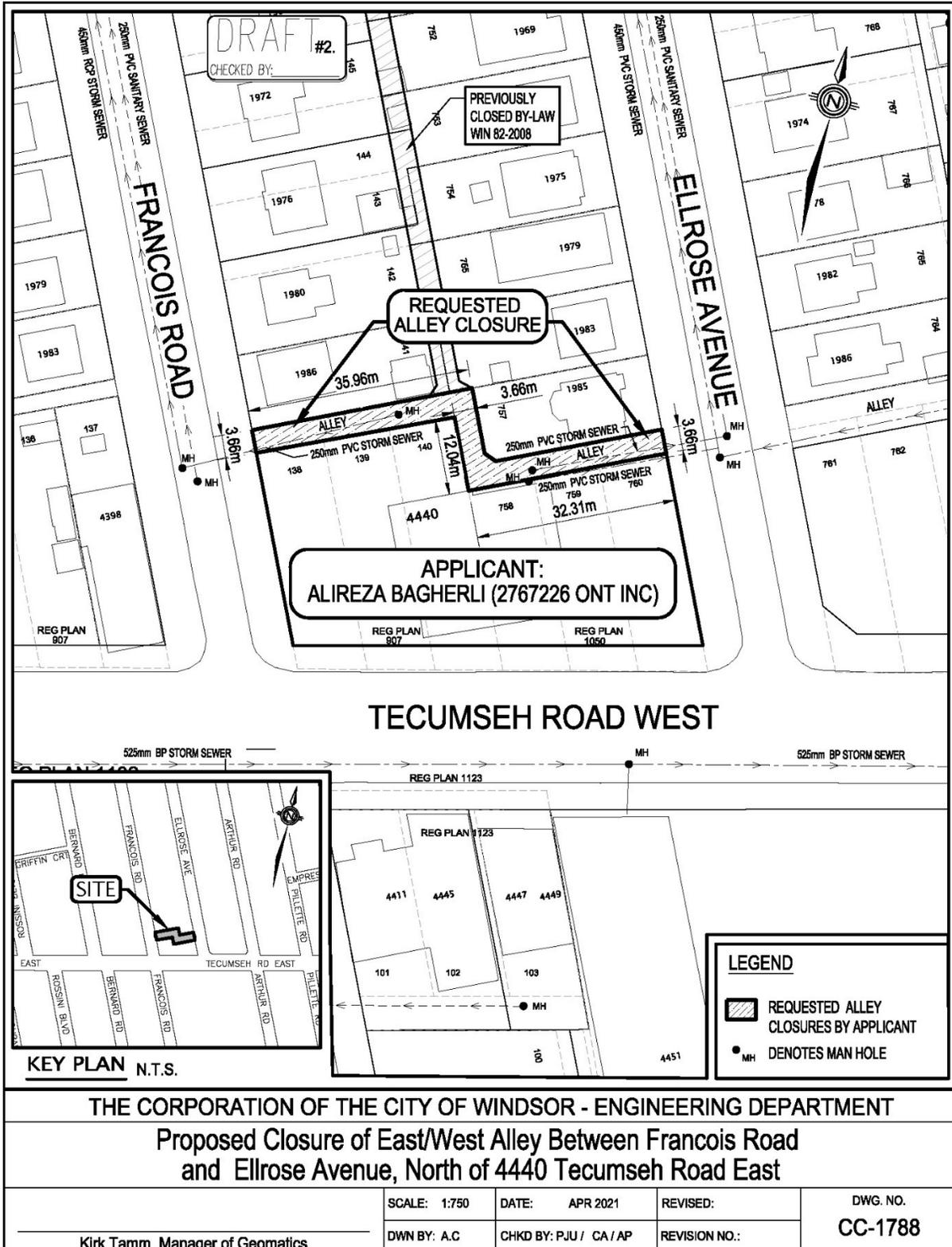
Notifications:

Name	Address	Email
Councillor Ed Sleiman	350 City Hall Square West, Suite 220 Windsor, ON N9A 6S1	esleiman@citywindsor.ca
Property owners abutting the alley		

Appendices:

- 1 Appendix A - Drawing No. CC-1788
- 2 Appendix B - EIS Drawing - Aerial Photo
- 3 Appendix C - Consultations with Municipal Departments and Utility Companies
- 4 Appendix D - Site Photos
- 5 Appendix E - Classification of Alleys and Suitability for Closure
- 6 Appendix F - EnWin Utilities Ltd. Aboveground Hydro Easement Diagram
- 7 Appendix G - Correspondence from owner of 1985 Ellrose Avenue

APPENDIX "A"
Drawing No. CC-1788



APPENDIX "B" EIS Drawing - Aerial Photo



STREET & ALLEY CLOSING (SAA/6347)

1:1,000

APPLICANT : ALIREZA BAGHERLI

 SUBJECT LANDS

PLANNING DEPARTMENT - DEVELOPMENT DIVISION

DATE: MARCH, 2021



APPENDIX "C"

Consultations with Municipal Departments and Utility Companies

BELL CANADA WSP

Bell Canada requests an easement over the entire alley.

[Charleyne Hall, Bell Canada External Liaison]

CANADA POST

No comments provided

COGECO CABLE SYSTEMS INC.

No comments provided

ENVIRONMENTAL SERVICES

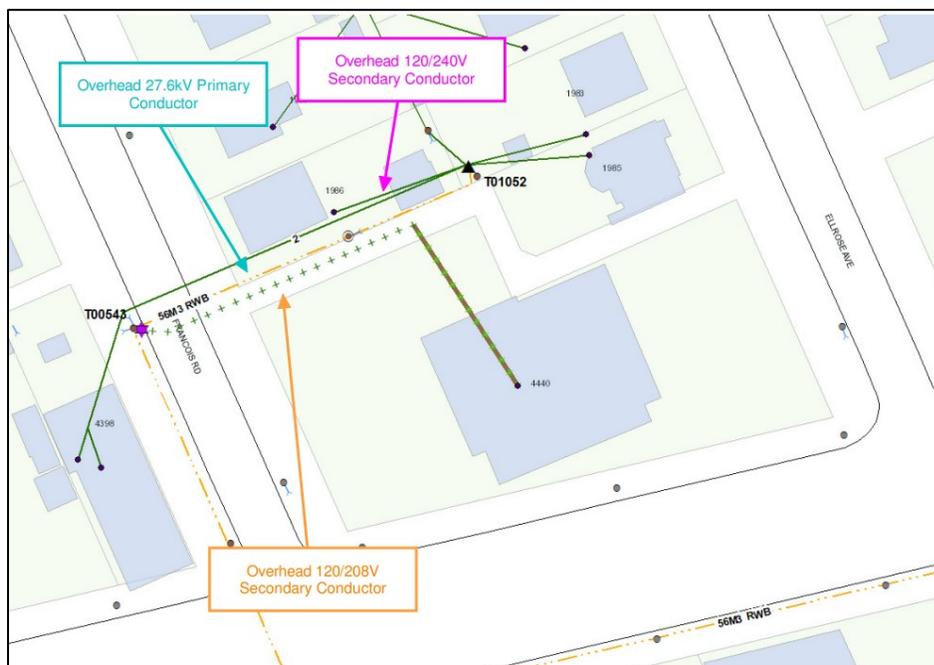
No comments provided

ENWIN UTILITIES - HYDRO

If no open alley exists, we will require a minimum 10 ft wide easement (5 ft each side of the pole line) to accommodate the existing overhead pole line at the north boundary of the property. See sketch attached for reference only.

Also, please note communications may also require easements (i.e.: Bell, Cogeco).

[Cecile Dalgleish, Technical Services Dispatch]



ENWIN UTILITIES - WATER

Water Engineering has no objections.

[Technical Services Dispatch]

LEGAL DEPARTMENT

For alley conveyed to abutting lands zoned CD2.1, \$18 per square foot without easements and \$9 per square foot with easements

For alley conveyed to abutting lands zoned RD1.2, \$1 plus deed preparation and proportionate share of the survey cost as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor

[Chris Carpenter, Coordinator of Real Estate Services]

MNSi

No comments provided

PARKS & FACILITIES

No comments provided

PLANNING DEPARTMENT

No comments provided

PLANNING DEPARTMENT - LANDSCAPE ARCHITECT

No comments provided

PUBLIC WORKS DEPARTMENT**August 19, 2022 (Revised Comments)**

The subject alley closure is approximately 4.27m (14 ft) wide and is composed of asphalt. There are hydro poles and overhead wires located in the alley. There are municipal sewers and manholes also located in the alley closure. An easement would be required for the utilities and municipal sewers if the alley is closed. The alley appears to be used for parking access for 4440 Tecumseh Road East; they will be required to obtain a driveway permit and maintain the approaches to City Standard AS-204 if the alley is closed. There are a number of different encroaching objects within the open alley. If the alley is not closed, the adjacent property owners are required to remove the objects or apply for an encroachment agreement. The subject alley is classified as indispensable by CR146/2005; therefore, we object to the closure of the subject alley.

May 19, 2021

The subject alley closure is approximately 4.27m (14ft) wide, is composed of asphalt. There are hydro poles and overhead wires located in the alley. There are municipal sewers and manholes also located in the alley closure. An easement would be required for the utilities and Municipal sewers. The alley appears to be used for parking access for 4440 Tecumseh Road East; they will be required to obtain a driveway permit and maintain the approaches to City Standard AS-204. The subject alley is classified as having some usefulness by CR146/2005; however, we have no objections to the alley closure subject to the easements.

[Adam Pillon, Manager of Right-of-Way]

PUBLIC WORKS – TRANSPORTATION/TRAFFIC

Closing this alley would not have an impact on vehicular or pedestrian traffic. No concerns with closing the alley as proposed.

[Mike Spagnuolo, Signal Systems Analyst]

ROGERS COMMUNICATIONS

No comments provided

TELUS COMMUNICATIONS

Telus has no infrastructure in your area of study.

[Indira Sharma, Project Support]

TRANSPORTATION PLANNING

No comments provided

UNION GAS

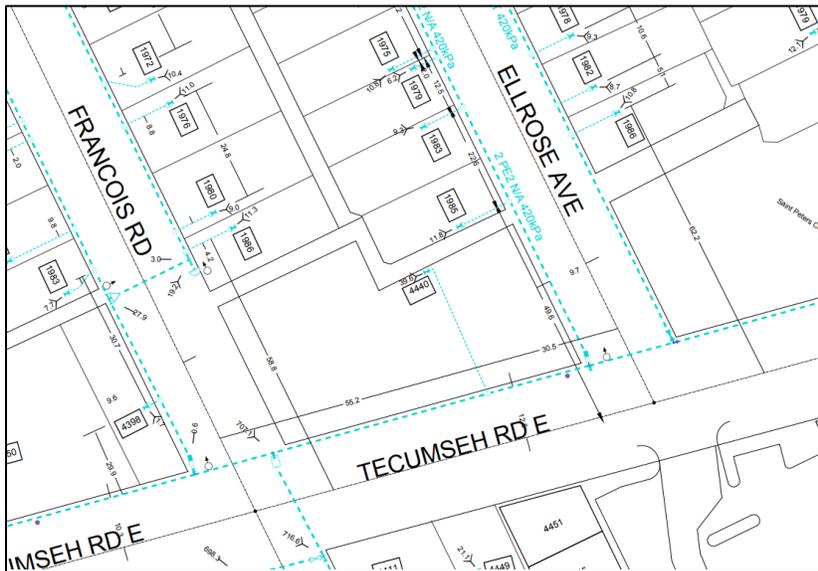
After reviewing the provided drawing North of 4440 Tecumseh Rd E. and consulting our mapping system, please note that Enbridge Gas has no active infrastructure in the proposed area. A PDF drawing has been attached for reference.

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

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

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

[Gord Joynson, Drafter Estimator]



WINDSOR FIRE

No concerns from WFRS

[John Lee, Chief Fire Prevention Officer]

WINDSOR POLICE

The Windsor Police Service has no concerns or objections with the requested alley closure. Closure of the land areas in question will not impair police incident response or mobile patrol functioning for the subject site or surrounding properties in any way.

[Barry Horrobin, Director of Planning & Physical Resources]

APPENDIX "D"
Site Photos (July 20, 2022)



Figure 1 - Looking west towards east/west alley from Ellrose Avenue 1



Figure 2 - Looking west towards east/west alley from Ellrose Avenue 2



Figure 3 - Looking east towards east/west alley from Francois Road 1



Figure 4 - Looking east towards east/west alley from Francois Road 2



Figure 5 - Looking north towards encroaching landscaping feature in north/south alley



Figure 6 - Looking west towards east/west alley from north/south alley



Figure 7 - Looking east towards east/west alley from north/south alley

APPENDIX “E”

Classification of Alleys and Suitability for Closure

Classification of Public Rights-of-Ways:

Currently streets and alleys fall into four classifications on the basis of their usefulness:

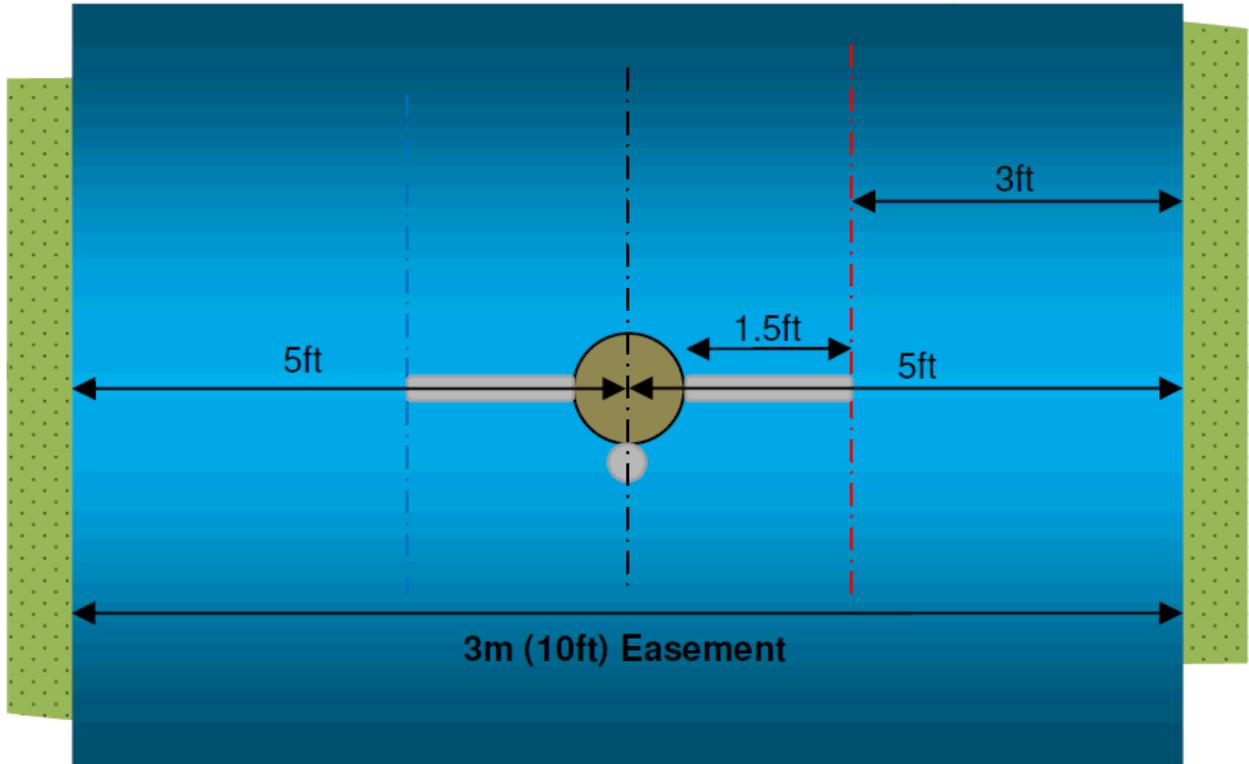
- 1) Alleys that are **indispensable**. These would be alleys serving commercial properties and properties fronting on heavily traveled streets i.e. major arterial routes and alleys which contain sewers and must remain accessible for servicing; alleys or streets which serve as the only vehicular means of access to rear parking areas and garages where the property has insufficient lot width for a side drive; and, alleys which contain Fire Department connections that are deemed to be necessary for firefighting access.
- 2) Alleys that, **have some usefulness**, are nevertheless dispensable and may or may not be a complete liability.
- 3) Alleys that appear to serve **no useful purpose**, either now, or anticipated. Such alleys are in residential areas and locations where generally the lots are wide enough for side drives, or those alleys abutting parks and other parcels of land that do not require any servicing from the alley. Remnant or stub-end streets which are dead-ended and do not serve as access to other streets.
- 4) Alleys lying in Holding zones and other similar undeveloped areas where the alley system is **clearly obsolete** and has never been developed, but where the City needs to keep its options open until new area plans are prepared and development is imminent.

Suitability for Closing:

Following are the criteria and suitability for closing alleys in each of the above classifications.

- 1) Indispensable alleys should **not be closed**, conveyed, reduced or otherwise jeopardized through minority interests unless a suitable substitute alley is opened in lieu thereof. They are essential from the viewpoint of fire protection, police protection, emergency services (i.e. ambulance) and loading or unloading of goods, refuse collection, servicing of blocked sewers and utility services. Without such alleys, the above noted services would at least be more costly if not impossible to complete or adequately access; and would noticeably interfere with street traffic, thereby reducing the access capacity of the adjacent arterial, collector, or street for business.
- 2) Alleys having some usefulness should **be considered for closing** only upon request of abutting owners rather than by encouragement of the City.
- 3) Alleys that serve no useful purpose should **be closed** if at all possible, and in fact the owners abutting thereon should be encouraged to accept conveyance.
- 4) Alleys that are clearly obsolete should **not be closed** unless there is a municipal need or specific development proposals acceptable to the City are submitted.

APPENDIX "F"
EnWin Utilities Ltd. Aboveground Hydro Easement Diagram



APPENDIX "G"

Correspondence from owner of 1985 Ellrose Avenue

> -----Original Message-----
 > From: [REDACTED]
 > Sent: Saturday, March 27, 2021 9:52 AM
 > To: Aspila, Christopher
 > Subject: Alley closing for 1985 Ellrose ave
 >
 > 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.
 >
 >
 > Hello Chris
 >
 > This email is in reference to our conversation last week regarding the closure of the alley on the east and west side of my property. I want to purchase both sides of the alley that would be open to me. Please advise if we need to due anything further for this application or request, we look forward to hearing from you.
 >
 > [REDACTED]
 > 1985 Ellrose ave
 > [REDACTED]
 >
 >
 > Sent from my iPad

From: [REDACTED]
Sent: April 2, 2021 12:43:33 AM
To: Aspila, Christopher
Subject: Re: Alley closing for 1985 Ellrose ave

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.

Thank you Chris I just want to be sure my request is on file and I get a fair chance at obtaining my portion of the alley available for purchase, looking forward to hearing from the planning division.

Regards [REDACTED]

Sent from my iPad

From: Matthews, Meghan
Sent: Monday, July 11, 2022 9:31 AM
To: [REDACTED]
Subject: RE: SAA/6347 || 1985 Ellrose Ave

Hello [REDACTED]

Thank you for speaking to me today. You called to inform me that you wish to purchase your ½ width of the alley abutting 2 sides of your property. You informed me today that you have been maintaining the property for over 20 years, including shoveling. I have advised you I will put a copy of this e-mail in our file for the planner to review when he creates his report.

As I've previously stated this file is in need of a report. A report will include the recommendations of the planner regarding the division of the alley. You will receive a copy of this report in the mail when it is to be presented to the Development and Heritage Standing Committee. Unfortunately I do not have a date for when the report will be completed. Please know we are working hard to ensure these reports are finalized.

-Meghan

MEGHAN MATTHEWS | STREET & ALLEY LEGAL CLERK





Committee Matters: SCM 261/2022

Subject: Closure of the east/west alley between Ford Boulevard and 5355 Wyandotte Street East, north of 830 Ford Boulevard and south of 5335 Wyandotte Street East, Ward 6

Moved by: Councillor Holt

Seconded by: Councillor Sleiman

Decision Number: **DHSC 426**

- I. THAT the 3.66 metre wide east/west alley located between Ford Boulevard and the property known municipally as 5355 Wyandotte Street East (legally described as Essex Condo Plan 55), and shown on Drawing No. CC-1798 *attached* hereto as Appendix "A", **BE ASSUMED** for subsequent closure;

- II. THAT the 3.66 metre wide east/west alley located between Ford Boulevard and the property known municipally as 5355 Wyandotte Street East (legally described as Essex Condo Plan 55), and shown on Drawing No. CC-1798 *attached* hereto as Appendix "A", **BE CLOSED AND CONVEYED** to the abutting property owners and as necessary, in a manner deemed appropriate by the City Planner, subject to the following:
 - a. 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. Bell Canada to protect existing facilities; and
 - ii. MNSi for aerial infrastructure.

- III. THAT Conveyance Cost **BE SET** as follows:
 - a. For alley conveyed to abutting lands zoned RD1.2: \$1.00 plus deed preparation fee and proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.

 - b. For alley conveyed to abutting lands zoned RD3.4: \$22.00 per square foot without easements and \$11.00 per square foot with easements.

IV. THAT the City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1798, *attached* hereto as Appendix "A".

V. THAT the City Solicitor **BE REQUESTED** to prepare the necessary by-law(s).

VI. THAT the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003.

Carried.

Report Number: S 98/2022
Clerk's File: SAA2022

Clerk's Note:

1. The recommendation of the Standing Committee and Administration are the same.
2. Please refer to Item 11.4. from the Development & Heritage Standing Committee Meeting held on September 12, 2022.
3. To view the stream of this Standing Committee meeting, please refer to:
<http://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20220913/-1/7356>

Subject: Closure of east/west alley between Ford Boulevard and 5355 Wyandotte Street East, north of 830 Ford Boulevard and south of 5335 Wyandotte Street East - Ward 6 Applicant/Owner: Anya Heath (2737512 Ontario Inc.) File No.: SAA-6564

Reference:

Date to Council: September 12, 2022
Author: Brian Nagata, MCIP, RPP
Planner II - Development Review
(519) 255-6543 ext. 6181
Planning & Building Services

Report Date: August 5, 2022
Clerk's File #: SAA2022

To: Mayor and Members of City Council

Recommendation:

- I. THAT the 3.66 metre wide east/west alley located between Ford Boulevard and the property known municipally as 5355 Wyandotte Street East (legally described as Essex Condo Plan 55), and shown on Drawing No. CC-1798 *attached* hereto as Appendix "A", **BE ASSUMED** for subsequent closure;

- II. THAT the 3.66 metre wide east/west alley located between Ford Boulevard and the property known municipally as 5355 Wyandotte Street East (legally described as Essex Condo Plan 55), and shown on Drawing No. CC-1798 *attached* hereto as Appendix "A", **BE CLOSED AND CONVEYED** to the abutting property owners and as necessary, in a manner deemed appropriate by the City Planner, subject to the following:
 - a. 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. Bell Canada to protect existing facilities; and
 - ii. MNSi for aerial infrastructure.

- III. THAT Conveyance Cost **BE SET** as follows:

- a. For alley conveyed to abutting lands zoned RD1.2: \$1.00 plus deed preparation fee and proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.
 - b. For alley conveyed to abutting lands zoned RD3.4: \$22.00 per square foot without easements and \$11.00 per square foot with easements.
- IV. THAT the City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1798, *attached* hereto as Appendix “A”.
 - V. THAT the City Solicitor **BE REQUESTED** to prepare the necessary by-law(s).
 - VII. THAT the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003.

Executive Summary:

N/A

Background:

The applicant, Anya Heath (2737512 Ontario Inc.), owner of the property known municipally as 5335 Wyandotte Street East (the subject property), applied to close the 3.66 metre wide east/west alley located between Ford Boulevard and the property known municipally as 5355 Wyandotte Street East, north of the property known municipally as 830 Ford Boulevard and south of the subject property, and shown on Drawing No. CC-1798 *attached* hereto as **Appendix “A”**, and also shown on the aerial photo *attached* hereto as **Appendix “B”**.

The subject property contains a circa 1956 three storey 23 unit multiple dwelling “Edinburgh Place”, with parking areas to the east and west of the building.

The subject alley (the alley) is unmaintained and composed of asphalt, grass and gravel, and includes three large mature deciduous trees and one small deciduous tree. City of Windsor aerial photography and Google Street View appears to show the alley being used as a driveway and rear yard by 830 Ford Boulevard since at least 2000. 830 Ford Boulevard contains a Single Family Dwelling with a non-conforming accessory building in the front yard. There are no Encroachment Agreements on record for the use of the alley. 830 Ford Boulevard is also not eligible to make a claim of adverse possession (squatter’s rights). (See site photos *attached* hereto as **Appendix “D”**)

The applicant wishes to close the alley for the purpose of expanding the aforesaid parking areas. The proposed expansion will include constructing a collector aisle to connect the parking areas and a paved area to accommodate a new refuse bin enclosure. The expansion aims to improve the functionality of the parking areas, as well as access to the utility services on the south side of the multiple dwelling. Functionality enhancements include, but are not limited to the following:

- Improved maneuverability for refuse collection vehicles, reducing the risk for conflict between pedestrians and automobiles
 - Will also block views of the refuse collection bins from the public right-of-way
- Additional space for snow storage
- Improved maneuverability for snow plows
- Improved maneuverability for automobiles utilizing the parking areas

The expansion will require a Zoning By-law Amendment (ZBA) to address the following non-compliances with Zoning By-law 8600.

- Minimum collector aisle width is 6.0 metres
- Minimum separation between a collector aisle and a parallel parking space is 2.50 metres
 - Separation shall be maintained as landscaped open space yard
- Minimum separation between a collector aisle/parking area and an interior side lot line is 0.90 metres
- Minimum separation between a collector aisle/parking area and a wall containing a habitable room window is 4.50 metres
- Parking area shall be bound by a poured in place concrete curb
- Refuse bin is prohibited in a required yard
- Refuse bin is prohibited from hampering the safe operation of a motor vehicle utilizing the parking area if located within

The applicant has been advised that such a ZBA may be difficult for the Planning Department to support.

In the event that the applicant is not offered the right to purchase the full width of the alley, they are considering using their half to provide additional space for accessing utility services on the south of the multiple dwelling.

Discussion:

The decision to recommend closure of an alley is derived from the City's *Classification of Alleys and Suitability for Closure* guideline document (the document), **attached** hereto as **Appendix "E"**. The document details four classifications of alleys based on their usefulness, and provides corresponding criteria for determining suitability for closure.

Classification of Public Right-of-Ways

The initial step is to determine if the alley is indispensable. This is achieved through the evaluation of the following criteria set forth in Section 1 of the document.

Alley:

1. *Does the alley serve commercial properties?*
 - a. The alley does not serve any commercial properties.
2. *Does the alley serve properties fronting on heavily traveled streets i.e. major arterial routes?*
 - a. The alley does not serve properties fronting on heavily travelled streets.
3. *Does the alley contain sewers, and must the alley remain accessible for servicing?*
 - a. The alley does not contain any sewers.
4. *Does the alley serve as the only vehicular means of access to rear parking areas and garages where the property has insufficient lot width for a side drive?*
 - a. The alley does not provide vehicular access to any rear parking areas or garages.
5. *Does the alley contain Fire Department connections that are deemed to be necessary for firefighting access?*
 - a. The alley does not contain any fire department connections.
6. *Does the alley lie within a Holding zone or other similar undeveloped areas where the alley system is clearly obsolete and has never been developed, but where the City needs to keep its options open until new area plans are prepared and development is imminent?*
 - a. The alley does not lie within a Holding zone or other similar undeveloped areas.

Based on the above, the Planning Department deems the alley “dispensable”, and supports the requested closure.

It is our recommendation that, upon closure, the abutting property owners be given the chance to acquire the subject alley in the manner described in the Recommendation section herein. Hence the recommendation is to close and convey the alley to the abutting property owners, which is the standard manner of conveyance.

Risk Analysis:

The recommended closure of the alley will divest the City of associated liability risks and maintenance costs. The recommended closure poses no known risk to the City.

In the event that the alley is transferred to the subject property in part or in full, it shall be the applicant’s sole responsibility to address 830 Ford Boulevard’s use of the said lands.

Climate Change Risks

Climate Change Mitigation: N/A

Climate Change Adaptation: N/A

Financial Matters:

The rate for an alley conveyed to abutting lands zoned RD1.2 is assessed at \$1.00 plus deed preparation fee and proportionate share of the survey costs as invoiced to the City by an Ontario Land Surveyor.

The rate for an alley conveyed to abutting lands zoned RD3.4 is assessed at \$22.00 per square foot without easements and \$11.00 per square foot with easements.

Consultations:

Consultations were held with Municipal Departments and Utility Companies, which resulted in the information found in attached **hereto** as **Appendix “C”**.

The Public Works Department has noted that it appears that one large driveway approach serves the alley, the subject property and 830 Ford Boulevard. This approach does not comply with the City’s Standard Engineering Drawings for a residential drive. Public Works has requested that the obtainment of a driveway permit(s) to bring the driveway approach in compliance with Standard Engineering Drawing AS-221 or AS-222 be included as a condition of conveyance. Notwithstanding Public Works request, the Planning Department is of the opinion that the enforcement of this non-compliance is better suited to be addressed separately from the closure.

A sibling of the owner of 830 Ford Boulevard, via a September 24, 2021 email attached **hereto** as **Appendix “F”**, has raised several concerns with the closure on their behalf. The concerns pertaining specifically to the closure are listed as follows:

- Invasion of privacy
 - Closure could extend the subject property to within a few feet of the Single Family Dwelling
 - The Single Family Dwelling has one window facing the alley
- Refuse bin enclosure could be located closer to the Single Family Dwelling
 - Odour and rodents are currently an issue
- Undue hardship
 - Owner has limited income to cover expenses associated with closing and purchasing their half of the alley
 - Stress caused by aforesaid financial burden

Notice of Development & Heritage Standing Committee meeting and Council meeting are published in the Windsor Star prior to each of the meetings. In addition, notice of each of the public meetings will be mailed to the abutting/affected property owners prior to the meetings.

Conclusion:

The Planning Department recommends closure of the east/west alley shown on attached Appendix “A”, subject to easements in favour of Bell Canada and MNSi as in Recommendation II of this report.

The closed alleys are to be conveyed to the abutting property owners, as in Recommendation II of this report.

Planning Act Matters:

Brian Nagata, MCIP, RPP
 Planner II - Development Review

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

Michael Cooke, MCIP, RPP Thom Hunt, MCIP, RPP
Manager of Policy Planning City Planner

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

JP OC

Approvals:

Name	Title
Michael Cooke	Manager of Planning Policy/Deputy City Planner
Thom Hunt	City Planner / Executive Director, Planning & Development Services
Chris Carpenter	Coordinator of Real Estate Services
Wira Vendrasco	Deputy City Solicitor, Legal Services & Real Estate
Jelena Payne	Commissioner, Economic Development & Innovation
Onorio Colucci	Chief Administration Officer

Notifications:

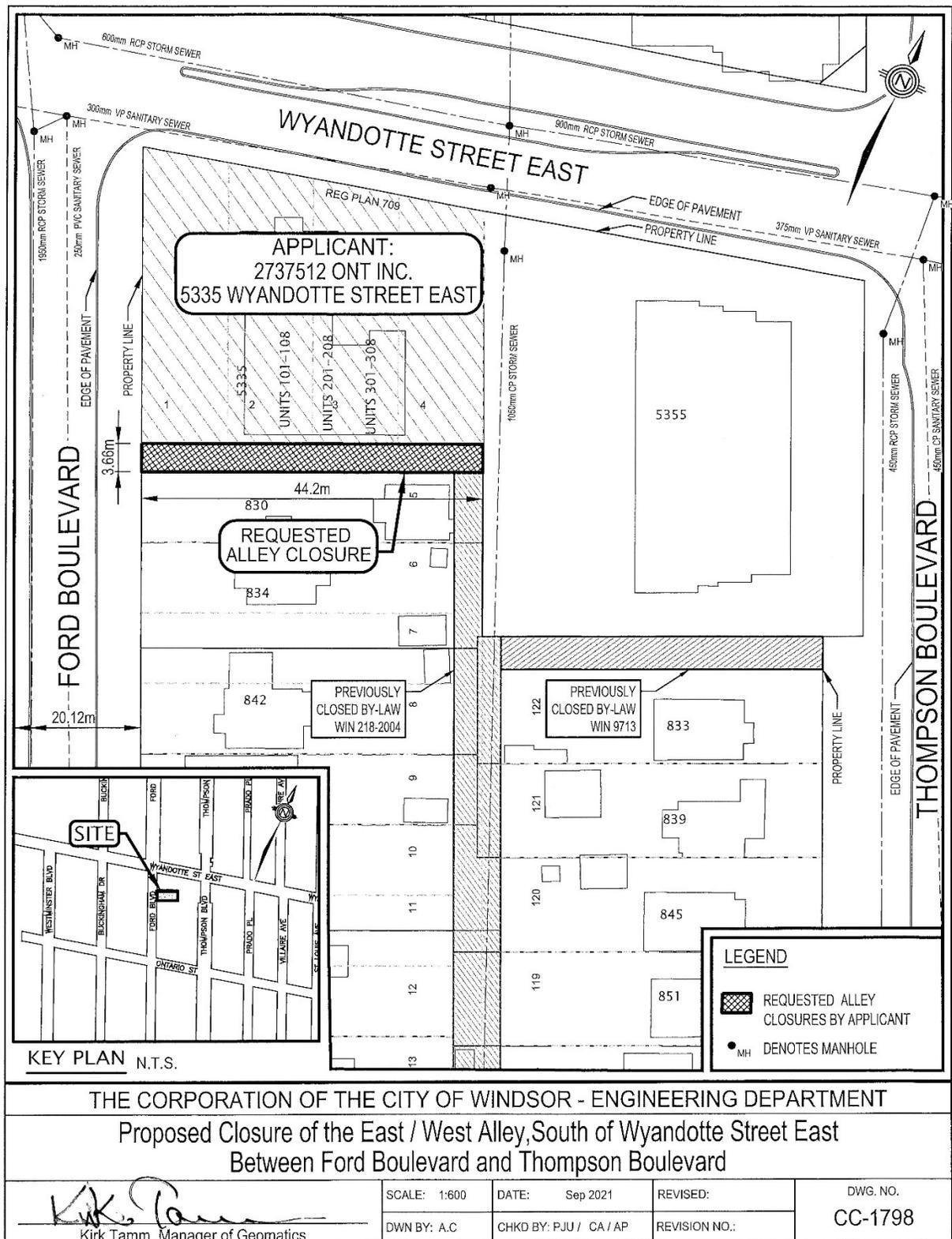
Name	Address	Email

Name	Address	Email
Councillor Jo-Anne Gignac	350 City Hall Square West, Suite 220 Windsor, ON N9A 6S1	joagignac@citywindsor.ca

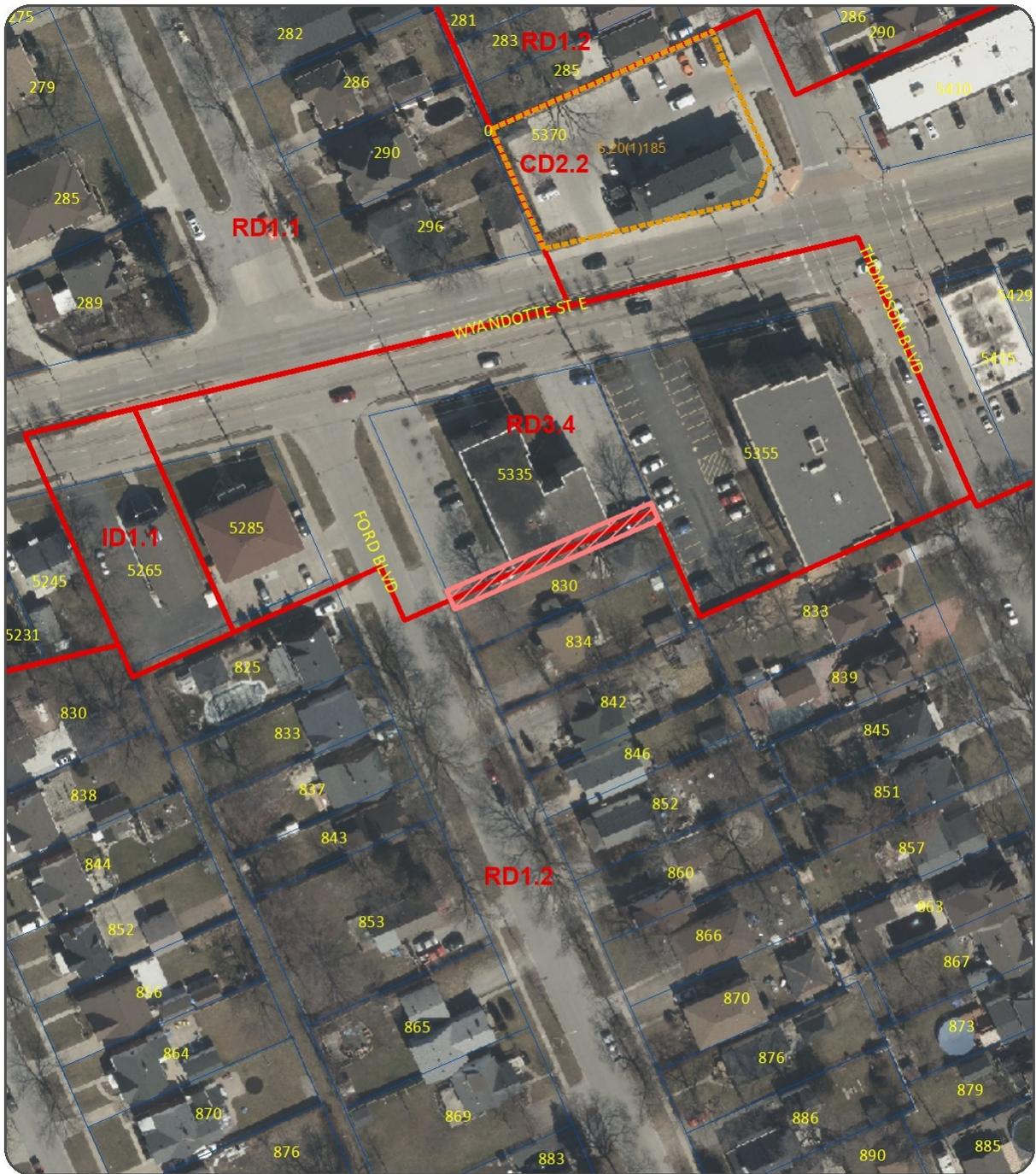
Appendices:

- 1 Appendix A - Drawing No. CC-1798
- 2 Appendix B - EIS Drawing - Aerial Photo
- 3 Appendix C - Consultations with Municipal Departments and Utility Companies
- 4 Appendix D - Site Photos
- 5 Appendix E - Classification of Alleys and Suitability for Closure
- 6 Appendix F - Email Correspondence from 830 Ford Boulevard

APPENDIX "A"
Drawing No. CC-1798



APPENDIX "B" EIS Drawing - Aerial Photo



STREET & ALLEY CLOSING (SAA/6564)

1:1,000

APPLICANT : 2737512 ONT INC - ANYA HEATH

 SUBJECT LANDS

PLANNING DEPARTMENT - DEVELOPMENT DIVISION

DATE: SEPTEMBER, 2021



APPENDIX "C"**Consultations with Municipal Departments and Utility Companies****BELL CANADA WSP**

Bell Canada requests an easement over the entire closure area to protect existing facilities.

[Charleyne Hall, Bell Canada External Liaison]

CANADA POST

No comments provided

COGECO CABLE SYSTEMS INC.

No comments provided

ENVIRONMENTAL SERVICES

No comments provided

ENWIN UTILITIES - HYDRO

No objections to alley closing, no easements needed.

[Jeremy Allossery, Hydro Engineering Technologist]

ENWIN UTILITIES - WATER

Water Engineering has no objections.

[Bruce Ogg, Water Project Review Officer]

LEGAL DEPARTMENT

For lands abutting RD3.4, \$22 per sq/ft without easements and \$11 per sq/ft with easements. For lands abutting RD1.1,

\$1.00 plus deed preparation fee and proportionate share of the survey cost as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.

[Chris Carpenter, Coordinator of Real Estate Services]

MNSi

Please include MNSi in an aerial easement through the subject lands.

[Dave Hartleib, Outside Plant Manager]

PARKS & FACILITIES

No comments / objection from Parks; pending further review by City Planning Landscape Architect (Stefan) copied on this e-mail.

[Wadah Al-Yassiri, Manager, Parks Development]

PLANNING DEPARTMENT

No comments provided

PLANNING DEPARTMENT - LANDSCAPE ARCHITECT

Since the Parks Department has no concerns related to the existing trees in the ally to be closed, then there are no objections from a landscape architectural perspective.

[Stefan Fediuk - Landscape Architect]

PUBLIC WORKS - ENGINEERING

The subject alley closure is approximately 3.75m (12ft) wide and composed of asphalt and grass. There are no municipal sewers, manholes, hydro poles, guy-wires, or overhead wires located in the alley. There are trees in the alley. There is a fence obstructing the alley belonging to 830 Ford Blvd. It appears 830 Ford Blvd may also be using the paved portion of the alley for parking and storing old appliances. There is a curb cut and approach on Ford Blvd to access the alley. It appears said access is joined with adjacent driveways to the north and south of the alley making one large curb cut. It may be the responsibility of the City to remove the alley portion of the curb cut in the future when funds exist, if the alley is not purchased. Should the abutting owners use this access they will be required to obtain a driveway permit to complete and maintain the approach to City Standard AS-221 or AS-222. This alley appears to serve no useful purpose by CR146/2005; therefore, we have no objections to the closure.

[Adam Pillon, Development Engineer]

PUBLIC WORKS - TRAFFIC

No concerns with closing the alley as proposed.

[Mike Spagnuolo, Signal Systems Analyst]

ROGERS COMMUNICATIONS

No comments provided

TELUS COMMUNICATIONS

TELUS has no underground infrastructure in the area of your proposed work. Permit expires six (6) months from approval dated.

[Indira Sharma, Project Support]

TRANSPORTATION PLANNING

No concerns with the closure of this alley.

[Rania Toufelli, Policy Analyst]

TRANSIT WINDSOR

No comments provided

UNION GAS

After reviewing the provided drawing of alley behind 5335 Wyandotte St E and consulting our mapping system, please note that Enbridge Gas has no active infrastructure in the proposed alley area. A PDF drawing has been attached for reference.

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

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

[Gord Joynson, Drafter Estimator]



WINDSOR FIRE

No comments provided

WINDSOR POLICE

The Windsor Police Service has no concerns or objections with this closure request. The outcome from this will have no impact (negatively speaking) on the ability of the police to carry out patrol and incident response activities for the abutting properties.

[Barry Horrobin, Director of Planning & Physical Resources]

APPENDIX “D”
Site Photos (June 29, 2022)



Figure 1 - Looking west towards alley from east parking area at 5335 Wyandotte Street East (alley located to the left of wood fence)



Figure 2 - Looking south towards alley from east parking area at 5335 Wyandotte Street East (alley located behind wood fence)



*Figure 3 - Looking west from midpoint of alley
(alley located to the left of wood fence)
(apartment building at 5335 Wyandotte Street East to the right)*



*Figure 4 - Looking west from midpoint of alley
(alley located to the left of chain link fence)*



Figure 5 - Looking east towards alley from Ford Boulevard (830 Ford Boulevard to right)



Figure 6 - Looking east from west end of alley (alley located to the right of chain link fence)



Figure 7 - Looking west towards southeast corner of apartment building at 5335 Wyandotte Street East

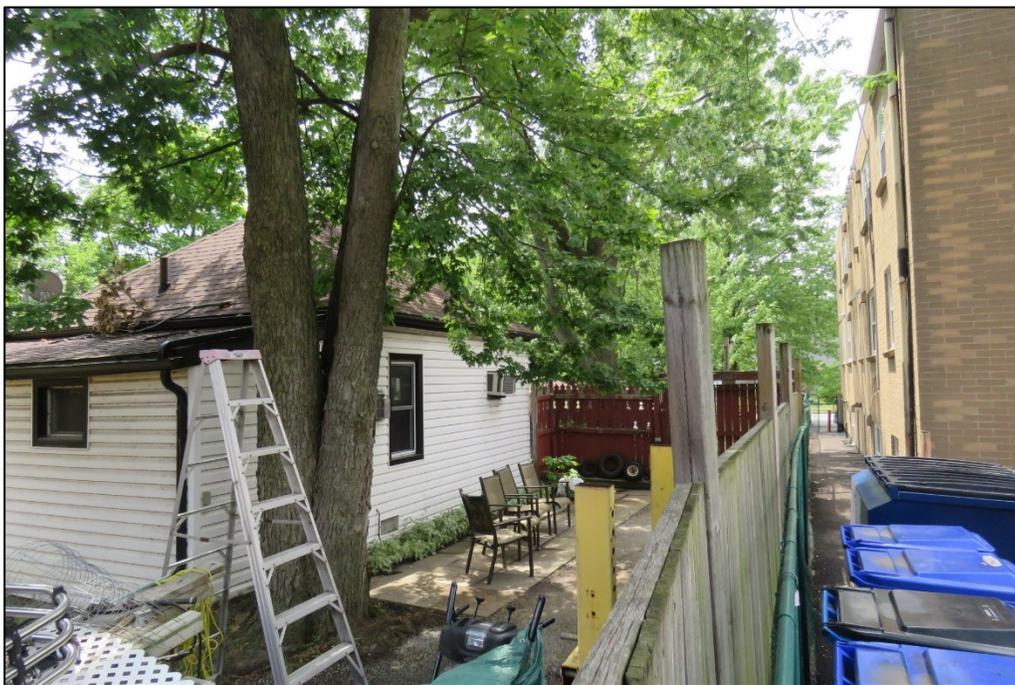


Figure 8 - Looking west towards alley from east parking area at 5335 Wyandotte Street East (alley located to the left of wood fence)

APPENDIX “E”

Classification of Alleys and Suitability for Closure

Classification of Public Rights-of-Ways:

Currently streets and alleys fall into four classifications on the basis of their usefulness:

- 1) Alleys that are **indispensable**. These would be alleys serving commercial properties and properties fronting on heavily traveled streets i.e. major arterial routes and alleys which contain sewers and must remain accessible for servicing; alleys or streets which serve as the only vehicular means of access to rear parking areas and garages where the property has insufficient lot width for a side drive; and, alleys which contain Fire Department connections that are deemed to be necessary for firefighting access.
- 2) Alleys that, **have some usefulness**, are nevertheless dispensable and may or may not be a complete liability.
- 3) Alleys that appear to serve **no useful purpose**, either now, or anticipated. Such alleys are in residential areas and locations where generally the lots are wide enough for side drives, or those alleys abutting parks and other parcels of land that do not require any servicing from the alley. Remnant or stub-end streets which are dead-ended and do not serve as access to other streets.
- 4) Alleys lying in Holding zones and other similar undeveloped areas where the alley system is **clearly obsolete** and has never been developed, but where the City needs to keep its options open until new area plans are prepared and development is imminent.

Suitability for Closing:

Following are the criteria and suitability for closing alleys in each of the above classifications.

- 1) Indispensable alleys should **not be closed**, conveyed, reduced or otherwise jeopardized through minority interests unless a suitable substitute alley is opened in lieu thereof. They are essential from the viewpoint of fire protection, police protection, emergency services (i.e. ambulance) and loading or unloading of goods, refuse collection, servicing of blocked sewers and utility services. Without such alleys, the above noted services would at least be more costly if not impossible to complete or adequately access; and would noticeably interfere with street traffic, thereby reducing the access capacity of the adjacent arterial, collector, or street for business.
- 2) Alleys having some usefulness should **be considered for closing** only upon request of abutting owners rather than by encouragement of the City.
- 3) Alleys that serve no useful purpose should **be closed** if at all possible, and in fact the owners abutting thereon should be encouraged to accept conveyance.
- 4) Alleys that are clearly obsolete should **not be closed** unless there is a municipal need or specific development proposals acceptable to the City are submitted.

APPENDIX "F"

Email Correspondence from 830 Ford Boulevard

From: [REDACTED]
Sent: Friday, September 24, 2021 2:48 PM
To: joagignac@citywindos.ca; Aspila, Christopher <caspila@citywindsor.ca>; Cabral, Jacqueline <jcabral@citywindsor.ca>
Cc: [REDACTED]
Subject: closure of ally way

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 in response to the letter received for the closure of ally way E/W South of Wyandotte E, East of Ford Blvd, West of Thompson St.

I have spoken to the planning department and have been advised that the apartment building beside us has applied to close the ally. We thought this was already closed when we purchased the ally behind my brothers house.

The reason stated was to have access to the back of the building for service vehicles. We have many concerns to address with this request.

1. There are no entrances or exits from the building at the back. No need for any vehicle to drive around the back of the building.
2. The previous owner put up a chain link fence which we thought was half the ally. They also paved over half way to allow my brother [REDACTED] to park on.
3. The garbage bin used to be at the road on Ford Blvd and never caused a problem. It was moved to the side of the apt building along the chain link fence. This is placed approx. 8-10 to our side door.
4. We have a problem now with RATS. They go into the bin and climb the fence into our yard. They are going under the house and our shed. We are constantly having to put down rat poison.
5. If the ally is closed and they take ownership of it the new fence line would be about 2 feet from our back door.
6. We have had many issues over the years with people climbing the chain link fence into our yard, stealing our lawn furniture and sitting on them on their paved area.
7. A previous tenant broke into my brother home and stole many items. He was caught and charged. Some personal items we never got back. eg: our late fathers garnet ring
8. We have had garbage thrown out the upper apt windows into our yard while the tenants laughed.
9. We have had someone smashing our outdoor lights which causes loud bangs.
10. We have had to put up with the smell of the garbage bin so close to our house in the humid weather.
11. We put up a moveable wooden fence for privacy and to stop climbing into our yard.
12. This has affected our quality of life and will only add to the intrusion.

This is my brothers principal residence and has lived there for over 25 years. (or longer) He is on disability and recently move to OAS/PPP. His income is limited as well as his health. We now find ourselves having to address this and purchasing the ally or at least half causing him and myself a lot of stress.

As you can imagine this will call a great hardship. We feel that he is now be taken advantage of and need you to take our concerns into consideration.

As you can imagine this will call a great hardship. We feel that he is now be taken advantage of and need you to take our concerns into consideration.

I trust you will address as soon as possible.

Please respond by email or call me at [REDACTED]

Please send all correspondence to email [REDACTED]

RE: 830 Ford Blvd
Windsor Ontario

[REDACTED]

[REDACTED]



Subject: Brownfield Redevelopment Community Improvement Plan (CIP) application submitted by NuFusion & Associates on behalf of 2830065 Ontario Ltd. For 1460 Lauzon Road (Ward 6)

Moved by: Councillor Holt

Seconded by: Councillor Gill

Decision Number: **DHSC 427**

- I. THAT the request made by NuFusion & Associates on behalf of 2830065 Ontario Ltd. to participate in the Environmental Site Assessment Grant Program **BE APPROVED** for the completion of a proposed Phase II Environmental Site Assessment Study for property located at 1460 Lauzon Road pursuant to the City of Windsor Brownfield Redevelopment Community Improvement Plan.

- II. THAT the City Treasurer **BE AUTHORIZED** to issue payment up to a maximum of \$19,750 based upon the completion and submission of a Phase II Environmental Site Assessment completed in a form acceptable to the City Planner and City Solicitor.

- III. THAT the grant funds in the amount of \$19,750 under the Environmental Site Assessment Grant Program **BE TRANSFERRED** from the CIP Reserve Fund 226 to Brownfield Strategy Remediation (project 7069003) when the work is complete.

- IV. THAT should the proposed Phase II Environmental Site Assessment Study not be completed within two (2) years of Council approval, the approval **BE RESCINDED** and the funds be uncommitted and made available for other applications.

Carried.

Report Number: S 102/2022

Clerk's File: SPL2022

Clerk's Note:

1. The recommendation of the Standing Committee and Administration are the same.
2. Please refer to Item 11.5. from the Development & Heritage Standing Committee Meeting held on September 12, 2022.
3. To view the stream of this Standing Committee meeting, please refer to:
<http://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20220913/-1/7356>

Subject: Brownfield Redevelopment Community Improvement Plan (CIP) application submitted by NuFusion & Associates on behalf of 2830065 Ontario Ltd. for 1460 Lauzon Road (Ward 6)

Reference:

Date to Council: September 12, 2022
Author: Greg Atkinson, Senior Planner
519-255-6543 ext. 6582
gatkinson@citywindsor.ca

Tracy Tang, Planner II- Revitalization & Policy Initiatives
519-255-6543 ext. 6449
ttang@citywindsor.ca
Planning & Building Services
Report Date: August 18, 2022
Clerk's File #: SPL2022

To: Mayor and Members of City Council

Recommendation:

- I. THAT the request made by NuFusion & Associates on behalf of 2830065 Ontario Ltd. to participate in the Environmental Site Assessment Grant Program **BE APPROVED** for the completion of a proposed Phase II Environmental Site Assessment Study for property located at 1460 Lauzon Road pursuant to the City of Windsor Brownfield Redevelopment Community Improvement Plan.
- II. THAT the City Treasurer **BE AUTHORIZED** to issue payment up to a maximum of \$19,750 based upon the completion and submission of a Phase II Environmental Site Assessment completed in a form acceptable to the City Planner and City Solicitor.
- III. THAT the grant funds in the amount of \$19,750 under the Environmental Site Assessment Grant Program **BE TRANSFERRED** from the CIP Reserve Fund 226 to Brownfield Strategy Remediation (project 7069003) when the work is complete.
- IV. THAT should the proposed Phase II Environmental Site Assessment Study not be completed within two (2) years of Council approval, the approval **BE RESCINDED** and the funds be uncommitted and made available for other applications.

Executive Summary: N/A

Background:

Brownfield Redevelopment Community Improvement Plan (CIP)

Brownfield sites are properties that may be contaminated due to previous industrial or commercial uses such as a manufacturing facility or gas station. City Council approved a Brownfield Redevelopment CIP at its April 19, 2010 meeting for the purpose of encouraging the study, clean-up, and redevelopment of contaminated properties. The approval of the CIP was the result of nearly five years of study and consultation, which began in October 2005.

Importance of Brownfield Redevelopment

In 2009 the City's Planning Department identified 137 brownfield properties (i.e. 226 hectares or 559 acres) that are candidates for redevelopment. While the inventory is not exhaustive, it illustrates the significance of Windsor's brownfield stock and the need to work with land owners to put these properties back into productive use.

Historically, there has been little interest in redeveloping brownfield sites due to the uncertainty surrounding the extent of contamination and the potential cost of clean-up. The Brownfield Redevelopment CIP provides financial incentives to undertake the necessary studies and remedial work necessary to redevelop brownfield sites and reduce the potential negative impacts to the City's environment and neighbourhoods.

The benefits associated with brownfield redevelopment go far beyond the boundaries of the property. For example, they are often strategically located within existing built up areas of the City where services and other infrastructure, such as roads, schools, community facilities and public transit are already available, therefore additional infrastructure costs are not incurred to service these areas. The redevelopment of these sites also remove the negative stigma often associated with brownfield properties, which increases the value of the subject property and adjacent properties.

Brownfield sites also represent a significant underutilization of the land base. According to the National Round Table on the Environment and the Economy (2003), every hectare redeveloped through a brownfield project saves up to an estimated 4.5 hectares of greenfield land from being developed (i.e. agricultural land on the edge of the City); and for every dollar invested in a brownfield redevelopment, it is estimated that \$3.80 is invested in the economy.

Site Background

The subject site is located on the southeast corner of the intersection of Lauzon Road and McHugh Street (see Appendix 'A' – Location Map). The site consists of one vacant industrial property that totals at approximately 2.1 hectares (5.2 acres) in size. The property is owned by 2830065 Ontario Ltd. The Phase II Environmental Site Assessment (ESA) study is proposed for the entire subject site. Previously on the property was a parking lot on the southeastern portion associated with the former 1600 Lauzon Road and a parking lot on the northwestern corner. Former 1600 Lauzon Road is immediately to the south of 1460 Lauzon Road, and was an industrial site that operated as the General Motors Canada Windsor Trim Plant, Peregrine Windsor Inc., and Lear Corporation Canada Ltd. before being closed and demolished for redevelopment as a residential subdivision. Surrounding uses consist of mixed residential, commercial, and (former) industrial properties such as plastic manufacturing, plating and stamping manufacturing, and automotive service garage.

The subject property is designated 'Industrial' on Official Plan Schedule D: Land Use. The site is zoned MD1.2 (Manufacturing District) and HMD1.2, which permits a range of light industrial with limited commercial uses on the site.

Discussion:

Environmental Site Assessment Grant Program

The Environmental Site Assessment (ESA) Grant Program offers a matching grant to property owners of brownfield sites to conduct environmental studies that provide information on the type and extent of contamination and potential remediation costs. The program offers 50% of the cost of an eligible study up to a maximum of \$15,000. If two studies are required, an additional \$10,000 is available for a maximum total grant value of \$25,000.

The owner proposes to redevelop the property for residential use, which requires the filing of a Record of Site Condition (RSC) with the Ministry of the Environment, Conservation and Parks. The owner has completed a Phase I Environmental Site Assessment (ESA) study to support the redevelopment of the property. The Phase I ESA study identified areas of potential environmental concern, and recommended that a Phase II ESA study be completed to assess the existing soil and groundwater conditions at the site and delineate the extent of any contamination. The Phase II ESA study is necessary to support the filing of a RSC.

Clearly identifying the type and delineating the extent of any contamination is an essential step in moving forward with redevelopment plans. Upon completion, the City would retain a copy of the final study report.

CIP Goals

City staff is supportive of the application as it meets all of the eligibility requirements specified within the Brownfield Redevelopment CIP. The proposed study of the subject site also supports the following CIP goals:

- To promote the remediation, rehabilitation, adaptive re-use and redevelopment of brownfield sites throughout the City of Windsor in a fiscally responsible and sustainable manner over the long term;
- Improve the physical and visual quality of brownfield sites;
- Improve environmental health and public safety;
- Provide opportunities for new housing, employment uses, and commercial uses;
- Increase tax assessment and property tax revenues;
- Promote Smart Growth, including the reduction of urban sprawl and its related costs;
- Increase community awareness of the economic, environmental and social benefits of brownfield redevelopment; and
- Utilize public sector investment to leverage significant private sector investment in brownfield remediation, rehabilitation, adaptive re-use, and redevelopment.

Policy Support

The study of brownfield sites to support clean up and redevelopment is supported by policies within the 2020 Provincial Policy Statement, the City's Official Plan and the City's Environmental Master Plan.

Risk Analysis:

As with all brownfield sites, there is a high degree of risk associated with the property remaining contaminated and vacant. Uncertainty related to the extent of contamination will continue to act as a barrier to redevelopment if not addressed. If the site remains contaminated and vacant it will continue to have a negative effect on the surrounding area—which includes a new residential subdivision to the immediate south of the property.

The proposed Phase II ESA study will assist in mitigating the above noted risks by providing an estimated cost to remediation and establishing next steps in the remediation process. As already indicated, should remediation and redevelopment not be pursued, the City would retain copies of the studies for future reference.

Climate Change Risks

Climate Change Mitigation:

The proposal of a residential redevelopment implements Environmental Master Plan Objective C1: Encourage in-fill and higher density in existing built areas. In particular, the redevelopment would implement the action that supports the existing Brownfields Redevelopment Strategy and achieve its work plan.

Climate Change Adaptation:

The proposed residential redevelopment may be affected by climate change, in particular with respect to extreme precipitation and an increase in days above 30 degrees. While not the subject of this report, any new construction would be required to meet the current provisions of the Building Code, which would be implemented through the building permit process. The site would also be required to incorporate storm water management best practices.

Financial Matters:

The cost estimate (excluding HST) for completing the proposed initial Phase II ESA study is \$21,500 plus \$15,000-18,000 for delineation of contamination (if required) totalling at \$36,500-39,500. If approved, the maximum grant would total \$19,750. Should the actual costs of the study be less than what has been estimated, the grant payments would be based on the lower amount.

The grant would be paid from the Brownfield Strategy/Remediation Account (Project #7069003) in the maximum amount of \$19,750. The funds will be transferred from Fund 226 which has a current uncommitted balance of \$1,198,602.76 to Project 7069003 when the work is complete to the satisfaction of the City Planner.

Consultations:

The development and approval of the Brownfield Redevelopment CIP was subject to extensive stakeholder and public consultation, which sought input from a wide range of stakeholders and internal City departments.

Planning staff have consulted with the applicant prior to accepting the application for the Environmental Study Grant program. Staff from the Planning, Finance, and Legal Departments were consulted in the preparation of this report.

Conclusion:

City Staff recommend Council approve the request from NuFusion & Associates on behalf of 2830065 Ontario Ltd. to participate in the Environmental Site Assessment Grant Program. In the opinion of planning staff, the proposed study conforms to the Brownfield Redevelopment CIP and assists the City in the achievement of a number of the CIP goals.

Planning Act Matters:

N/A

Approvals:

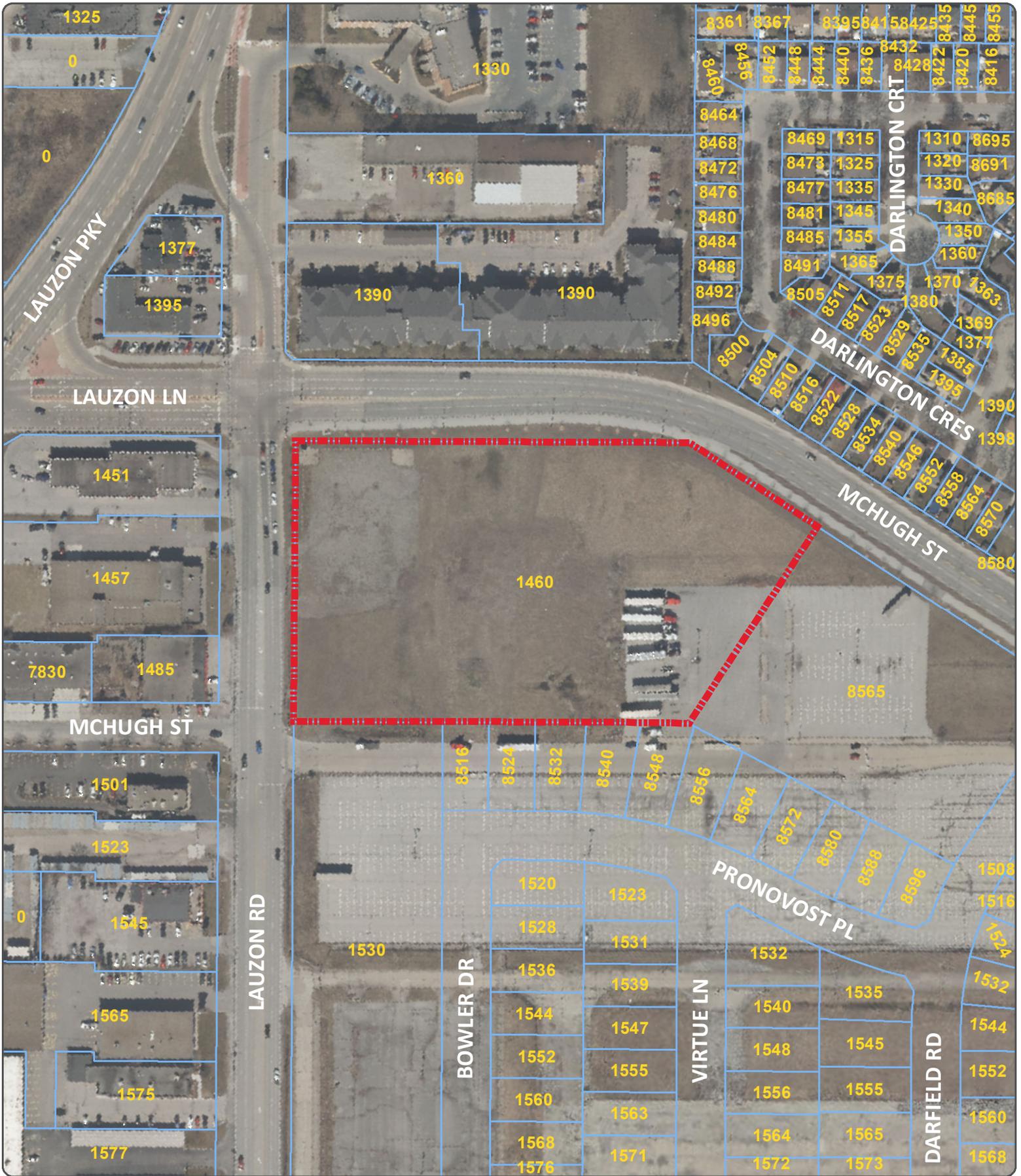
Name	Title
Josie Gualtieri	Financial Planning Administrator
Michael Cooke	Manager Planning Policy/Deputy City Planner
Thom Hunt	City Planner / Executive Director, Planning & Development Services
Wira Vendrasco	Deputy City Solicitor, Legal Services & Real Estate
Jelena Payne	Commissioner, Economic Development & Innovation
Tony Ardovini	Commissioner, Corporate Services Chief Financial Officer / City Treasurer (A)
Onorio Colucci	Acting Chief Administrative Officer

Notifications:

Name	Address	Email
Anthony Pipolo		ap.nufusion@gmail.com
2830065 Ontario Ltd.		altanota@live.com
Cindy McKee		cindy.mckee@woodplc.com

Appendices:

- 1 Appendix A - Location Map



LOCATION MAP : 1460 LAUZON ROAD



SUBJECT PROPERTY



Item No. 8.13



Committee Matters: SCM 263/2022

Subject: Minutes of the Property Standards Committee of its meeting held June 14, 2022

Moved by: Councillor Sleiman
Seconded by: Councillor Holt

Decision Number: **DHSC 428**

THAT the minutes of the Property Standards Committee of its meeting held June 14, 2022 **BE RECEIVED**.

Carried.

Report Number: SCM 208/2022
Clerk's File: MB2022

Clerk's Note:

1. The recommendation of the Advisory Committee and Standing Committee are the same.
2. Please refer to Item 12.1. from the Development & Heritage Standing Committee Meeting held on September 12, 2022.
3. To view the stream of this Standing Committee meeting, please refer to:
<http://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20220913/-1/7356>



Committee Matters: SCM 208/2022

Subject: Minutes of the Property Standards Committee of its meeting held June 14, 2022

Property Standards Committee

Meeting held June 14, 2022

A meeting of the Property Standards Committee is held this day commencing at 4:00 o'clock p.m. via Zoom video conference, there being present the following members:

Councillor Rino Bortolin, Chair
Councillor Ed Sleiman
Darrel Laurendeau

Regrets received from:

Councillor Chris Holt
Matthew Wachna

Delegations in attendance:

Louis Vaupotic and Helen Tascona, regarding Item 5.1

Also present are the following resource personnel:

Brandon Calleja, Supervisor of Inspections, Building
Jay McGuire, Building By-law Enforcement Officer
Karen Kadour, Committee Coordinator

1. Call to Order

The Chair calls the meeting to order at 4:00 o'clock p.m. and the Committee considers the Agenda being Schedule A attached hereto, matters which are dealt with as follows:

2. Disclosure of Interest

None disclosed.

3. Adoption of the Minutes

Moved by D. Laurendeau, seconded by Councillor Sleiman,
That the minutes of the Property Standards Committee of its meeting held
February 10, 2022 **BE ADOPTED** as presented.
Carried.

4. Request for Deferral, Referral or Withdrawal

None.

5. Appeal – 575 Riverside Drive East

- 5.1 Louis Vaupotic and Helen Tascona, sole Estate Trustee appear before the Property Standards Committee via Zoom video conference regarding property at 575 Riverside Drive East.

Officer Jay McGuire provides the following Presentation entitled “575 Riverside Drive East – OTR 22-120998”, **attached** as Appendix ‘A’:

Summary of events – April 20, 2022 – Site Inspection

- Attended property to complete follow-up inspection in continued effort to gain compliance. Observed the multi-unit residential building continues to present as vacant and derelict/neglected for a period of more than 120 days.
- The following property standard defects were observed:
- Defective concrete block/missing mortar at foundation walls of main building and exterior walls of accessory structure.
- Defective/missing siding at main building and accessory structure.
- Several windows and exterior doors beyond life span and in need of repair/replacement.
- Defective overhead door to accessory structure.
- Missing handrail at front and rear doors.
- Missing rear exterior stairs; rear 2nd floor deck/balcony/canopy poorly repaired containing defective/deteriorated materials. Permit with engineer’s report/scope of work required for required repairs/replacement.
- Defective asphalt roof, soffits and fascia.
- Missing/defective deteriorated eaves troughs and down spouts throughout.
- **No Action Taken – The foregoing defects are not in compliance.**

The Chair states that the crux of the discussion relates to who has ownership of the property and who is responsible . He asks L. Vaupotic and H. Tascona if they contest the Order to Repair.

H. Tascona responds that she does not contest on behalf of the estate.

L. Vaupotic responds that plans were submitted to the city in 2021 and advises that he did not receive a call back. He adds that he does agree that the deficiencies outlined by B. Calleja do exist but added that he was told this matter was going to court.

In response to a question by the Chair to Administration regarding who has ownership of the property and the basis of appeal from H. Tascona, B. Calleja responds that the Order was originally sent to Smaragda Vaupotic in 2018 who has since passed. He adds that the current owner is the Estate of Smaragda Vaupotic c/o Helen Tascona. A permit was applied for in 2018 and a permit was obtained to repair the existing dwelling. As there was no meaningful progress on the permit, it was revoked in February 2020. Since then, the property has changed hands and an new Order was issued on April 20, 2022.

H. Tascona states that she allowed the appeal to go forward as they were in the process of negotiating a settlement agreement which was signed on this day. The settlement is contingent on the Committee of Adjustment's providing a severance for two properties.

The Chair advises that the severance of the properties is outside of the scope of this Committee. He notes that it has been four years since Smaragda Vaupotic passed, and nothing has been done to address these issues. This house has been allowed to fall into a state of disrepair where it will require a demolition permit or a huge effort to bring it back.

H. Tascona responds that area is a demolition free zone so Council would have to approve a permit to demolish.

The Chair asks what is the rationale that allowed this property to get into this state.

H. Tascona responds that she attempted to sell the home in March, but there was no settlement at that time. L. Vaupotic did not want the sale to proceed, however H. Tascona put in a motion to sell it again and the Judge gave her the authority to do so and L. Vaupotic's lawyer put in an appeal which was dismissed. She requests that L. Vaupotic be given six to eight months to do the repairs.

D. Laurendeau indicates that he is most concerned with the remnants of the metal rail that are left on the stairs, and any potential for broken glass, broken windows. It is imperative that the Estate provides a remedy to these issues. He asks Administration to provide their immediate safety concerns in this matter.

J. McGuire responds that the remnant of the former handrail needs to be resolved.

The Chair wants to ensure that the nub on the front steps is dealt with immediately, and if not, then the Order would stand and continue to the next step.

The Chair asks if the sale of the property goes through and the Order is quashed, it would then be reaffirmed with L. Vaupotic as the new owner.

B. Calleja responds that the Order would have to be quashed and H. Tascona would have to provide confirmation that the Estate has agreed upon the sale to J. McGuire.

The Chair asks H. Tascona to provide a date when the sale will actually occur.

H. Tascona responds that the decision from the Committee of Adjustment will be received on July 21, 2022. The actual sale or transfer of the property as part of the settlement will occur on August 15, 2022.

B. Calleja advises if the sale does not occur, the Committee will be agreeing on a date where Administration will continue their enforcement potentially as the Order stands.

Moved by Councillor Sleiman, seconded by D. Laurendeau,
That the the safety risks and hazards at 575 Riverside Drive East including the metal on the hand railing on the front steps (Defect 1.10) and the broken and missing windows on the front door (Defect 3.4) **BE CONFIRMED** before July 1, 2022 and for Administration to **STAND DOWN** until the sale of the property is confirmed to August 20, 2022.

Carried.

6. Adjournment

There being no further business, the meeting is adjourned at 5:04 o'clock p.m.

CHAIR

COMMITTEE COORDINATOR



575 RIVERSIDE DR E – OTR 22-120998

Building By-law Officer: Jay McGuire

Inspection Completed: April 20, 2022

OTR Issued: April 20, 2022

Follow Up Inspection: June 13, 2022

Property Standards Committee Meeting: June 14, 2022

SUMMARY OF EVENTS

April 20, 2022 – Site inspection at 9:15 AM.

Attended property to complete follow up inspection in continued effort to gain compliance at historically problematic property. Observed the multi-unit residential building continues to present as vacant and derelict / neglected for a period of more than 120 days.

I observed the following property standard defects pursuant to By-Law 9-2019:

Sections 1.6 & 1.7

1. Defective concrete block / missing mortar at foundations walls of main building and exterior walls of accessory structure.
2. Defective / missing siding at main building and accessory structure

Sections 1.8 & 3.4

1. Several windows and exterior doors beyond life span and in need of repair / replacement.
2. Defective overhead door to accessory structure.

Sections 1.9, 1.10, 1.11, 1.12

1. Missing handrail at front and rear doors
2. Missing rear exterior stairs; rear 2nd floor deck / balcony / canopy poorly repaired containing defective / deteriorated materials. Permit with engineer's report / scope of work required for required repairs / replacement.

Section 1.14

1. Defective asphalt roof, soffits and fascia.

Sections 1.15 & 1.32

1. Missing / defective / deteriorated eaves troughs and down spouts throughout.

Order to Repair issued and sent registered mail same day as inspection with compliance date of **May 20, 2022**.



1. Rear accessory structure.



2. Rear accessory structure.



3. Front of building (North elevation).



4. Rear of building (South elevation).



5. Side of building (East elevation).



6. Side of building (West elevation).



7. Roof line close up at side of building (West elevation).



8. Side of building (West elevation).



9. Foundation wall close up at side of building (West elevation).

CURRENT COMPLIANCE STATUS

Follow up inspection complete June 13, 2022. Status of defects:

Sections 1.6 & 1.7

1. Defective concrete block / missing mortar at foundations walls of main building and exterior walls of accessory structure. **NO ACTION TAKEN – NOT IN COMPLIANCE.**
2. Defective missing siding at main building and accessory structure. **NO ACTION TAKEN – NOT IN COMPLIANCE.**

Sections 1.8 & 3.4

1. Several windows and exterior doors beyond life span and in need of repair / replacement. **NO ACTION TAKEN – NOT IN COMPLIANCE.**
2. Defective overhead door to accessory structure. **NO ACTION TAKEN – NOT IN COMPLIANCE.**

Sections 1.9, 1.10, 1.11, 1.12

1. Missing handrail at front and rear doors. **NO ACTION TAKEN – NOT IN COMPLIANCE.**
2. Missing rear exterior stairs; rear 2nd floor deck / balcony / canopy poorly repaired containing defective / deteriorated materials. Permit with engineer's report / scope of work required for required repairs / replacement. **NO ACTION TAKEN; NO RECORD OF PERMIT APPLICATION IN CLOUDPERMIT OR AMANDA – NOT IN COMPLIANCE.**

Section 1.14

1. Defective asphalt roof, soffits and fascia. **NO ACTION TAKEN – NOT IN COMPLIANCE.**

Sections 1.15 & 1.32

1. Missing / defective / deteriorated eaves troughs and down spouts throughout. **NO ACTION TAKEN – NOT IN COMPLIANCE.**

Item No. 8.14



Committee Matters: SCM 264/2022

Subject: Minutes of the meeting of the International Relations Committee held June 23, 2022

Moved by: Councillor Morrison

Seconded by: Councillor Gill

Decision Number: **DHSC 429**

THAT the minutes of the International Relations Committee of its meeting held June 23, 2022 **BE RECEIVED**.

Carried.

Report Number: SCM 245/2022

Clerk's File: MB2022

Clerk's Note:

1. The recommendation of the Advisory Committee and Standing Committee are the same.
2. Please refer to Item 12.2. from the Development & Heritage Standing Committee Meeting held on September 12, 2022.
3. To view the stream of this Standing Committee meeting, please refer to:
<http://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20220913/-1/7356>



Committee Matters: SCM 245/2022

**Subject: Minutes of the meeting of the International Relations Committee held
June 23, 2022**

International Relations Committee

Meeting held June 23, 2022

A meeting of the International Relations Committee is held this day commencing at 3:30 o'clock p.m. via Zoom video conference, there being present the following members:

Councillor Fred Francis, Chair
Councillor Gary Kaschak
Councillor Ed Sleiman
Daniel Ableser
Jerry Barycki
Scott Despins
William Ma

Regrets received from:

Councillor Fabio Costante
L.T. Zhao

Guests in attendance:

Dr. Fazle Baki, Dr. Fouzia Baki, and Rabiul Biplob regarding *Item 4.0*

Also present are the following resource personnel:

Sandra Gebauer, Council Assistant
Karen Kadour, Committee Coordinator

1. Call to Order

The Chair calls the meeting to order at 3:30 o'clock p.m. and the Committee considers the Agenda being Schedule A attached hereto, matters which are dealt with as follows:

2. Declaration of Conflict

None disclosed.

3. Minutes

Moved by Councillor Sleiman, seconded by S. Despins,
That the minutes of the International Relations Committee of its meeting held
March 31, 2022 **BE ADOPTED** as presented.
Carried.

4. Presentation – Bangladesh-Canada Association Windsor-Essex – International Mother Language Plaza

Dr. Fazle Baki and Rabiul Biplob provide a Presentation entitled “International
Mother Language Plaza (Martyr’s Monument)”, **attached** as Appendix A as follows:

- International Mother Language Day is a worldwide annual observance held on February 21 of each year to promote an awareness of linguistic, cultural diversity and multilingualism.
- On this day, millions of people pay homage to the language martyrs who sacrificed their lives in the fight to retain their mother language.
- UNESCO honoured this date to acknowledge to the world that we will never forget this date to acknowledge to the world that we will never forget the sacrifices made for language rights.
- The Bangladesh-Canada Association Windsor-Essex’s vision was to have the martyrs’ monument standing in the heart of the Windsor city to show solidarity and compassion towards Windsorites.
- City Council at its meeting held May 4, 2020 approved the “Martyrs’ Monument” subject to the acquisition of full funding for the monument.
- An estimate from an engineer quoted approximately \$100,000 and recently a quote was received from a builder in the amount of \$98,300 plus HST.
- If they are able to raise these funds, they are targeting 2023 for the construction.
- At this time, they have raised \$30,000 in cash donations and \$48,000 in pledges.
- The total budget required for the project is \$130,000.
- Advises that the International Mother Language Project will be erected in Jackson Park.

In response to a question asked by J. Barycki regarding the number of Bangladesh people who reside in the city, Dr. Baki responds there are between one thousand and two thousand residents living in Windsor and Essex County.

The Chair thanks Dr. Baki and Rabiul Biplob for their presentation.

Councillor Kaschak asks Administration to provide information relating to the City’s contribution for the Bangladesh Peace Clock at Ouellette and Wyandotte.

The Chair asks regarding the Peace Clock, if the city provided donations, matching funds or were there private donations from their community

D. Ablesser asks if there is any history of the International Relations Committee providing grants for community based projects.

J. Barycki responds that he does not recall that grants for community based projects were provided in the past. He asks what is the policy going forward for community requests.

S. Gebauer responds that in speaking with James Chacko, Executive Director Parks and Facilities that the city did not contribute any funds towards the Bangladesh Peace Clock. The City did provide repairs to the boulevard where the clock is located currently and approximately four years ago, did contribute funds to add language on the north facing side of the clock.

In response to a question asked by the Chair regarding if this matter is outside the mandate of the Committee, S. Gebauer responds that Bangladesh is not a twin city, but is an international country.

Moved by Councillor Kaschak, seconded by Councillor Sleiman,
That the request of the Bangladesh-Canada Windsor-Essex for funding for the International Mother Language Plaza (Martyr's Monument) **BE DEFERRED** to allow for Administration to provide best practices and additional information for the next meeting of the IRC.

Carried.

5.2 Invitation for a Delegation from the City of Windsor to visit Fujisawa, Japan – 35th Anniversary as a Twin City

The Chair states that there is a request for a delegation of five persons from Fujisawa, Japan to visit the City of Windsor from October 29, 2022 to November 2, 2022 for three nights.

Moved by J. Barycki, seconded by W. Ma,
That the Mayor's Office **BE REQUESTED** to send a letter of invitation for five delegations from Fujisawa, Japan to visit the City of Windsor from October 29, 2022 to November 2, 2022 for three nights.

Carried.

The Chair advises that an invitation for a delegation to visit Fujisawa, Japan before February 2023 has been extended to the City of Windsor. He suggests that the newly appointed IRC Committee review this request.

Moved by Councillor Sleiman, seconded by Councillor Kaschak,
That the invitation from Fujisawa, Japan for a delegation of five from the City of Windsor to visit Fujisawa by the end of February 2023 **BE DEFERRED** until after the Municipal Election.
Carried.

5.3 Fujisawa Misono High School Girls Exchange Group

S. Gebauer states that the Misono High School girls will be visiting the City of Windsor for two weeks (from the end of July to August 2, 2022). She adds that the itinerary shows that they will visit Windsor City Hall on July 26, 2022 which will be confirmed by the local organizers. She notes that in the past, passes for Adventure Bay were provided to the students.

The Chair notes that once further information is received, an E-Mail Poll will be sent to the IRC members for approval of expenditures.

5.4 Children's Art Exhibition

S. Gebauer indicates that requests for the Children's Art Exhibition have been received from Gunsan, Korea, Changchun, China and Fujisawa, Japan and are asking if the exhibition will be held in 2022 (virtual or in-person).

The Chair suggests holding the Children's Art Exhibition in person, whereby the countries mail their art submissions to the City of Windsor for display.

Moved by D. Ableser, seconded by S. Despins,
That the Children's Art Exhibition for 2022 **BE HELD** in person at Windsor City Hall, to coincide with the Fujisawa delegation visit in October 2022.
Carried.

6. Communications

Moved by Councillor Sleiman, seconded by W. Ma,
That the following communications **BE RECEIVED**:

- 6.1 Mannheim Summer Camp for young gardeners and other young people from our Twin Cities
- 6.2 International Work camp Mannheim Garden of Twin Cities
- 6.3 City of Mannheim invitation to participate in a twin city film project. Letter to Mayor Dilkens regarding the making of a short film in which the heads of our twin towns and Mayor Dr. Kurz have their say.
- 6.4 Polish Heritage Month – May 1, 2022 to May 28, 2022

- 6.5 International Relations Committee sending \$5K to Polish twin city- Windsor Star article.
- 6.6 Letter from the Tigray Community of Windsor and Essex County to the Mayor and Members of Council.

Carried.

7. New Business

None.

8. Date of Next Meeting

The next meeting will be held in September 2022.

9. Adjournment

There being no further business, the meeting is adjourned at 4:09 o'clock p.m.

CHAIR

COMMITTEE COORDINATOR



Project:

**International
Mother
Language
Plaza
(Martyr's
Monument)**



Let the DREAM

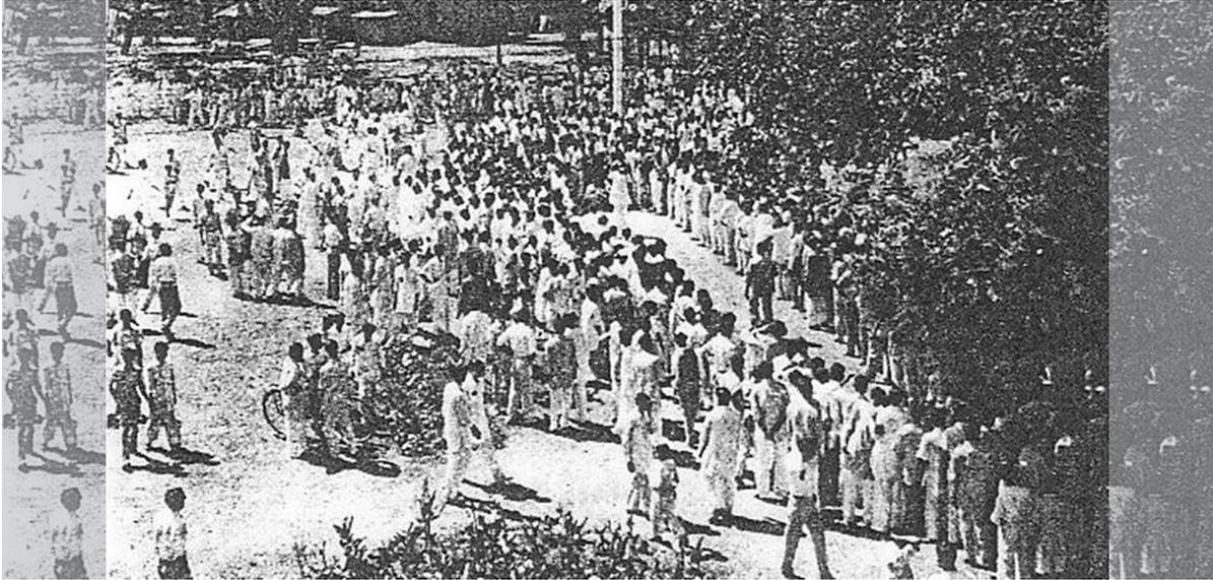
.....come true

BCAWE's long time vision was to have the martyrs' monument standing in the heart of the Windsor city to show solidarity and compassion towards windsorites. We are glad that the structural design of the martyrs' monument has already been done. The location will be negotiated with the City of Windsor. Now we are raising fund to make the dream come true. We are now just one step behind to make this project real.

In recognition of the glorious history of the language movement held in Bangladesh the **"City of Windsor"**

APPROVED us to erect a martyrs' monument. Decision no: CR193/2020

February 21, 1952



Celebration in Bangladesh



USA



UK

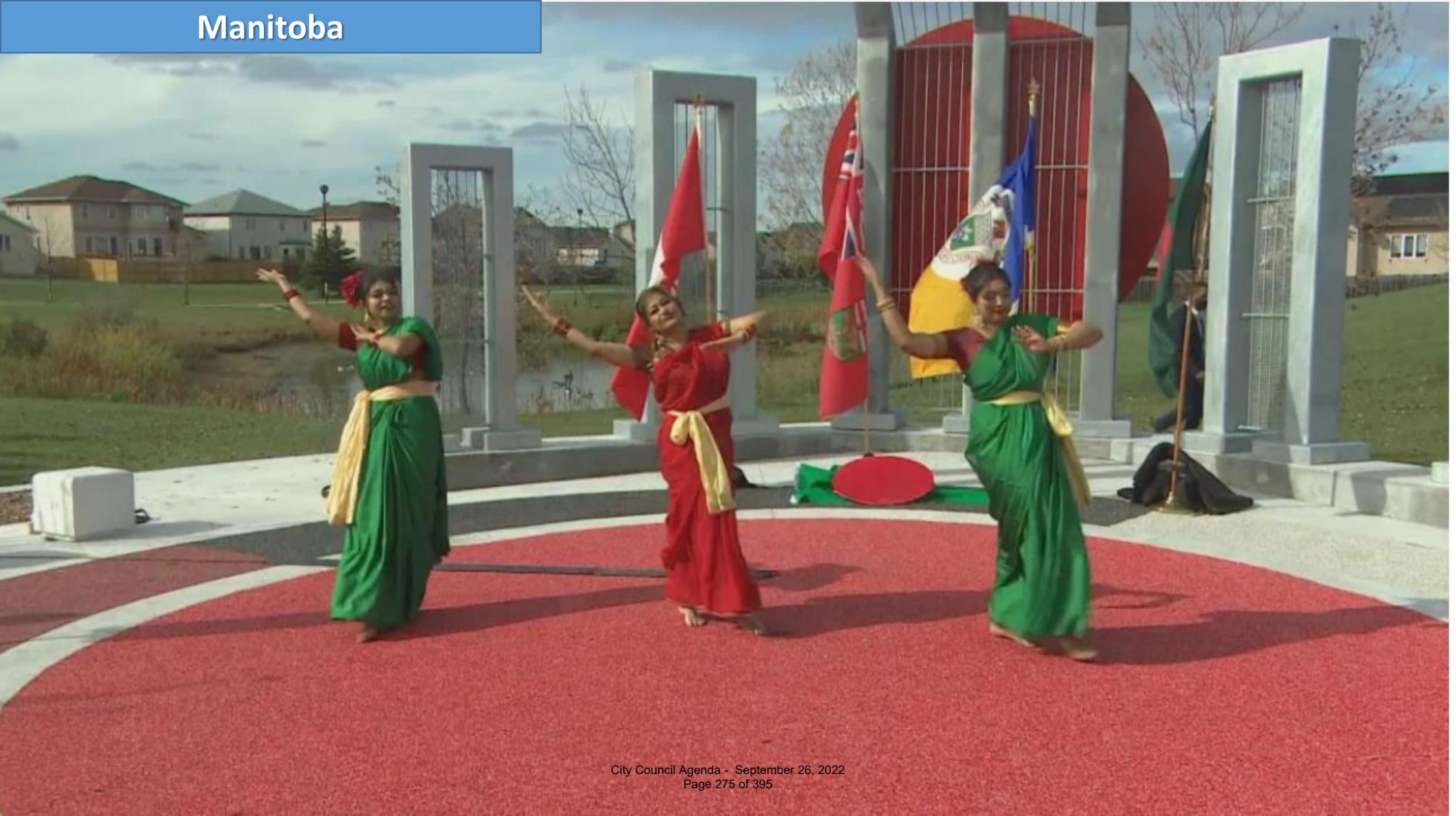


New Zealand



China







February 21st

Celebrating Linguistic Diversity
International Mother Language Day



Raising Bangladesh Flag on Victory Day and International Mother Language Day

Celebration in Windsor 2019



Celebration in Windsor 2020







Charity @ BCAWE

\$1,000 for Mosque

\$500 for Downtown Mission

\$500 for Unemployment Help Centre and

12 boxes of food in December 2020

\$475 for Downtown Mission

3 boxes of food and

21 bags of clothes in December 2021

\$2,500 for cultural artists from ACHF grants in 2020 & 2021

\$1,065 for Mosque from community Iftar in April 2022

\$19,700 for Shahid Minar from donors till May 31, 2022

\$4,700 for Shahid Minar from Boishakhi in May, 2022

Discounted tickets for students, seniors and people in distress

Free Bangla language class for elementary school children



Bangladesh-Canada Association, Windsor-Essex


CITY HALL
WINDSOR, ONTARIO
N9A 6S1

OFFICE OF THE CITY CLERK
COUNCIL SERVICES

Phone: (519)255-6211
Fax: (519)255-6868
E-mail: clerks@citywindsor.ca
WEBSITE: www.citywindsor.ca

City Council
Decision
Monday, May 4, 2020

Moved by: Councillor Sleiman
Seconded by: Councillor Kaschak

Decision Number: CR193/2020 CSPA 108

That Report No. 22 of the Community Public Art Advisory Committee indicating:
That the request by the Bangladesh Canada Association of Windsor-Essex to erect a "Martyrs Monument" whose significance carries the glorious history of the language movement held in Bangladesh in 1952 where people sacrificed their lives to keep their mother tongue BE APPROVED subject to the acquisition of full funding for the monument by the applicant and further, that Administration will work with the applicant to locate a suitable location for the monument
BE APPROVED.

Carried.

Report Number: SCM 89/2020 & SCM 25/2020
Clerk's File: MB2020 8.16

Steve Vlachodimos
Deputy City Clerk/Senior Manager of Council Services
May 26, 2020



Bangladesh-Canada Association, Windsor-Essex

BANGLADESH-CANADA ASSOCIATION, WINDSOR-ESSEX INTERNATIONAL MOTHER LANGUAGE PLAZA FUND



Benefits of the International Mother Language Plaza Project

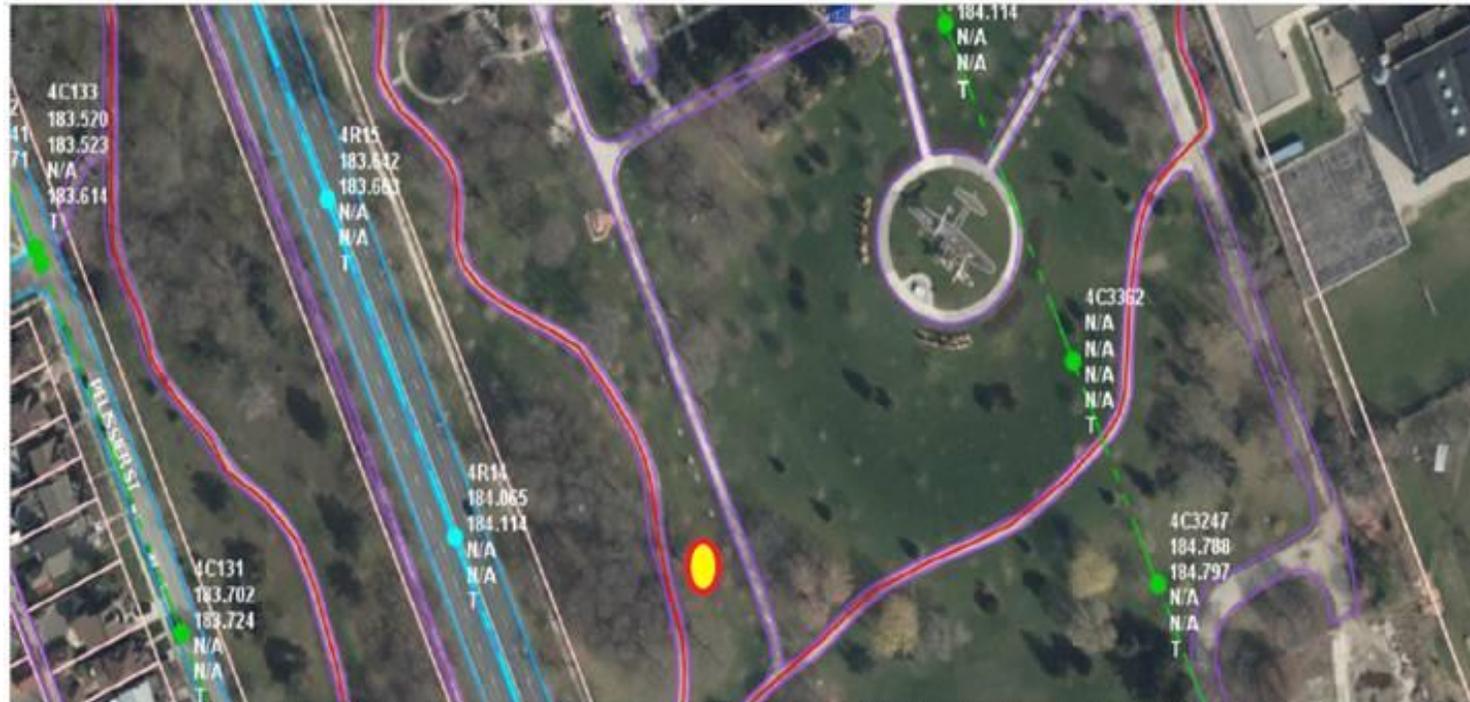
Build	Build space where professional artists can present language and culture of diverse nations on the International Mother Language Day, February 21 in a befitting manner
Create	Create a diverse environment where people meet, show respect for the language martyrs, reflect on sacrifices of the martyrs, and celebrate diversity in a befitting manner
Participate	Participate in the worldwide movement on diversity and show solidarity with the people whose mother tongues and cultures have been attacked and destroyed
Preserve	Preserve the history of the language movement
Give	Give all people of Windsor, including the international students of Bangladeshi descent an opportunity to pay their humble respects to the language martyrs.
Improve	Improve park infrastructure to attract people and tourists

Budget Details

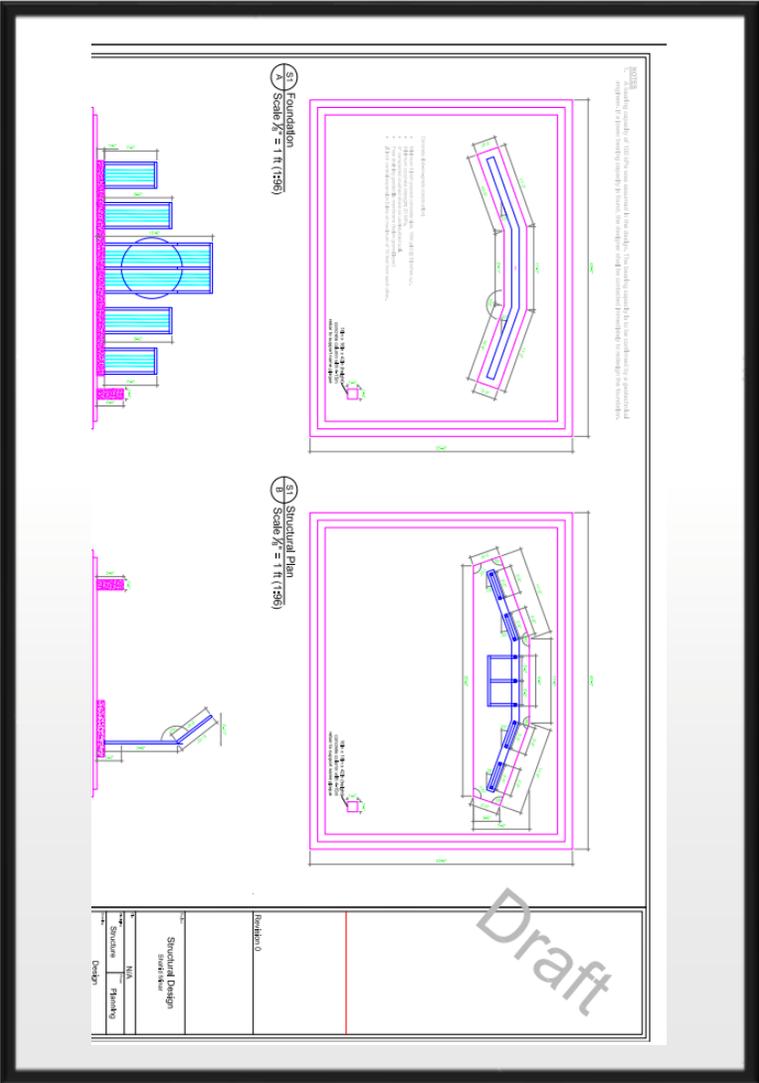
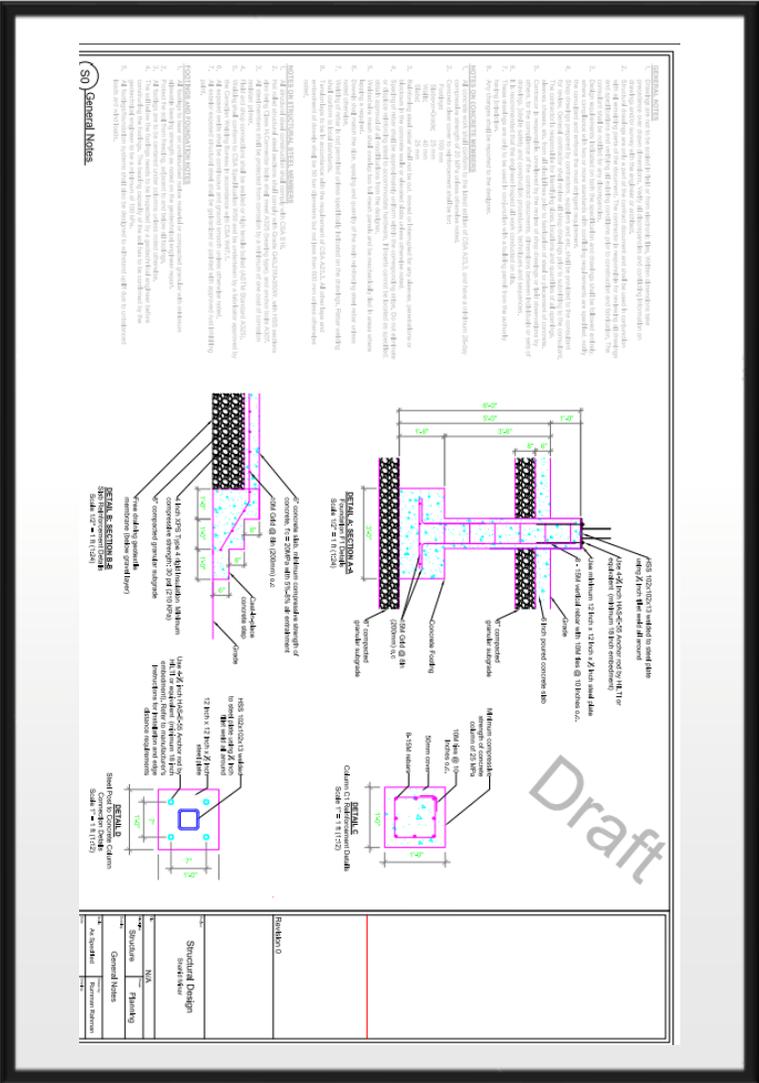
Item Description	Estimated cost
Earthwork (including equipment and Labour)	12,000.00
Concrete Works, (including formworks, rebar, fabrication, materials, labour, pouring, 12 mm grouting and finishing at site)	18,000.00
Steel Works (including materials, labour, fabrication, welding, epoxy coating, installation at site etc.)	15,000.00
Electrical Works	12,000.00
Labour, operator & Equipment rental 40%	20,000.00
HST	10,000.00
Developer Profit Margin	13,000.00
Total Estimated cost	100,000.00

Projected Location 55ft Wide x 45ft Depth

Jackson Park



Quote from Homes By Artisan for \$98,300 + HST



June 19, 2022

To
Bangladesh Canada Association, Windsor Essex (BACWE)
3819 Inglewood Avenue, Windsor, Ontario, N9E 4P4

Service Address
International Mother Language Plaza
Jackson Park, Windsor

Quotation to build approximately 1575 (35ft x 45ft) square ft International Mother Lang based on plans approved by customer (Schedule "A").

- Construction of the site based on the approved design by customer (see Schedule A).
- Site dimensions are considered 35ft x 45ft for this quote
- Min 20 MPa 6" pour concrete with granular base of 0-3/4" clear stone
- Hollow Stainless-Steel plate welded as per design
- Two Podium 12"x12"x48" brick column with 36"x36" concrete slab

Price: \$98,300.00 + HST

Additional Note:
Any additional work and costs that exceed the agreed upon total price, must be authorized and contractor prior to further commencement.
All excavated material shall be stockpiled on site and are too used for back fill. Excess be disposed by Contractor.
This proposal is provided based on current material and labour costs.
A delay in acceptance of more than 45 days will require a review of the proposal before agreement becomes binding.
This quote has been prepared in a professional manner. Any further questions or concerns free to address me.

Respectfully,

Mamun Chowdury

Homes By Artisan
Tel 519 566 7944 1035 Eastbourne Avenue, LaSalle, ON, N9H 1B6 HST 799

As per a detailed structural design

Project Milestones

City of Windsor project Approved Q2 2020



**Q3-Q4
2020**

Fund commitment- Pledge
in process
Building plan preparation



**Q1-Q3
2021**

Structural design
Cost estimation



**Q4
2021**

*Fund commitment pledge
finalized
Expected Project Location
confirmation from City*



**Q1-Q3
2022**

City Approval for building
permit
Fund realization
Negotiate with Builder



**Q3-Q4
2022**

Construction start
Finishing touches before
final opening



**Q1
2023**

*Final
Launch*



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

Trek Kusmierczyk

Member of Parliament
Windsor—Tecumseh

This project honors diversity and demonstrates a commitment to be inclusive by inviting all communities including our Indigenous communities, to share in it.



THE CITY OF WINDSOR

OFFICE OF THE MAYOR

DREW DILKENS, DBA
MAYOR

This application is a perfect example of a project that unites art, expression, culture, and history under the umbrella of a remarkable Windsor based organization.

Under the mantra, "All language should survive", the BCAWE organizes an International Mother Language Day event to promote awareness of linguistic and cultural diversity and multilingualism.



Office of the Dean

401 Sunset Ave.
Windsor, Ontario
Canada N9B 3P4
T 519-253-3000



BCAWE organized IMLF in 2019, 2020, and 2022.

The Odette School of Business has sponsored the festival every year.

Odette students from many different countries and cultures have attended these events, including several who have also actively participated in the cultural presentations.

In 2022, our students carried flags of 16 countries representing the backgrounds of the festival attendees.



University
of Windsor

**Aboriginal
Education Centre**



South Asian Centre of Windsor

4045- B Seminole St. Windsor, ON N8Y 4W4

Tel: (519) 252-7447 www.southasiancentre.ca

Registered Charity Organization Serving the South Asian Canadian Community in Windsor Essex

CRA Bus.# 132414210RR0001

Letters of
Support



Chinese Association of Greater Windsor

大温莎中国人协会 (www.cagw.ca)

2395 Virginia Park Ave, Windsor, Ontario, Canada, N9E 4Z4. Phone: (519) 817-8168, Email: board@cagw.ca

**INDIA CANADA ASSOCIATION OF
WINDSOR & ESSEX COUNTY**

PO Box 31059(Roseland), 3850 Dougal Ave. Windsor, ON N9G 2Y2

Email: icawindsorpresident@gmail.com



- Thanks Councillor Fabio Costante for \$1,000 from his Ward 2 Fund



Internaional Mother Language Plaza

\$30,000 Cash

\$48,000 Pledge

Raised as of June 14, 2022



**An Inclusive Project
of BCAWE**



Internaional Mother Language Plaza

Proposed Budget As of June, 2022

Estimated Cost	\$100,000
Fees and taxes	\$ 30,000
Total	\$130,000

Fund-Raising Target	
Community Sources	\$50,000
Non-Government Grants	\$30,000
City, Provincial and Federal Grants	\$50,000
Total	\$130,000



An Inclusive Project
of BCAWE

Contribution

To make the dream come true, we need at least 100K CAD. To build the martyrs' monument, your moral and financial support will make a difference.

Please make your DONATION.

Banking Information

Make your contribution payable to the account: Bangladesh-Canada Association, Windsor-Essex.
Bank of Montreal (BMO), Windsor.

e-Transfer: bcawelm@gmail.com

WindsorEssex Community Foundation

Tax receipts will be available for donations at wecf.ca
Choose Bangladesh-Canada Association, Windsor-Essex
International Mother Language Plaza Fund





Subject: Power Advisory Energy Report - Options for the City of Windsor - City Wide

Reference:

Date to Council: September 26, 2022

Author: Jelena Payne

Commissioner, Economic Development & Innovation

519-255-6100 ext 6423

jpayne@citywindsor.ca

Co-author

Sandra Bradt

Executive Initiatives Coordinator

519-255-6100 ext. 6416

sbradt@citywindsor.ca

Administration

Report Date: September 9, 2022

Clerk's File #: MD/14028

To: Mayor and Members of City Council

Recommendation:

- I. **THAT** the report from the Commissioner of Economic Development and Innovation **BE RECEIVED** for information; and,
- II. **THAT** City Council **SUPPORT IN PRINCIPLE** the five proposed electricity transmission infrastructure projects West of London, as recommended by the Independent Electricity System Operator (IESO), and the measures to ensure their rapid completion announced by the Province of Ontario; and,
- III. **THAT** City Council **ADVOCATE** for the Province of Ontario to pursue energy efficiency and green energy alternatives, while maintaining the existing energy generation initiatives until such time as affordable, sufficient and sustainable alternatives are in place; and further, to help alleviate regional electricity supply constraints prior to the completion of new electricity transmission infrastructure in 2030; and,
- IV. **THAT** City Council **SUPPORT** Independent Electricity System Operator (IESO) efforts to immediately re-contract the Brighton Beach Generating Station to supply power for local job creation and economic expansion in Windsor-Essex; and,

- V. **THAT** City Council **ADVOCATE** for the Province of Ontario to investigate near-term firm electricity imports from the State of Michigan via the Windsor-Detroit Energy Intertie; and,
- VI. **THAT** City Council **SUPPORT IN PRINCIPLE** the City of Windsor as a host for future projects that will enhance the energy supply, subject to approval through the appropriate federal, provincial and Council processes; and,
- VII. **THAT** Administration **BE AUTHORIZED** to participate in, and provide comment to, any public consultations regarding energy supply and development to convey the interests of the Corporation of the City of Windsor; and,
- VIII. **THAT** City Council **REQUEST** that the Board of Directors, Invest WindsorEssex engage their resources, from a regional representation and advocacy perspective, to track efforts and vigorously advocate on behalf of the region for short, medium and long term solutions for adequate and sustainable energy solutions to support economic investments and growth; and,
- IX. **THAT** City Council **DIRECT** Administration to facilitate a presentation by Power Advisory to Essex County Council at their earliest opportunity; and further, pursuant to approval of the Recommendations noted above; and further,
- X. **THAT** City Council **REQUEST** that Essex County Council pass a resolution endorsing the Recommendations of Windsor City Council to ensure a consistent approach to this regional issue.

Executive Summary:

N/A.

Background:

Strong economic development and electrification of transportation are significantly impacting Ontario's electricity system, driving up demand and increasing regional needs. Upcoming retirements and refurbishments in nuclear supply, along with many expiring generation contracts, are also contributing to growing electricity requirements across the province. Significant load growth regionally has strained the existing transmission infrastructure. In particular, agricultural load growth from greenhouses in the Leamington and Kingsville region resulted in the Independent Electricity System Operator (IESO) issuing a letter in January 2019 to Hydro One to develop a new double 230 kV transmission circuit from the Chatham Station to a new Lakeshore Station to meet the rapid demand growth. In addition, in 2021 the Ontario Minister of Energy directed IESO to re-contract with Atura Power for the Brighton Beach Generating Station.

On March 23, 2022, LG Energy Solutions and Stellantis announced their plans to establish a joint venture, now called NextStar Energy, to produce lithium-ion batteries in Windsor.

Subsequent to that announcement, the region received, and continues to receive, inquiries from companies and organizations seeking to establish themselves in close proximity to the battery facility. The requirements for power by announced and anticipated investments are substantial.

In May 2022, media outlets reported that a potential investment by LG Chemical was at risk due to insufficient electricity grid infrastructure. The proposed LG Chem opportunity was anticipated to add another 1,000 to 1,500 jobs in the region. To date the company reports it is still evaluating potential sites and no decision has been made.

Despite direction from IESO to increase supply, and the provincial announcement to pursue new electricity transmission infrastructure projects in southwestern Ontario, and measures to expedite the timelines for the projects to become operational, Administration considered it prudent to investigate electricity capacity and constraints impacting investments and economic development in the City of Windsor and surrounding areas. Accordingly, pursuant to Purchasing By-law 93-2012 (CAOP 74-2022), Administration secured Power Advisory LLC to undertake a study and recommend actions to alleviate potential electricity supply and transmission challenges. Power Advisory sought comment from the Ministry of Energy, IESO, Hydro One, Enwin and Essex Powerlines in the preparation of their report, attached as Appendix A.

Discussion:

The Windsor Works economic development strategy approved by City Council in February 2021 (CR69/2021) notes the opportunity for the city to position itself favourably to support the electric and autonomous vehicle industry.

The Infrastructure pillar of the L.I.F.T strategy recommends that Windsor “*demonstrate its readiness to be a site where new low-emission vehicles are used as well as made*”, and the Future Economy pillar recommends that the city “*establish Canada’s first ramp up factory for electric and autonomous vehicles and work with the Province to prioritize the area for battery production by 2025*”.

While Windsor is the successful location for the NextStar Energy plant, to achieve continued economic development success, it is imperative that NextStar Energy and future developments have confidence in a sufficient and sustainable power supply.

Current power producing resources across Ontario are being retired, discontinued or are undergoing refurbishment. These resources require replacement in order to maintain existing service, which is a separate issue from system growth. As previously identified, system growth is on the horizon, but interim solutions are required to meet demand until those projects are fully operational.

The Independent Electricity System Operator (IESO) is responsible for Ontario-wide power system planning and ensuring the province has sufficient resources to meet its electricity demand. The IESO is responsible for preparing Integrated Regional Resource

Plans (IRRP) for each planning region across Ontario. The IESO's West of London Area consists of the Windsor-Essex Region and the Chatham-Kent-Sarnia Region.

Power Advisory LLC, established in 2007, has monitored the planning activities in the Windsor-Essex and Southwestern Ontario area closely for many years. This consulting firm specializes in electricity markets and bases their advice on an understanding of fundamental economic drivers as shaped by electricity market structures, electricity market design, project development and associated commercial and financing agreements, regulatory frameworks, and market behavior.

In addition to providing information on current and anticipated state of energy resources available to the region as requested, Power Advisory consultants analyzed government, IESO and Ontario Energy Board proposals and policy positions related to electricity supply or transmission capacity impacting Windsor, and crafted a response from the city relative to those policies, proposals and other consultation opportunities for submission.

On April 4, 2022 the provincial government announced a potential \$1 billion investment, directing Hydro One to develop and seek approval for five electricity transmission expansion projects in the West of London Area:

- The Chatham to Lakeshore Line, a 230-kilovolt line from Chatham Switching Station to the new Lakeshore Transformer Station currently under construction.
- The St. Clair Line, a 230-kilovolt line from Lambton Transformer Station, south of Sarnia, to Chatham Switching Station.
- The Longwood to Lakeshore Line, a 500-kilovolt line from Longwood Transformer Station, west of London, to the new Lakeshore Transformer Station.
- A second 500-kilovolt line from Longwood Transformer Station to Lakeshore Transformer Station.
- A 230-kilovolt line that would run from the Windsor area to Lakeshore Transformer station.

Anticipated completion dates for these projects range from 2024 to 2030. Transmission development takes time and involves significant investment and coordination. It is critical that sufficient electricity be available for existing customers and economic expansion initiatives in advance of the announced infrastructure becoming operational.

To address system demands in the interim, City Council is being asked to endorse efforts to re-contract the Brighton Beach Generating Station. IESO has deemed this facility essential for resource security in the region, and in fact the Minister of Energy has directed IESO to enter negotiations with the owner, Atura Power, for continued service. Further, as there are four circuits that connect Ontario and Michigan, Council is encouraged to request that the Province investigate imports from Michigan via the Windsor-Detroit Energy Intertie. The intertie circuit in the Windsor-Essex area joins three other connection points located in the Lambton and Sarnia areas. It is important to note that these areas are also facing capacity pressures.

The Council of the Town of Halton Hills also recently discussed a motion regarding energy requirements and solutions at their meeting of July 4, 2022. A copy of their council resolution is attached as Appendix B.

The solutions as noted above are short-term pending the pursuit of energy conservation and development of green energy alternatives. The IESO continues to explore opportunities towards zero emissions and supports decarbonization in other sectors.

Similarly, City Council has expressed its support for sustainable energy through the adoption of a Community Energy Plan Vision:

The Community Energy Plan aims to create economic advantage, mitigate climate change, and improve energy performance. It strives to position Windsor as an energy centre of excellence that boasts efficient, innovative, and reliable energy systems that contribute to the quality of life of residents and businesses.

The pursuit of green energy is articulated throughout Windsor Works. Further, Council has approved an Environmental Master Plan (2017), Community Energy Plan (2017), Corporate Climate Action Plan (2017) and Climate Change Adaptation Plan (2012).

The recommendations of this report are not suggesting that efforts to achieve clean, sustainable and reliable energy solutions are discounted, but rather that existing energy generation initiatives are maintained in the short term for the economic benefit of the region. Ensuring the Brighton Beach generating station remains operational provides a local energy supply for existing customers, the NextStar Energy plant and expected future electricity needs. As a border community, Windsor has the opportunity to request that the Province explore additional local/regional supply capacity from the United States to meet local electricity needs, similar to how other jurisdictions in Ontario work with Quebec and Manitoba for supply. Acceptance of the recommendations confirms City Council's support for local electrical stability while pursuing its climate change, energy sustainability and efficiency goals.

Next Steps:

IESO acknowledges the role of municipalities in the procurement and development of new generation projects, and encourages the development of local solutions.

Power Advisory recommends City Council actively pursue advocacy and engagement opportunities, leverage its own assets – buildings and land – for electricity resource development, and articulate their support through resolutions. As part of the IESO's ongoing RFP processes, new generation and storage resources will be prioritized if they have secured council support via resolution prior to the proposal submission deadline. As a matter of course, Administration will bring a report for any proposal to City Council for consideration. In advance of any specific proposals coming forward, Administration is recommending City Council articulate their openness to hosting new energy transmission and generation projects to be sited within the City of Windsor.

Municipalities also have authority with respect to the permitting and approvals process of renewable generation. As part of the environmental permitting process, any new generating or storage resource must have planning approval prior to construction. As

IESO's procurement processes unfold, it is anticipated that the volume of inquiries and permit requests will impact the already constrained resources of the City's Planning and Building departments.

City Administration has taken the lead to fully understand the current and future state of energy requirements for the region, working closely with Power Advisory who are actively engaging with the Ministry of Energy, IESO, Hydro One, Enbridge, Enwin, and other market participants.

As experts in the energy industry, Power Advisory LLC has provided the landscape and potential options to Council; however, the need for immediate and sustainable green energy initiatives is a regional issue and ongoing monitoring, advocacy and engagement is imperative.

IESO continues to engage with industry stakeholders, Indigenous communities and municipalities, to create a broader understanding of the needs and options available to meet those needs. IESO has publicly stated that municipal support will be required for any projects to advance through their procurement process.

Power Advisory recommends that the region [City of Windsor, County of Essex and Invest WindsorEssex] actively participate in these engagements to provide insight to economic development and growth opportunities that would impact electricity needs in Windsor and Essex County.

Administration proposes that as the regional economic development agency, Invest WindsorEssex take a lead role and dedicate resources to ensure ongoing advocacy and engagement with IESO, Ministry of Energy, Hydro One, local energy providers and any other relevant organizations. Early and ongoing engagement is critical. InvestWE is often the first point of contact for international investments and local companies seeking to expand, which provides them an early line of sight when it comes to potential investments in the region. Windsor and Essex County must anticipate the needs of companies looking to establish in Windsor-Essex and ensure regional economic development needs are addressed to capitalize on any opportunities for investment and jobs.

While Invest WindsorEssex can represent the region as a whole, each municipality also has a role to play. Councils can proactively consider municipally owned lands, land use planning and zoning by-laws to support energy projects, and pass resolutions in support of specific projects.

City Administration has met with Administrative representatives from the County of Essex to ensure transparency with regard to Power Advisory's recommendations and the proposal to have Invest WindsorEssex represent the region on the critical issue of power supply.

Administration suggests that Power Advisory also present their research and recommendations to Essex County Council, and to further ensure that efforts across all levels in the region are coordinated and strategic, that the County of Essex co-ordinate

with the seven local municipalities to establish a streamlined process to identify similar pro-active steps to respond to energy planning.

Risk Analysis:

Despite the rapid planning activities to supplement the power supply, new transmission lines are not expected to be in-service for a number of years (i.e., 2024, 2028, and 2030+). The timelines required to develop and construct new transmission lines poses a risk to Windsor and surrounding areas as the connection capability for new load customers will be constrained unless alternative bridging solutions can be implemented.

While it is incumbent to pursue these alternatives, there is no guarantee that any will come to fruition in a timely manner.

There is a significant risk that the ability of Windsor and region to secure additional investment opportunities will be hindered without confidence that the electricity supply is robust and sustainable.

These risks are mitigated through maintaining and expanding existing energy production options in the short-term.

Climate Change Risks

Climate Change Mitigation:

The Community Energy Plan's vision and associated strategies were developed to ensure that climate change mitigation efforts complemented economic development initiatives. The NextStar Energy plant is one example of the green energy transition that will support Canada's goal of a net-zero emission 2050.

Increasing natural gas usage for electricity generation in Ontario will affect Community and Corporate emissions inventories across the Province. However, IESO is currently engaging with stakeholders to inform the development of achievable pathways to zero emissions in the electricity sector. IESO is scheduled to report back to the Ministry of Energy in Q4 2022. Administration will continue to review reports of decarbonization from IESO.

Regardless of the Ontario electricity generation mix, the strategies outlined in the Community Energy Plan remain valid and support the principles of energy conservation and renewable energy generation.

Climate Change Adaptation:

The City's 2020 Climate Change Adaptation Plan identifies that an increase in summer temperatures will increase the electricity demand.

Financial Matters:

The cost to secure Power Advisory LLC was \$136,000 excluding HST, which will be charged to the Windsor Works capital project.

Consultations:

Planning Department – Thom Hunt, Neil Robertson

Building Department – Joe Baker

Economic Development – Milan Vujanovic

Finance – Rosa Maria Scalia

Asset Planning and Environmental Sustainability –Sokol Aliko, Karina Richters, Michelle Moxley-Peltier

Infrastructure Services – Stacey McGuire, Shawna Boakes

Invest Windsor-Essex – Stephen MacKenzie

Energy industry organizations consulted by Power Advisory LLC are noted within the body of their report.

Conclusion:

It is imperative that a reliable, sufficient, and affordable supply of power be available across Ontario to support planned and anticipated growth. Although energy capacity and supply is a provincial responsibility that requires provincial leadership, decisions made by upper levels of government have impacts at the municipal level. It is imperative to protect local economic and resident interests to ensure a superior quality of life for all.

The report from Power Advisory outlines steps that the municipality can undertake to explore and facilitate energy capability in the region and provides elected officials, administrative staff and other partners with the information to speak to current and future capacity, and assure businesses that Windsor is an attractive location to invest.

Planning Act Matters:

n/a

Approvals:

Name	Title
Sandra Bradt	Executive Initiatives Coordinator
Jelena Payne	Commissioner, Economic Development and Innovation

Name	Title
Joe Mancina	Commissioner, Corporate Services/Chief Financial Officer
Onorio Colucci	Acting Chief Administrative Officer

Notifications:

Name	Address	Email
Sarah Simmons – Power Advisory LLC		ssimmons@poweradvisoryllc.com
Travis Lusney – Power Advisory LLC		tlusney@poweradvisoryllc.com
Mike Galloway – Chief Administrative Officer County of Essex		MGalloway@countyofessex.ca
Mary Birch – Director of Council and Community Services/Clerk County of Essex		MBirch@countyofessex.ca

Appendices:

- 1 Power Advisory Report to City Council
- 2 Appendix B - Halton Hills Council Resolution 7-4-2022



Electricity Resource Options

Electricity Resource Options

Electricity Resource Options
Electricity Resource Options



Electricity Resource Options

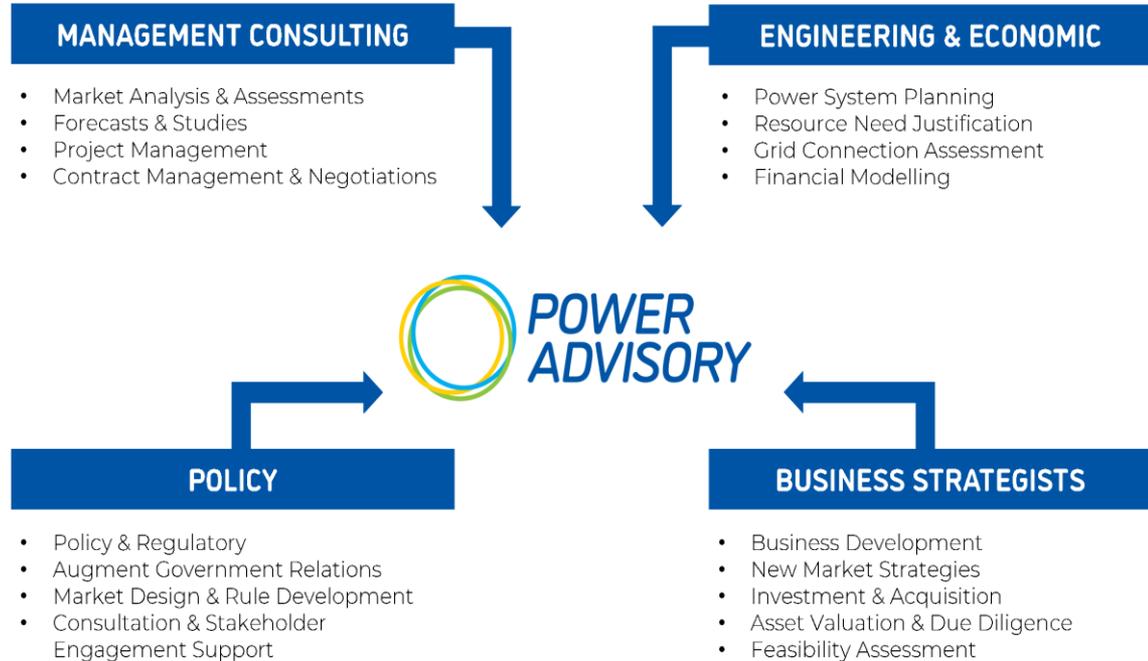
1. Ontario Electricity Supply Outlook
2. Regional Electricity Needs Impacting the City of Windsor
3. Electricity Resource Acquisition
4. Electricity Resource Options
5. Recommendations for the City of Windsor

Appendix A: Overview of Ontario's Electricity Sector and Key Players

Appendix B: List of Acronyms

- Consulting firm specializing in electricity markets – offices in Toronto, Calgary, Boston
- Team of energy economists, financial analysts, power system engineers, policy experts – experience with government agencies, regulators, decision makers
- Clients including distributors, transmitters, generators, regulators, system operators, investors, government
- Deep understanding of electricity markets pertaining to distributors, etc.

<https://www.poweradvisoryllc.com/>



- Power Advisory was retained by the City of Windsor to deliver a report with recommended actions to alleviate electricity supply and transmission constraints impacting investments and economic development in the City of Windsor and surrounding areas
 - The goal is to show how decisions made at the provincial level impact economic growth opportunities for the City and the region, and outline steps that the City can undertake to facilitate energy capability in the region
- This report includes:
 - An overview of Ontario's electricity sector, including province-wide supply and demand outlook
 - A review of the regional electricity planning area impacting transmission capacity to the City of Windsor (and Windsor-Essex Region more broadly)
 - A discussion of the Independent Electricity System Operator's (IESO's) procurement processes for province-wide electricity supply, including implications for the City of Windsor
 - A summary of non-transmission solutions that could be implemented to alleviate near-term transmission constraints
 - Recommendations for the City of Windsor
- While the City of Windsor took the lead to commission this report, the information, commentary and recommendations are also applicable to other municipalities in the Windsor-Essex Region
 - The report further recognizes that electricity planning and resource development outside the City of Windsor's boundary has impacts on customers located within the City's boundaries

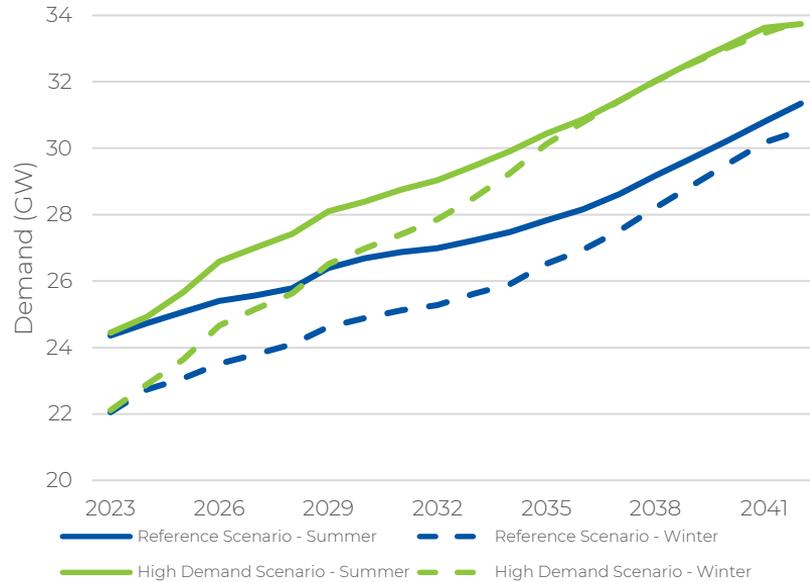
- Ontario's electricity needs are growing due to economic growth and electrification of the economy, including significant growth in the agricultural sector (e.g., greenhouses)
- Ontario has a need for new electricity supply resources due to retirement and refurbishment of nuclear generation, expiring generation contracts, and the transition to a net-zero electricity grid based on Canadian government policy
- Due to the magnitude of forecasted electricity demand in the Windsor-Essex Region, five new transmission projects are proposed (i.e., various stages of development and approval) to ensure the reliability of electricity supply
 - To avoid periods that are challenging to connect new, large-scale customers, local resources or programs are needed to provide flexibly between planned transmission projects
 - Flexibility can be achieved through the deployment of non-wires solutions, such as energy storage, demand response, local generation, etc.
- There is capacity to connect new loads in Windsor-Essex
 - Large loads will require special consideration, not unlike any other areas of the province
 - Where a significant load emerges in the short-term (i.e., prior to the planned transmission reinforcement investments), Hydro One, ENWIN and other Local Distribution Companies should be empowered to develop localized solutions in conjunction with the IESO to expedite/facilitate connection

- Municipalities will play a critical role in the development of local resources (e.g., IESO procurement processes, permitting, etc.)
 - The City of Windsor should be prepared to respond to multiple requests from generators and storage providers (e.g., general development inquires, requests for council support resolutions, permitting applications, etc.)
- The Windsor-Essex region requires a coordinated approach which aligns economic development and electricity resources development to support the growth in electricity demand
 - While multiple transmission projects are planned, transmission development takes time, and therefore the IESO, Hydro One, ENWIN, and others must be engaged to develop intermediate solutions which can be deployed in the near-term
- The City of Windsor should plan to engage actively in IESO regional planning consultations, and particularly provide insight to economic development and growth opportunities that would impact electricity needs in the region

Electricity Resource Options

- This section provides the outlook for Ontario as a whole with respect to electricity demand and supply
- As described in the Appendix, the IESO is responsible for Ontario-wide power system planning (i.e., bulk system), and ensuring Ontario has sufficient resources (e.g., generation, transmission, etc.) to meet Ontario's electricity demand
- The content in this section is primarily drawn from the IESO's [Annual Planning Outlook](#) (APO) and the IESO's [Annual Acquisition Report](#) (AAR)
 - APO provides a 20-year outlook of electricity resources and forecasted electricity demand
 - AAR provides the IESO's near to medium term plans to acquire electricity resources to ensure there is sufficient electricity supply to meet electricity demand
- Power Advisory provides commentary on the magnitude and urgency to acquire new resources to meet province-wide electricity needs

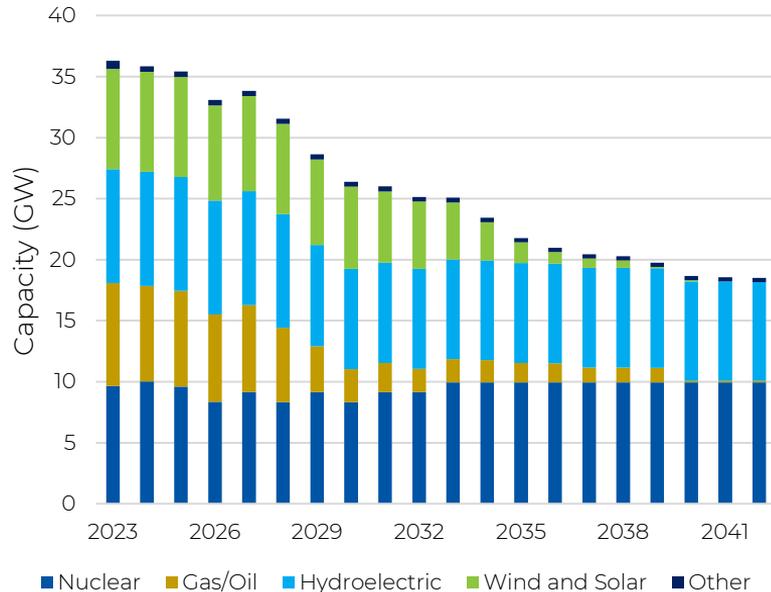
Net Annual Peak Demand



Source: IESO

- Significant growth in electricity demand, at least 2% per year (IESO Reference Scenario)
 - Represents a departure from historic demand patterns which have been relatively flat over the past 5 years
 - Demand growth primarily attributed to agricultural greenhouses, mining expansion, steel producer electrification, electrifying transportation, and continued residential sector growth
- High Demand Scenario represents impact of uncertainties, such as increased electrification driven by government policy, and increased economic activity
- Power Advisory's analysis suggests the IESO's High Demand Scenario may be more probable given policy and industry drivers to achieve net-zero carbon emission goals and electrification

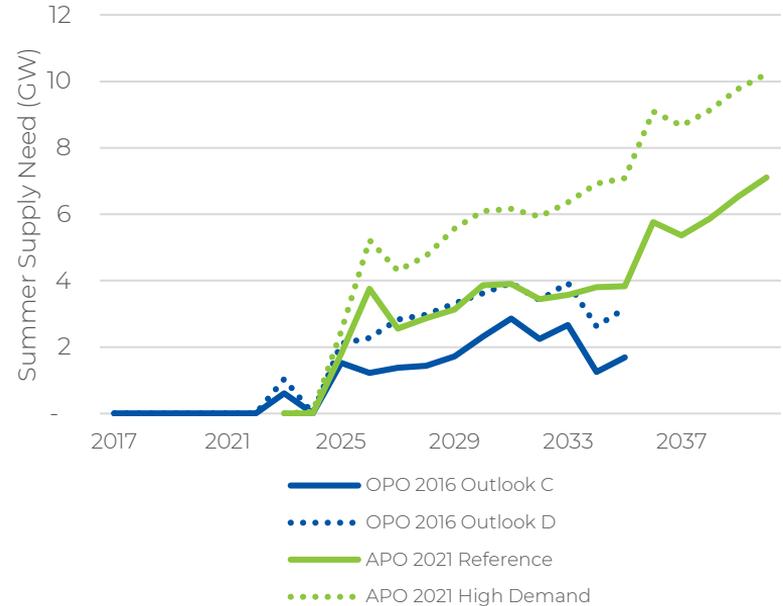
Installed Capacity Without Reacquisition of Supply
Post-Contract Expiry



- Pickering nuclear generation station (NGS) retiring in 2024/2025, Bruce NGS and Darlington NGS undergoing refurbishment in accordance with provincial plans
- Contracts with generators held with the IESO will expire during the outlook period
 - Some existing generation may retire, even those in high-demand areas due to insufficient electricity market prices
 - If generators do not remain in-service after their contracts expire, the effective summer capacity of the supply mix drops from 25 GW in 2023 to 16 GW by 2042
- The IESO has re-contracted Ontario Power Generation’s (OPG’s) Lennox generation facility and is presently negotiating with Atura Power (solely owned by OPG) to re-contract the Brighton Beach generation facility (located in Windsor)
- Additional details on the IESO’s efforts to re-contract existing supply are provided in Section 3

- After years of surplus generation, amount of new supply needed in Ontario is unprecedented
- Immediate need to build, invest in new electricity supply and associated infrastructure (e.g., electricity distribution and transmission)
- Short on time considering development, permitting/approvals, community engagement, supply chain constraints, inflation, etc.
- No single resource-type will provide all reliability attributes and environmental attributes required (i.e., decarbonization goals vs. re-contracting existing gas generation)
- Windsor-Essex regional supply needs are substantial, given demand growth and transmission constraints, as described in Section 2
- Windsor-Essex can expect significant amounts of new resources, including distributed energy resources, to meet supply needs

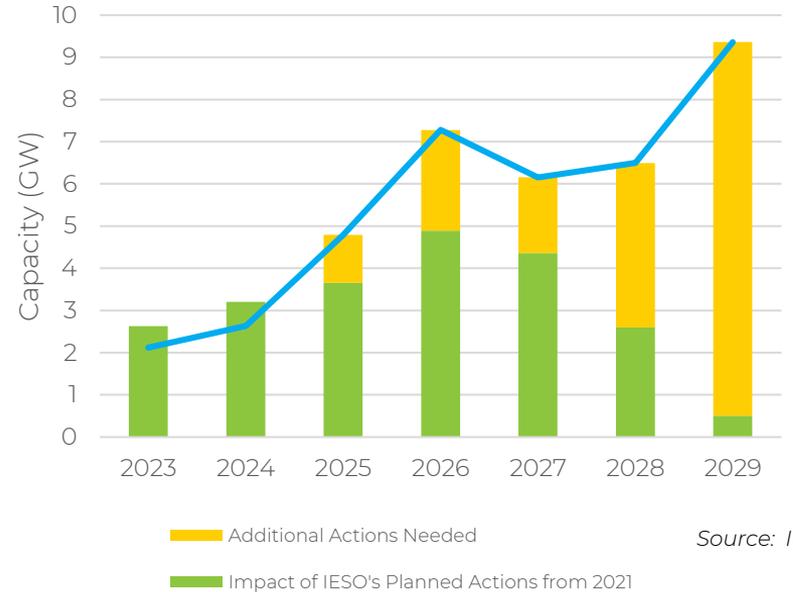
Ontario Supply Need with Continued Operation of Existing Resources, Comparing 2016 & 2021 Projections



Source: IESO

- IESO is under significant pressure to meet supply needs, therefore has launched multiple procurement initiatives (e.g., medium-term, and long-term Request for Proposals (RFPs)), as described in Section 3
- IESO's procurements must overcome several challenges to attract required investment, including
 - Independent Power Producers (IPPs) wary of Ontario market risk (e.g., historical government intervention and contract cancellations, large provincially-owned generator (OPG) with dominant supply position, etc.)
 - Other jurisdictions attracting significant investment by IPPs in competition to Ontario (e.g., decarbonization goals of U.S. markets, etc.)
- IESO's plans show need for additional resource acquisition mechanisms to meet province-wide needs emerging in mid-2020s
 - These needs increase if existing generation retires post expiry of contracts

Impact of 2021 Planned Actions by IESO on Resource Adequacy Needs



Source: IESO

Magnitude of Supply Needs

- Ontario's electricity needs are significant in magnitude and arising in the near term

Limited Resource Options

- Options to meet supply needs are limited, and there are increasing expectations that electricity supply will continue to be low carbon and less or zero emitting

Procurement Risks

- IESO must overcome a number of challenges in upcoming centralized procurements to attract investment, including development risk, supply chain risk, etc.

Decarbonization goals

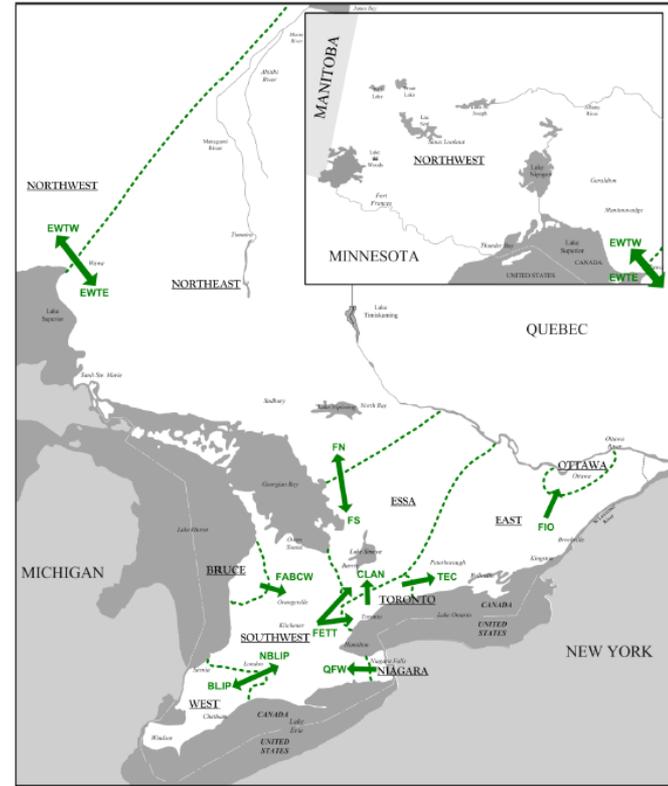
- Types of resources that are attractive in a net-zero economy include storage, renewable generation, hybrid renewable generation co-located with energy storage, programs such as energy efficiency, etc.

Electricity Resource Options

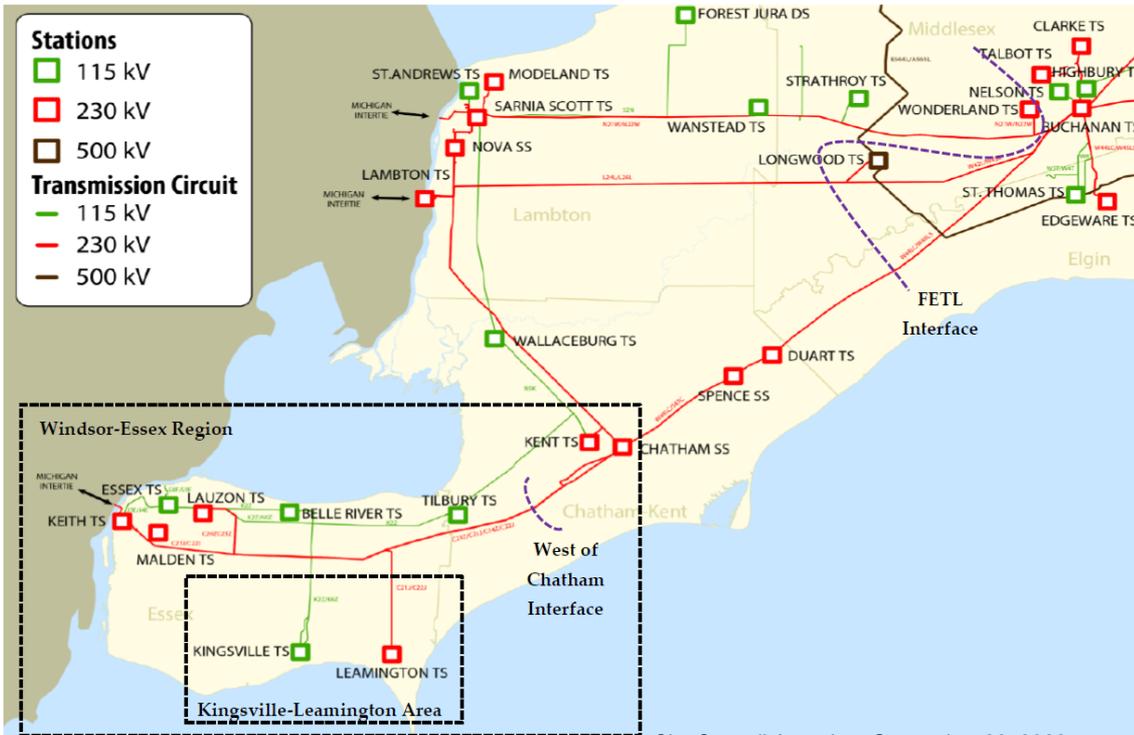
Electricity Resource Options

- This section provides an overview of the electricity needs of the Windsor-Essex Region that are impacting the City of Windsor
- The IESO is responsible for preparing Integrated Regional Resource Plans (IRRPs) for each planning region across Ontario
 - The IESO receives input on regional plans from Hydro One, LDCs (e.g., ENWIN, Essex Powerlines, etc.), and other customer representatives and stakeholders
- Much of the content within this section references the most recent [Windsor-Essex IRRP](#), completed in 2019, as well as bulk system plans prepared by the IESO in 2021 (i.e., [Need for Bulk Transmission Reinforcement in Windsor-Essex Region](#)) and other planning documents (e.g., APO)
- Power Advisory provides commentary on the magnitude of resources needs in the Windsor-Essex region

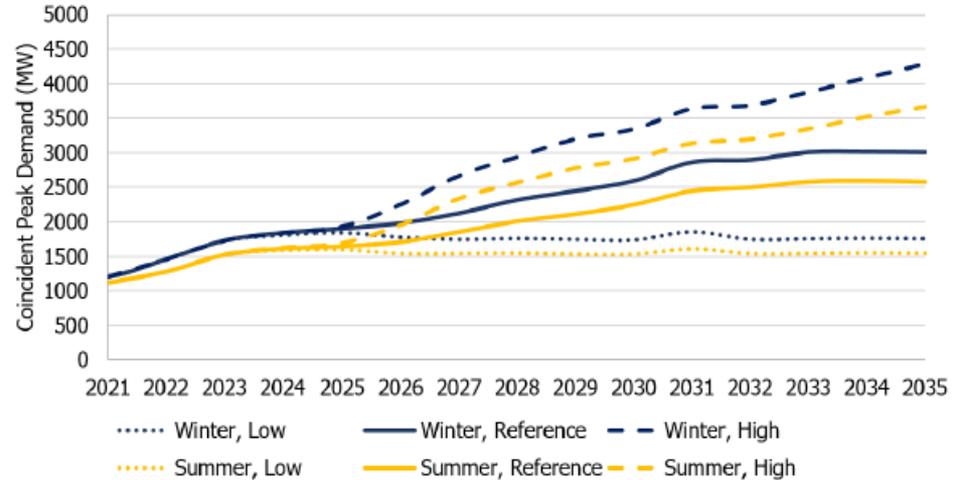
- The IESO-controlled grid (i.e., Ontario's bulk power system) is divided into 10 electrical zones, connections between zones are internal transmission interfaces
 - The map to the right shows the IESO zones and transmission interfaces
 - Some interfaces have unidirectional transfer limits (i.e., they are unconstrained in one direction)
 - Interface limits are used to ensure power system stability, maintain acceptable pre-contingency and post-contingency voltage levels, and acceptable thermal loading limits



Source: IESO



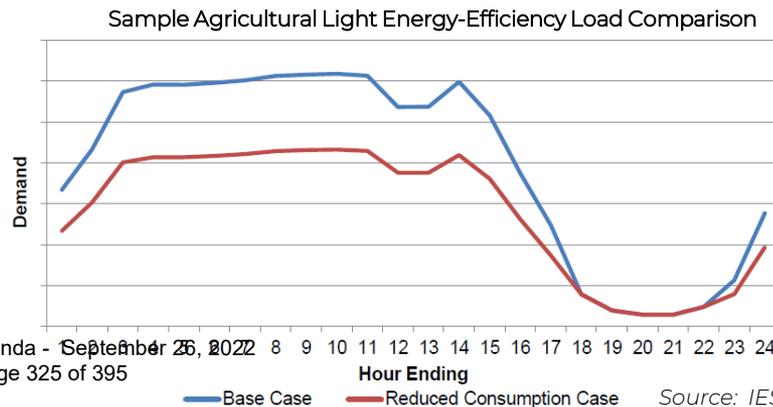
- The West of London area is located in the southwest corner of Ontario and is composed of two regions:
 - Windsor-Essex
 - Chatham-Kent-Sarnia
- Due to significant demand growth, the West of Chatham (WOC) interface is expected to at times be overloaded and must be addressed
- Demand growth expectations for different system planners (i.e., IESO, Hydro One) vary, but all expect large increase of demand in the Windsor-Essex area over the next decade



IESO: Focus Area Demand Outlook

- Significant load growth in the Windsor-Essex focus area from new and forecasted greenhouse customer connections are driving winter peak demand from less than 2 GW in 2025 to over 3 GW by 2035
- Ontario is forecasted to shift from summer peaking to winter peaking, this will impact supply contributions of some resources (e.g., solar generation) which may need to be augmented with other resources (e.g., energy storage)

- Within the focus area, the Kingsville-Leamington Area is the major growth driver, with between 500 MW and 1,500 MW of demand growth expected by 2030
 - Per the IRRP, load growth is primarily driven by agricultural greenhouse investments (IESO expects over two-thirds of Kingsville-Leamington load to come from agricultural customers), with lighting being the key component
- Agricultural investments also require heating with many potential customers exploring cogeneration opportunities depending on electricity prices and economics
 - Uncertainty from cogeneration investment is one of the reasons why load growth forecasts have such a wide range for the Windsor-Essex region – if many new customers adopt cogeneration, grid demand in the region will be lower reducing strain on the transmission system



MW Range	% Probability of Demand Reduction Needed at the given MW Range or Greater											
14-15	0%	3%	0%	0%	0%	0%	0%	0%	0%	0%	0%	1%
12-14	2%	3%	1%	0%	0%	0%	0%	0%	0%	0%	0%	1%
11-12	5%	6%	2%	0%	0%	0%	0%	0%	0%	0%	0%	2%
9-11	7%	12%	2%	0%	0%	0%	0%	0%	0%	0%	0%	2%
8-9	9%	14%	2%	0%	0%	0%	0%	0%	0%	0%	0%	4%
6-8	15%	22%	3%	0%	0%	0%	0%	0%	0%	0%	0%	5%
5-6	21%	26%	4%	0%	0%	0%	0%	0%	0%	0%	0%	8%
3-5	23%	32%	4%	0%	0%	0%	0%	0%	0%	0%	0%	9%
2-3	28%	36%	6%	0%	0%	0%	0%	0%	0%	0%	0%	14%
0-2	35%	40%	8%	0%	0%	0%	0%	0%	0%	0%	0%	17%
Month	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec

Key Statistics	
Forecast Year	2021
Peak Reduction Targeted	15MW
Total Hours Requiring Demand Reduction per Year	95

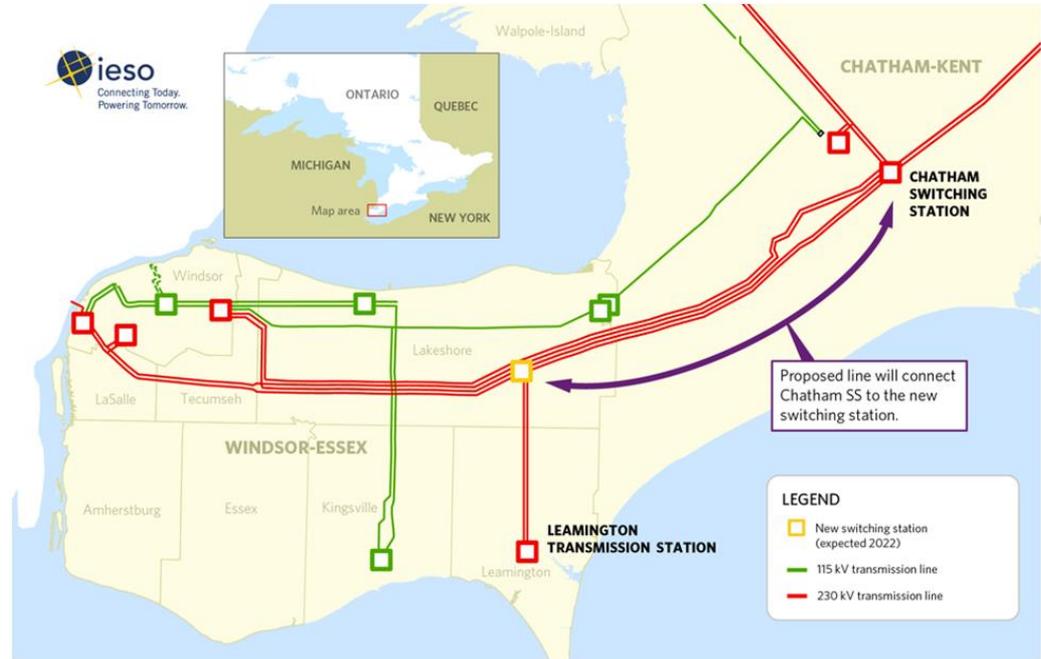
IESO: Windsor-Essex 2019 IRRP

MW Range	% Probability of Demand Reduction Needed at the given MW Range or Greater																							
14-15	0%	0%	0%	0%	0%	0%	0%	1%	3%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
12-14	0%	0%	0%	0%	0%	0%	0%	2%	3%	1%	1%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
11-12	0%	0%	0%	0%	0%	0%	0%	5%	6%	2%	2%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
9-11	0%	0%	0%	0%	0%	0%	0%	8%	7%	4%	3%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
8-9	0%	0%	0%	0%	0%	0%	0%	9%	12%	4%	4%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
6-8	0%	0%	0%	0%	0%	0%	0%	14%	19%	7%	4%	1%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
5-6	0%	0%	0%	0%	0%	0%	0%	16%	23%	12%	8%	1%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
3-5	0%	0%	0%	0%	0%	0%	0%	19%	25%	14%	8%	2%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
2-3	0%	0%	0%	0%	0%	0%	1%	21%	33%	17%	11%	2%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
0-2	0%	0%	0%	0%	0%	0%	2%	26%	35%	19%	13%	2%	2%	1%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Hour Ending	1AM	2AM	3AM	4AM	5AM	6AM	7AM	8AM	9AM	10AM	11AM	12PM	1PM	2PM	3PM	4PM	5PM	6PM	7PM	8PM	9PM	10PM	11PM	12AM

- Resources required to address regional system needs will need to be able to target specific hours to increase probability of reducing transmission system constraints
- The graphic above shows that resources for the Kingsville-Leamington Area will need to reduce consumption of electricity in the morning for the winter months to have an impact on power system needs



- To address the WOC interface constraint, the IESO issued a letter in January 2019 requesting Hydro One to begin developing a new double 230kV transmission line from Chatham switching station (SS) to a new Lakeshore SS
 - Target in-service date is winter 2025/2026
 - In December 2020, the Minister of Energy instructed the Ontario Energy Board (OEB) to amend Hydro One's transmission license to include the requirement to develop and seek approvals for the transmission line
- The new transmission line will expand the WOC interface capability by ~400 MW – an added benefit of the new Lakeshore SS is that it will help address voltage issues in the region
 - The additional interface capability will support grid connections in the area



Source: IESO

- In March 2021, the IESO requested Hydro One to construct a new double 230 kV transmission line from Lambton transformer station (TS) to Chatham SS to ensure sufficient bulk transfer capability is available to supply forecasted load growth
 - Target in-service date is 2028, therefore there is more time for further planning compared to the Chatham SS to Lakeshore SS line
- The Lambton TS to Chatham SS line will also improve supply deliverability from resources in the Lambton-Sarnia area to meet provincial needs as well as provide additional supply to the Windsor-Essex area



Source: IESO

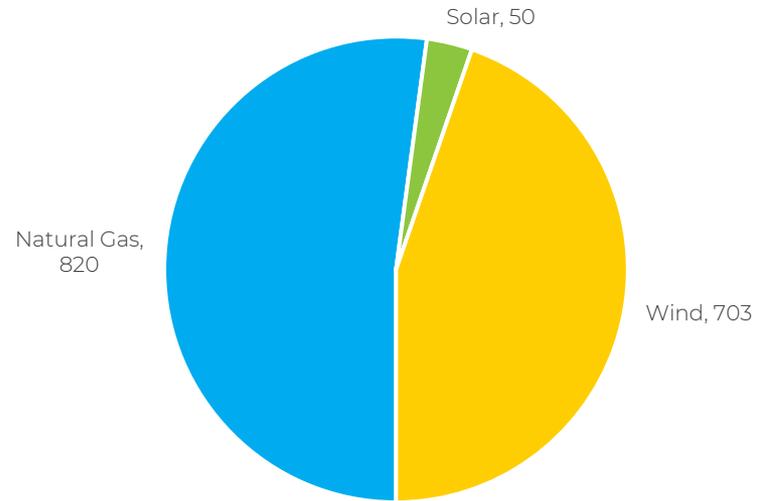
- As part of the southwest bulk transmission study, the IESO identified the long-term need for bulk transmission system expansion and requested Hydro One to explore extending the 500 kV system from Longwood TS (London) to Lakeshore TS (north of Leamington)
- In March 2022, the Ontario government announced a \$5 billion electric vehicle (EV) battery manufacturing plant in Windsor by LG Energy Solutions and Stellantis – this will increase load and further require additional electricity supply



Source: IESO

- Even with planned bulk transmission expansion, the IESO has forecasted a supply need for local resources in the focus area to support regional power system needs and demand growth
- A key conundrum for the IESO is the treatment of operating generators following expiry of their contracts
 - The majority of contracted generators in Windsor-Essex are gas-fired generation – there are questions regarding continued operation post expiry of contracts considering the Canadian governments net-zero carbon emissions policy objective (i.e., net-zero electricity grid by 2035)
 - Specifically, the federal [Clean Electricity Regulation](#) will likely impact future operation of gas-fired generators
- Replacement or continued operation of operating generators is required under the current IESO planning outlook – additional supply resources in Windsor-Essex can delay the need date for future transmission development timelines

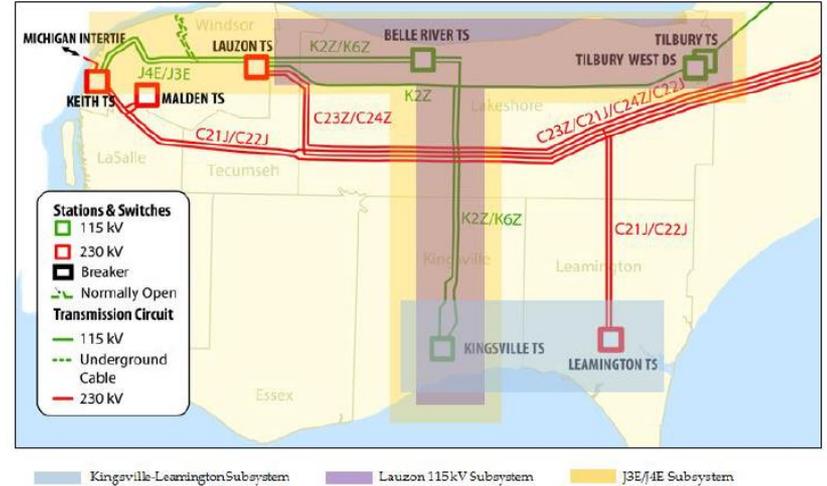
Contract Capacity (MW) in Windsor-Essex



Source: IESO

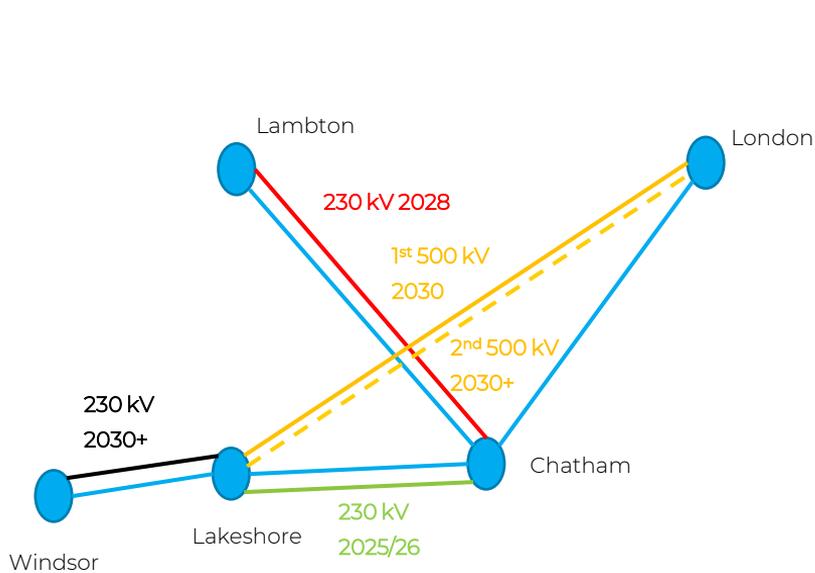
- The Stellantis battery manufacturing plant, in addition to the rapid load growth in the focus area, accelerated the IESO's need date for power system investments, compared to earlier studies resulting in the Minister of Energy issuing an Order in Council (OIC) to the OEB to amend the licence agreement for Hydro One to support development activities for the following projects
 - New 230 kV transmission line from Lambton TS to Chatham SS, as described in the IESO's March 2021 letter to Hydro One
 - New 500 kV transmission line from Longwood TS to Lakeshore SS, contemplated in the IESO's bulk transmission study
 - A second 500 kV transmission line from Longwood TS to Lakeshore SS
 - New 230 kV transmission line from Lakeshore TS to Windsor area, final connection location not identified
- The scope and timing for all of the transmission projects listed shall be in accordance with IESO recommendations and therefore can adjust based on updated planning activities, demand outlooks, local resource development and existing resource retention
- As a condition of their licence amendment, Hydro One has an obligation to undertake development activities for the above listed projects – providing greater regulatory certainty for cost recovery
- Further, the OIC identified the above listed projects as priorities with streamlined regulatory processes where possible, including the OEB's Leave to Construct application
 - For clarity, Hydro One will still be required to seek Leave to Construct from the OEB for all of the above listed projects

- In the 2019 Windsor-Essex IRRP, the IESO identified a potential transmission constraint in the J3E/J4E sub-system (i.e., the 115 kV network supplying Windsor, Lakeshore, and Kingsville)
 - The IRRP stated that supply to all stations in the J3E/J4E sub-system is thermally limited by flow on the J4E circuit
 - The IRRP did not anticipate any significant load growth in the sub-system at the time and therefore did not initiate any action
- The larger than anticipated number of connection requests from new loads are increasing the risk of thermal overages that is slowing connection processes

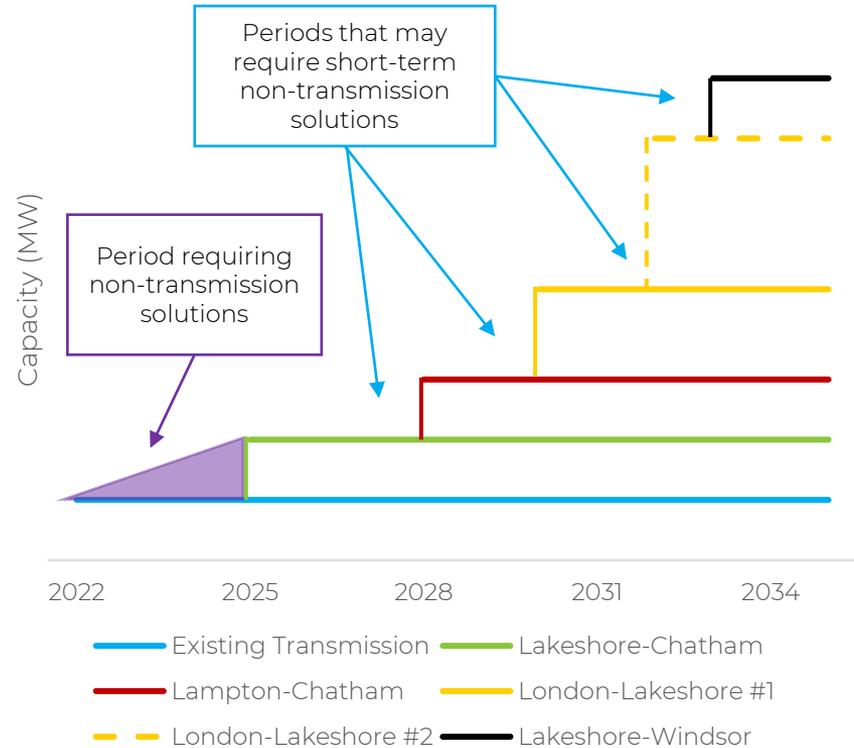


Source: IESO

- Thermal connection overloads occur primarily during peak loading hours or during reliability events (e.g., following an outage)
- Remedial action schemes (i.e., automatic system re-arrangements) and managed connections can provide some flexibility until longer term solutions are implemented (e.g., new 230 kV lines from Chatham SS to Lakeshore SS)
- Further, distribution-connected projects may face connection constraints due to short-circuit limitations, where projects greater than 10 MW are required to complete a System Impact Assessment (SIA) with the IESO



Note: These graphs are for illustrative purposes only, and the depiction is not to scale. In-service dates for mid- and long-term projects will be reviewed depending on updated load growth forecasts.



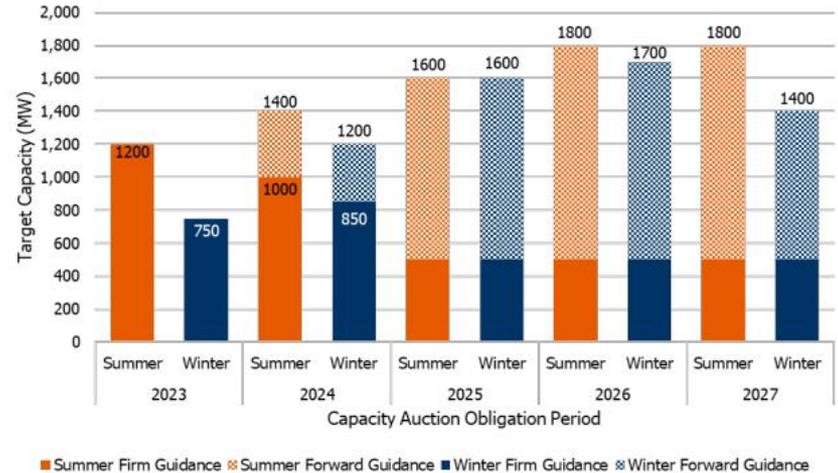
- Transmission development takes time, and it involves significant investment and coordination for permitting and construction
 - Connection capacity expansion from the completion of transmission projects are “lumpy”, as capacity is brought on-line all at once (e.g., 1,000 MW blocks with asset life of approximately 60 years)
 - Meanwhile, energy demand continues to increase with some uncertainty with respect to the rate of growth
- Additional flexibility is required, and can be achieved through the deployment of non-wires solutions, such as energy storage, demand response (DR), local generation, etc.
- While these non-wires solutions would address regional system constraints, which might be shorter-term in nature given planned build-out of transmission, new resources developed will likely also have value in the long-term given province-wide electricity supply needs

To avoid periods that are challenging to connect new, large-scale customers, local resources or programs are needed to provide flexibly between planned transmission projects

Electricity Resource Options

- As described in Section 1, Ontario has urgent needs to procure electricity supply resources resulting from the decommissioning and refurbishment of nuclear generation, expiring contracts for other generators, and growing electricity demand
- This section provides a review of the main procurement mechanisms that the IESO has planned to utilize in the near-term to ensure there are sufficient supply resources available to meet supply needs
- In addition to meeting province-wide electricity demand, the IESO proposes to use these procurement mechanisms to alleviate local electricity supply and transmission-constraints
- Power Advisory's commentary with respect to the main challenges of these procurements is provided

- Annual [Capacity Auctions](#) are competitive procurement mechanisms used by the IESO for short-term (i.e., seasonal) balancing of supply needs
- Each year participants submit bids to secure commitment from the IESO
- Resources that “clear” the auction receive short-term (i.e., seasonal) commitments from the IESO for capacity payments and must be available during the obligation period (i.e., winter and/or summer season)
- Eligible resources include:
 - DR
 - Capacity imports
 - Dispatchable energy storage
 - Dispatchable generators (e.g., gas-fired generation)
- The IESO is also consulting on the potential to develop a new “forward capacity auction”, details still being developed



Source: IESO

- Given that the existing contracts for multiple electricity supply resources (mainly generators) are nearing their end of their contract terms, the IESO has developed a procurement process focusing on re-contracting these resources
- The IESO launched the first [Medium Term RFP](#) (MT 1 RFP) (submission deadline was April 28, 2022)
 - Original target capacity was 750 MW, however, following registration, IESO reduced the target capacity to 475 MW
 - Eligibility was restricted to existing and/or operating generation and storage with contracts that must expire or be terminated on or before April 30, 2026 (i.e., no new-build resources, no DR)
 - Contract term effective 2024, 2025 or 2026, with a 5-year term length (i.e., MT Contract serves as a contract renewal)
 - The procurement targeted province-wide electricity needs, however there was a strong preference for resources in the West and East zones
- The IESO announced [results of the MT 1 RFP](#) on August 23, 2023, which secured 310 MW of summer capacity and 382 MW of winter capacity, well short of original targets
 - Future MT RFPs will be scheduled by the IESO
- In addition, the IESO has entered into/completed sole-source negotiations for two large-scale electricity resources (Lennox Generating Station (GS) and Brighton Beach GS) that were deemed by the IESO to be essential for local needs

- The IESO is currently developing new competitive procurements to acquire supply capacity from new electricity resources
 - [Expedited RFP](#)
 - [Long-Term RFPs](#) (LT 1 and LT 2 RFP)
 - [Same Technology Upgrades Solicitation](#)
- Participants that are successful through these procurements will be awarded “long-term” contracts for the supply of capacity with the IESO
- Given the magnitude of electricity supply required and the need to ensure contracted projects are ultimately developed and constructed on-time, the IESO implemented a Request for Qualifications (RFQ) phase for the Expedited and LT RFPs
- Currently, the IESO RFPs are not limiting fuel source eligibility (i.e., open to storage, renewable generation, gas-fired generation, etc.), however, future procurements will need to consider policy direction from the Ontario government
 - The IESO is due to report back to the Ministry of Energy on October 7, 2022 with respect to the [Pathways to Decarbonization](#), including a potential moratorium on procurement of new gas-fired generation
- Small-scale resources (e.g., 1 MW and less) are not eligible to participate in the above listed forthcoming IESO procurements

	LT1/ LT 2 RFP	Expedited Procurement	Same Technology Upgrades
Target capacity	2,500 MW for LT 1 RFP; and 1,500 MW for LT 2 RFP	~1000 MW of effective capacity	~500 to ~1000 MW of effective capacity
Term Start	No later than 2027 (LT 1 RFP), and 2030 (LT 2 RFP)	2025	2025
Term length	20 year term with potential additional term available for resources able to come online early	20-22 year base term	New contract or extension of existing contracts. Length of contract/extension to be determined
Locational considerations	Global need with strong preference for resources in the West and East zones	Targeted at meeting global need	Targeted at meeting global need
Eligible Resources	Technology neutral; new-build resources at greenfield sites or co-located at existing sites able to achieve commercial operation no later than 2027.	Technology neutral; new- build resources at greenfield sites or co-located at existing sites; must achieve commercial operation by 2025/2026.	Expansions or uprates to existing resources that are under contract and operating in IESO- administered markets. Expansion or uprate must be the same technology as the existing resource and able to achieve commercial operation in 2025.
Qualification	Participation in LTI RFQ Required	Participation in LTI RFQ Required	Existing counterparty in good standing with existing contract

- The IESO received RFQ submissions for the Expedited and LT1 RFP on June 30, 2022
 - Submissions from 70 applicants were received, and due to high-volume, the IESO delayed the procurement schedule
 - On August 23, 2022, the IESO announced that 55 applicants passed the RFQ phase, and are eligible to proceed with proposals in response to the applicable RFPs
 - The majority of the applicants indicated an interest in developing stand-alone battery energy storage
 - The IESO is currently consulting with stakeholders on the terms and conditions of the draft RFP and contract

Milestone	Expedited RFP	LT1 RFP
RFQ Applicants Announced	August 23, 2022	August 23, 2022
Final RFP Posted	October 1, 2022	January 30, 2023
Submission Deadline	December 20, 2022	July 2023
Contract Award	February 28, 2023	October 2023

- Additional IESO procurements are expected to be announced consistent with future AARs
- The City of Windsor can expect multiple IESO procurement processes each year for the foreseeable future

The above reflects the most up-to-date
 City Council Agenda - September 26, 2022
 schedule provided by the IESO
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- Municipalities play a critical role in the procurement and development of new generation
- Municipal Council Support Resolutions
 - As part of the IESO's RFP processes, new generation and storage resources will be prioritized if they receive a council support resolution in support of the project prior to the proposal submission deadline
 - Obtaining these resolutions will increase the project's proposal rated criteria score, and provide it with a competitive advantage relative to other projects
- Planning Act Approvals
 - Prior to the construction of a new generator or storage resource, the project must receive planning approval as part of the environmental permitting process
 - Following the repeal of the Green Energy Act, municipalities now have much more authority with respect to the permitting and approvals process of renewable generation
- IESO continues to consult with municipalities as they develop RFPs for new electricity supply resources

- Given the emerging supply needs and recognition of the important role of the existing/operating generation fleet, municipalities play a pivotal role in attracting and retaining investment in electricity resources
- For example, Halton Hills issued a [council resolution](#) that stated
 - Their continued support for gas-fired generation until a clean energy source can replace them without dramatically increasing the price of electricity for consumers
 - Their desire for the Ontario government to support the development of clean energy alternatives and energy efficiency
 - Their understanding of the IESO’s study, [Gas Phase-Out Impact Assessment](#), as reasoning for its support of operating gas-fired generators
 - The study showed that greenhouse gas (GHG) emissions from the entire electricity generation system in Ontario currently contributes to 3% of GHG in Ontario
 - The Ontario electricity grid supports electrification of systems that contribute larger amounts of GHG emissions such as trains, cars and trucks, and home heating
 - Gas-fired generation provides “on-demand” electricity and can prevent brown-outs and black-outs when demand is high

- The main challenges with the IESO’s resource acquisition plans, include
 - **Timelines** – There is limited time to complete environmental permitting, equipment acquisition, grid connection, close financing, project construction, etc.
 - **Municipal and community engagement** – With restricted timelines, the ability to engage with municipalities and local communities is limited, and risking community “backlash” if projects feel rushed or inconsiderate of community needs
 - **Resource uncertainty** – The Canadian government will be implementing the new Clean Electricity Regulation that will restrict the use of gas-fired generation, creating present investment uncertainty – therefore, the IESO’s contracts should address these challenges to ensure investor confidence and reduce costs, and the IESO’s procurement plans will ultimately need to be compliant with federal regulations when they come into force
 - **Local requirements** – While the IESO’s process is prioritizing resources in regions of the grid that require capacity (such as Windsor-Essex), it does not guarantee that the required resources will be cleared in the procurement process – in other words, projects located in other parts of the province could be acquired ahead of resources in Windsor, as the IESO’s procurements are prioritizing for multiple factors, including duration, location, Indigenous community participation, community support, price, etc.

- Outside of the IESO procurements described, the IESO is also considering other initiatives that would reduce capacity needs
- These initiatives include
 - [Conservation and Demand Management](#) (CDM) programs (e.g., energy efficiency programs)
 - [Grid Innovation Fund](#) projects and other pilot programs
- Power Advisory notes that the IESO is completing a [Mid-Term Review](#) on the existing CDM programs, and it is expected that the IESO will announce increased CDM targets and opportunities for energy efficiency and other CDM resources
 - In April 2022, the Minister of Energy asked the IESO to provide options and analysis for cost-effective additional or expanded CDM programming, which would contribute to meeting power system needs, including the growing agricultural greenhouse sector in Southwest Ontario
 - The IESO has also launched a “local initiatives” program to competitively procure CDM, including targeted programs in the Belle River area in Essex County
 - Under previous CDM frameworks, Ontario’s LDCs, such as ENWIN, Essex Powerlines, etc., played a very active role in administering programs

Electricity Resource Options

- In addition to the planned expansion of transmission solutions, regionally-deployed electricity resources can be used to alleviate capacity constraints
- This section provides a review of various non-transmission options, including their advantages and disadvantages
- As mentioned in Section 2, there is a need to develop new electricity resources in the near-term to alleviate supply constraints in the Windsor-Essex region prior to the completion of new transmission projects
- In the longer-term, resources can be deployed to provide additional flexibility and security in between the planned build-out of additional transmission

Electricity Resource Options

Electricity Resource Options

- Firm imports
- Gas-fired generation
- Battery energy storage
- Renewable generation co-located with battery energy storage
- Demand response and energy efficiency

Transmission-Connected	Distribution-Connected
Hydro One Networks	By service territory of LDC (e.g., ENWIN, Essex Power Lines, Hydro One Networks)
High voltage transmission system that connects the province-wide electricity grid	Lower-voltage distributions system that connects majority of electricity consumers
Larger-scale generation and storage facilities can be connected, typically greater than 20 MW	Smaller-scale generation and storage facilities can be connected, typically less that 20 MW
Requires IESO and Hydro One connection studies	Connection studies completed by LDC, and consider “up stream” capability of transmission system (possible to SIA if region is constrained)
Transmission-connected generation can provide benefits to bulk system or regional grid	In addition to providing benefits to the bulk or regional grid, distribution connected resources may also provide benefits to the distribution system, depending on local distribution system needs
Must be IESO Market Participants	Optional to become IESO Market Participant if greater than 1 MW

- Windsor-Essex Region is interconnected with Michigan at Keith TS by the J5D 230 kV transmission line (“Windsor to Detroit”)
 - This is one of four lines that interconnect Ontario to Michigan, with the other three points located in Lambton and Sarnia
- While the entire Ontario-Michigan transmission interface has a combined capability of 1,600 MW during the summer and winter, the Windsor to Detroit line is limited to 400 MW
 - For many technical reasons, the capabilities of the Ontario-Michigan interface have been limited for a number of years
- Interconnection between Ontario and Michigan supports imports and export trade via the Ontario and Michigan wholesale electricity markets
 - New Capacity Auction rules enable ‘firm imports’ from Michigan (e.g., obligation to make capacity available) from specific generators
 - However, the [Midcontinent Independent System Operator](#) (MISO) is also experiencing a capacity shortfall, which will limit availability of imports from the Michigan interface
 - MISO rules may also constrain resource participation in the IESO’s annual Capacity Auctions

Advantages	<ul style="list-style-type: none"> • No new construction is required within the City of Windsor’s limits
Disadvantages	<ul style="list-style-type: none"> • Imports participating in Capacity Auctions are not guaranteed due to competition • Electricity flows cannot be scheduled individually (scheduled across 4 Michigan interfaces as a whole)
Considerations	<ul style="list-style-type: none"> • GHG emitting resources would be eligible to participate • IESO’s next pre-auction report for the Capacity Auction will indicate eligibility and limits on imports

- The City of Windsor currently hosts several operating gas-fired generators, including
 - Brighton Beach GS – Atura Power
 - East Windsor Cogeneration Centre – Capital Power
 - West Windsor Power Plant – ENGIE
 - Windsor-Essex Power Plant – TransAlta
- Other large and small-scale gas-fired generators also currently operate in the Windsor-Essex Region
- Continued operations of these generators are essential in the near-term for the reliability of electricity in the Windsor-Essex Region
- These generators may be suitable for expansions to increase their capacity and electricity output (e.g., additional turbines)
 - Capacity may also be increased through additional storage
- New gas-fired generation or expansions of operating generators may be limited due to forthcoming policy (e.g., Clean Electricity Regulation)

Advantages	<ul style="list-style-type: none"> • Reliable electricity production, providing energy, capacity and other grid services • Ability to leverage existing sites, or expand on adjacent industrial lands
Disadvantages	<ul style="list-style-type: none"> • Proposed Clean Electricity Regulation creates challenges • Subject to increasing costs over-time due to carbon tax • Many customers and investors seeking green electricity supply
Considerations	<ul style="list-style-type: none"> • Approaches to reduce carbon intensity of gas may include, hydrogen, renewable natural gas, carbon capture and storage, carbon offsets, however use of these options may be limited (e.g., technically, economically, legislatively, etc.)

- Multiple utility-scale battery energy storage projects are expected to proceed through the IESO's planned Expedited and LTI RFP
- Can be either transmission-connected or distribution-connected
- Sites would consist of multiple battery enclosures, typically in proximity to transmission or distribution systems, or adjacent to existing generators (separately connected)
- Ontario's experience with battery energy storage is growing, however it is still considered a new-technology within the resource mix



Advantages	<ul style="list-style-type: none"> • Provides capacity during peak periods when energy is most needed and valuable • Low environmental impact leads to relatively streamlined permitting process
Disadvantages	<ul style="list-style-type: none"> • Does not produce energy • Relatively new technology in Ontario's resource mix • While costs are declining, still relatively expensive • Supply chain constraints impacting availability of batteries and critical minerals • Energy losses on conversion and storage
Considerations	<ul style="list-style-type: none"> • Significant uptake of new projects globally • Ontario economic development opportunities with respect to battery manufacturing

- Energy storage can be added to operating renewable generators (e.g., wind and solar) to firm-up capacity
- Several large-scale renewable energy projects currently operate in the Windsor-Essex region, including Belle River Wind, Windsor Solar, Gosfield Wind Project
- Multiple distribution-connected renewable energy projects are currently operating within the City of Windsor (e.g., 20 MW), with additional renewables operating in the Essex region (e.g., ~ 140 MW)
 - Most of the projects within the City of Windsor represent rooftop Feed-in Tariff projects with 20-year contracts
 - Additional projects may be operating under net-metering configurations
- Existing sites could be eligible for the addition of energy storage and/or expansion
- New renewable generation co-located with storage sites could be developed within the Windsor-Essex region

Advantages	<ul style="list-style-type: none"> • Renewable sources of energy • Ability to provide peaking capacity during times of system need
Disadvantages	<ul style="list-style-type: none"> • Requires consideration of land-use and environmental permitting, especially for new projects
Considerations	<ul style="list-style-type: none"> • Limited experience in Ontario context, with new participation models being developed by IESO

- DR is the ability of electricity customers to curtail their electricity usage in response to dispatch instructions during times of peak demand on the grid
 - DR resources are currently eligible to participate in the IESO's Capacity Auction, including smaller scale and aggregated resources
 - Some customers leverage “behind-the-meter” storage or generation to reduce electricity consumption from grid
- Energy efficiency refers to the installation or retrofit of a customer’s electrical equipment such that it utilizes less energy to perform the same services
 - The IESO has successfully delivered energy efficiency programs for industrial customers, and new programs are being rolled out
- These programs also provide additional revenue-streams to customers and/or reduce customers’ electricity costs
- Novel and innovative approaches may be developed in the future, including EV smart charging programs

Advantages	<ul style="list-style-type: none"> • No requirement for new development and can leverage on-site resources • Possible revenue stream or savings for participants • Environmentally friendly
Disadvantages	<ul style="list-style-type: none"> • Does not produce energy
Considerations	<ul style="list-style-type: none"> • Ontario has robust experience with demand response, particularly industrial demand response • In addition to IESO, Ontario LDCs and other service providers are well equipped to deliver energy efficiency programs

Electricity Resource Options

Electricity Resource Options

Electricity Resource Options

- Under the current regulatory framework, the IESO has responsibility to ensure resources are available to meet bulk system needs
- Other creative approaches for meeting resource needs may include the following
- **Utility-led programs** (e.g., CDM, local DR, local generation, etc.)
 - Hydro One and LDCs (e.g., ENWIN, Essex Powerlines) could be enabled to deploy local programs or procurements to secure required resources
 - This would leverage the utilities existing experience deploying customer-facing programs, while freeing up resources at the IESO (i.e., allowing IESO to focus on larger scale procurements)
- **Customer generation** (e.g., self supply)
 - Existing regulations enables customers to connect behind-the-meter resources to offset their own electricity consumption, resulting in reduced electricity costs
- **Customer acquisition** (e.g., corporate power purchase agreements (PPAs))
 - Removing barriers to enable options for customers to acquire their own electricity supply, similar to other jurisdictions (e.g., Alberta, etc.)

- DR and energy efficiency programs can be deployed quickly and cost-effectively in the near-term to reduce or eliminate capacity constraints
 - Leveraging existing customer assets
 - Does not require construction/connection to the grid
- In the medium-term, the IESO's upcoming procurements are likely to result in new local supply, only if participants are successful in the Windsor-Essex Region
 - It is expected that a significant amount of energy storage will be contracted by the IESO through these processes
- Operating gas-fired generation will continue to play an essential role in providing reliable supply
- It is possible that new gas-fired generation could also be developed, however these projects would have a longer permitting and approval process, including significant community engagement requirements and opposition from some stakeholder groups
- Firm imports from Michigan, even if enabled via the Capacity Auction, are unlikely to be reliable in the longer-term due to capacity shortfalls in MISO

Electricity Resource Options

Electricity Resource Options

- This section provides Power Advisory's recommendations for the City of Windsor's consideration, including
 - o Municipal Council Support Resolutions
 - o Prepare for Increase in Permit Applications
 - o Engage Early with the IESO, Hydro One, and LDCs (e.g., ENWIN) as Economic Development is Pursued
 - o Participation in Regional Planning Processes
 - o Leverage Municipal Lands and Properties
 - o Strategic Government Advocacy
 - Need to Streamline the IESO's Procurement Approach
 - Enable Hydro One and LDCs to Support Resource Acquisition
 - Enable Customer Acquisition through Corporate PPAs

Electricity Resource Options

Electricity Resource Options

Electricity Resource Options

- Recognition that multiple solutions will be required to enable continued electricity resource adequacy in the long-term (from new transmission to local measures)
- Given locational needs and opportunity to increase rated criteria scores within the IESO RFPs, the City of Windsor should be prepared to respond to multiple requests from generators and storage providers
 - Establish criteria and review processes to meet with resource developers
 - Prepare city council in advance with respect to local electricity needs and link to economic development
- Rated criteria scoring will mean that the City of Windsor will have a direct role in the success of new supply resources being located within city limits
- The City of Windsor should consider establishing itself as a “willing host” for resource development, sending a signal to the electricity sector and investment community
 - Precedent established by Halton Hills
- As more projects and applicants are expected to be communicated publicly, it will be important to establish an appropriate public communication and engagement strategy to build and maintain support for projects

Electricity Resource Options

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Electricity Resource Options

- Development of electricity generation and energy storage projects are subject to the Planning Act
- As such, the City of Windsor's planning staff will be engaged with the review and approval of new generation and energy storage projects within the context of the City's official plans
- There has been little recent experience with the development new generation and energy storage projects in recent years
- Planning staff can anticipate a change of pace and should expect to be engaged in several projects over the next few years as the IESO's planned procurements ramp up

Electricity Resource Options

Electricity Resource Options

Electricity Resource Options

Electricity Resource Options

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- Regular communications with the IESO, Hydro One, and LDCs (e.g., ENWIN) should be established with respect to local development
 - Coordination with LDCs required when new customers are connecting to distribution systems
- Hydro One has indicated that it is willing to pursue creative non-wire solutions, where applicable, as interim solutions as new transmission capacity is being developed
- While connection constraints are at the transmission level and not the distribution level, ENWIN has also indicated a willingness to support the deployment of programs or other local initiatives
 - New distribution-connected generation could be limited by local distribution capacity
- Information about local economic development and growth can inform Hydro One's strategy for developing innovative projects or approaches

Electricity Resource Options

Electricity Resource Options

Electricity Resource Options

- The IESO is anticipated to begin consultation on the next Windsor-Essex IRRP to respond to changing conditions and economic development in the Fall of 2022
 - Hydro One's Needs Assessment is currently underway, and the IESO's public consultation on the Scoping Assessment and IRRP will likely begin in early 2023
- The City of Windsor should plan to engage actively in these consultations, and particularly provide insight to economic development and growth opportunities that would impact electricity needs in the region
 - ENWIN, alongside other LDCs in the region, are actively engaged in regional planning studies, and the City of Windsor should consider a coordinated approach
- The City of Windsor may also consider a coordinated approach to participating in regional planning studies with Invest Windsor-Essex

Electricity Resource Options

Electricity Resource Options

Electricity Resource Options

- The City of Windsor may have access to municipal lands and properties that would be suitable for electricity resource development, particularly energy storage
- On excess lands or undeveloped properties, stand alone storage or other generation projects may be developed and directly connected to the transmission system or distribution system
 - The City of Windsor has worked with Samsung in the past to provide access to municipal lands for development
- Municipal buildings could support behind-the-meter energy storage and/or solar energy, or DR and energy efficiency
 - The City of Windsor could work with an aggregator and/or other service providers for low-or no cost options for project development
 - The City of Windsor can support deployment of energy efficiency programs
- The City of Windsor has opportunity for additional municipal revenue and reduced operating expenditures (e.g., reduced electricity costs) through lease agreements and other contractual arrangements with service providers
- Additionally, the City of Windsor could promote customer-self supply and participation in energy efficiency programs, and could coordinate

Electricity Resource Options

Electricity Resource Options

Electricity Resource Options

- Engagement with the Minister of Energy and the IESO should focus on the following factors
 1. Need to Streamline IESO Procurement Approach
 - The IESO's current framework involves multiple procurement types on different timescales and significant complexity for municipal engagement – consider streamlining with one or two predictable processes each year
 - The IESO's procurement approach currently does not guarantee that resources will be successful within the Windsor-Essex region
 - The IESO should consider streamlined bilateral negotiations with essential generators that are nearing contract expiry dates
 2. Enable Hydro One and LDCs to Support Resource Acquisition
 - Hydro One and LDCs should be empowered to deploy CDM programs to reduce strain on the electricity grid as new transmission is being developed
 - Hydro One and LDCs should be enabled to deploy energy storage as non-wires solutions in the near-term, this could include a procurement process for competitive solutions

Electricity Resource Options

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3. Enable Customer Acquisition through Corporate PPAs
 - o Large-scale companies should be empowered to secure their own electricity supply through long-term contracts (e.g., PPAs) with generators and other electricity suppliers (e.g., storage, etc.)
 - o This would reduce the burden on the IESO to acquire resources, reduce the Global Adjustment in the longer-term, and enable customer choice with electricity supply
 - o If enabled, the City of Windsor could also participate in procurement of electricity supply for its own operations

- Economic development in the City of Windsor is dependent on continued availability of electricity supply
- The Windsor-Essex region requires a coordinated approach which aligns economic development and electricity resources development to support the growth in electricity demand
 - While multiple transmission projects are planned, transmission development takes time, and therefore the IESO, Hydro One, ENWIN, and others must be engaged to develop intermediate solutions which can be deployed in the near-term
- There is capacity to connect new loads in Windsor-Essex
 - Large loads will require special consideration, not unlike any other areas of the province
 - Where a significant load emerges in the short-term (i.e., prior to the planned transmission reinforcement investments), Hydro One, ENWIN and other LDCs should be empowered to develop localized solutions in conjunction with the IESO to expedite/facilitate connection
- The IESO's forthcoming RFPs for new supply should continue to be monitored by the City of Windsor, as success of those initiatives is materially important for the electricity supply in the region

Electricity Resource Options Electricity Resource Options



Local Distribution Companies (LDCs)



Independent Power Producers (IPPs)

Embedded retail customers



Wholesale consumers

- Ontario's electricity market was deregulated between 1998 and 2002 – the vertically integrated Ontario Hydro was split into Hydro One (transmission and distribution), OPG, the IESO (as administrator of the wholesale market, the Ontario Electricity Financial Authority, and the Electrical Safety Authority
- However, for a variety of reasons, government intervention in the market (i.e., freezing rates, etc.) has resulted in the Ontario electricity sector to be dominated by contracted electricity supply



- The Ontario Government's Ministry of Energy is responsible for establishing the electricity policy, legislation and regulation
- Electricity Act and Ontario Energy Board Act are primary legislation governing electricity sector; per legislative authority, Ministerial Directives can be issued to OEB and IESO



- The OEB is the independent regulatory body for the electricity sector
- Licences transmitters, distributors, generators, wholesale consumers, retailers, etc.
- Responsible for rate regulation of transmitters, distributors, OPG, IESO and establishing prices per Regulated Price Plan



- The IESO is responsible for administering the wholesale electricity market, bulk power system planning and resource acquisition
- IESO is a contract counterparty to a significant amount of electricity supply in Ontario (effectively, de facto Load Serving Entity)
- The IESO has responsibility for administering province-wide CDM programs

	<ul style="list-style-type: none"> • OPG is Crown Corporation (i.e., owned by the Government of Ontario) • OPG owns and operates electricity supply across Ontario, including heritage hydroelectric generation, nuclear generation, gas generation and other non-hydroelectric renewables • OPG’s assets are either rate-regulated by the OEB or under contract with the IESO
	<ul style="list-style-type: none"> • Hydro One is the predominant transmission facility owner in Ontario; also owns and operates the distribution network for vast swaths of the province (predominately rural) • The Ontario government is the largest shareholder of Hydro One
<p>Local Distribution Companies (LDCs)</p>	<ul style="list-style-type: none"> • There are approximately 60 LDCs in Ontario of various sizes and customer make-up (i.e., rural/urban); most are municipally-owned • ENWIN is the LDC that is owned by the City of Windsor • Ontario’s LDCs are predominately “wires companies”, and are responsible for the distribution of electricity from the bulk system to distribution-connected consumers, connecting customers (both consumers and generators), and billing • Cost of electricity supply “passed through” to LDC customers

<p>Independent Power Producers (IPPs)</p>	<ul style="list-style-type: none"> • Ontario’s wholesale electricity market enables participation by IPPs • Effectively IPP-owned generation is under contract with the IESO • Large scale and transmission-connected generators must participate in the wholesale market; small-scale and distribution-connected generators may operate as “embedded generators” and are not obligated to participate directly in the wholesale market
<p>Wholesale consumers</p>	<ul style="list-style-type: none"> • Approximately 14% total load in Ontario is from wholesale consumers; these consumers are typically large industrials and may be either transmission- or distribution-connected • Wholesale consumers can opt to participate as either dispatchable load or non-dispatchable load
<p>Embedded retail customers</p>	<ul style="list-style-type: none"> • Embedded retail customers are distribution-connected and make up approximately 86% of total load in Ontario • Small loads (i.e., residential and small commercial) are charged for electricity supply based on RPP, and large loads pay the market price for electricity; for a variety of reasons, Ontario does not have a robust competitive retail market

Electricity Resource Options

AAR	IESO's Annual Acquisition Report	kV	Kilovolt	RFQ	Request for Qualifications
APO	IESO's Annual Planning Outlook	LDC	Local Distribution Company	SIA	System Impact Assessment
CDM	Conservation and Demand Management	LT	Long-Term (e.g., IESO's LT 1 RFP)	SS	Switching Station (i.e., transmission infrastructure)
DR	Demand Response	MISO	Midcontinent Independent System Operator	TS	Transformer Station (i.e., transmission infrastructure)
EV	Electric Vehicle	MT	Medium-Term (e.g., IESO's MT 1 RFP)	WOC	West of Chatham
GHG	Greenhouse Gas	MW	Megawatt		
GS	Generating Station	NGS	Nuclear generation station		
GW	Gigawatt (i.e., 1,000 MW)	OEB	Ontario Energy Board		
IESO	Independent Electricity System Operator (Ontario)	OIC	Order in Council		
IPP	Independent Power Producers	OPG	Ontario Power Generation		
IRRP	IESO Integrated Regional Resource Plans	PPA	Power Purchase Agreement		
		RFP	Request for Proposals		



Electricity Resource Options

Motion - Support for the Phasing out of Gas Power Plants Resolution No. 2022-0133

WHEREAS during the recent Provincial Election, some political parties stated that they would request closing Natural Gas Power Plants as part of the electricity generating grid in Ontario by 2030;

AND WHEREAS a study by the Independent Electricity System Operator was carried out to assess the impacts of phasing out natural gas power plants in Ontario and was released in October 2021, the results of which showed that:

1. Green House Gas Emissions from the entire electricity generating system in Ontario contributes only 3% of GHG in Ontario;
2. The Ontario Electricity Grid supports the electrification of many other systems that contribute many more GHG emissions, e.g., train travel, gas powered cars and trucks, home heating);
3. Gas plants provide on-demand electricity during periods of peak demand and can be powered up or powered down in minutes, thus preventing brown-outs and even blackouts when demands are high (extreme heat or cold events, time of day demands for the business community);
4. Phase out of natural gas power plants by 2030 would result in blackouts, especially during high need times;
5. Replacing the capacity of natural gas power plants would cost upwards of \$27 Billion resulting in electricity costs rising by at least 60%;
6. Electrification of other higher GHG emission systems would be delayed or rendered impossible;
7. Purchasing power from other provinces is not a viable option as most provinces must purchase power from outside sources during peak times.

THEREFORE BE IT RESOLVED that the Council for the Town of Halton Hills continue to support natural gas power plants until such time that clean energy source can replace them without dramatically increasing the price of electricity for consumers;

AND FURTHER THAT Council continue to urge the Provincial government to support the development of clean energy alternatives and energy efficiency;

AND FURTHER THAT a copy of this resolution be forwarded to all Halton Municipalities, AMO, Ted Arnott, MPP for Wellington-Halton Hills, the Minister of the Environment, the NDP and Liberal Parties of Ontario and Mike Schreiner, Leader of the Green Party of Ontario and The Premier of Ontario.



Subject: Purchasing Bylaw – Periodic Review and Amendment "CITY WIDE"

Reference:

Date to Council: September 26, 2022

Author: Alex Vucinic

Purchasing Manager

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Purchasing

Report Date: September 8, 2022

Clerk's File #: AB2022

To: Mayor and Members of City Council

Recommendation:

- I. That the report of the Purchasing Manager dated September 26, 2022 entitled "Purchasing Bylaw – Periodic Review and Amendment **BE RECEIVED** in satisfaction of the obligation imposed by section 164 of Bylaw 93-2012 (the "Bylaw") to conduct a review prior to the close of every Council term; and,
- II. That Bylaw ** amending the Purchasing Bylaw **BE CONSIDERED** and, if advisable, **BE PASSED**, to effect the changes to the Purchasing Bylaw described in this report.

Executive Summary:

N/A

Background:

The way in which the City expends a large part of its resources is governed by the Purchasing Bylaw. This also applies to those local boards and other entities choosing to use the City's bylaw as a purchasing policy to meet their own obligations set out in section 270(2) of the Municipal Act, 2001, including Windsor Police Services and Transit Windsor. The Purchasing Bylaw represents the obligations of the City to utilise public money in the most transparent, open and responsible manner possible and recognizes the duties owed to the public by a municipality. The Purchasing Bylaw also defines the relationship between the City and its suppliers where the provision of goods and services and the expenditure of money intersect.

In 2011 and 2012, an intensive process was undertaken to redraft the City's purchasing policy to create a comprehensive, user-friendly document that encompassed best practices and utilized technology to maximize compliance, efficiency and effectiveness in purchasing processes. In that process, the City created a brand new bylaw as well as a procedure manual which were well-received both internally and externally when reviewed by stakeholders.

During that time, the Purchasing Department has also offered training both on a general level and geared to specific corporate needs, developed a new format and template for corporate RFPs, and continued to develop vendor relationships and internal customer service standards. All of these processes and activities have relied on the Purchasing Bylaw and have given excellent insight into the needs of the City with respect to its purchasing governance.

Purchasing bylaws take many different forms across the province and indeed across the country. Ultimately such a bylaw needs to be tailored to respect both the requirements it must uphold but also the needs and expectations of its users. A challenging bylaw that is difficult to interpret invites non-compliance.

The Bylaw was passed in July of 2012 and updated in August of 2014 and October 1, 2018. Since that time, it has attracted attention and recognition from a number of Ontario municipalities seeking to streamline their own purchasing policies. This has resulted in formal speaking opportunities and presentations that support the development of municipal procurement policies across the province. Internally, confidence in using and interpreting the Bylaw has increased, and the tools and information available on the Purchasing intranet site make it consistently one of the most popular sites on Dashboard.

The Bylaw has performed very successfully to date, and must now be reviewed to ensure it remains current pursuant to section 164:

164. This Bylaw is the responsibility of the Manager of Purchasing and shall be reviewed and amended as required prior to the end of each term of Council.

Discussion:

Administration held consultations with all stakeholders with respect to the current Bylaw and proposed amendments, the following are results from those consultations.

Highlights of the new Bylaw amendments:

Dollar Thresholds

Proposed amendment is to increase dollar threshold values for different types of purchasing processes.

An important element of the Purchasing Bylaw is the prescription of what procurement activity must occur, and who has the authority to authorize it, depending on the expected cost of the purchase. The present levels are as follows:

Dollar Value	Process	Summary
\$0- \$5,000	Small Purchase Order	Department responsible to use SPO process to make purchases; no process required
\$5,001-\$25,000	Informal quotation	Department responsible to obtain quotations and provide to Purchasing Department; Purchasing Department reviews and approves and finalizes purchasing instrument with lowest quotation
\$25,001- \$50,000	Formal quotation –	Department provides specifications; Purchasing Department obtains quotations and finalizes purchasing instrument with lowest quotation
In excess of \$50,000	RFP or tender	Department provides specifications; Purchasing Department conducts tender or RFP and facilitates contract

Small purchase orders and informal quotation fall under the category referred to as “low dollar” or “departmental purchasing” in which operating departments obtain the quotations rather than Purchasing. In the case of an informal quotation, Purchasing confirms the quotation and reviews the work done by the department prior to issuing the final purchase order or contract order, as may be required.

Departmental purchasing recognizes that there is a large number of high-volume, low-risk purchases that can be made quickly and effectively by the departments. This allows efficient operation while still providing for a final review and approval by the Purchasing but without requiring a more significant staff complement in the Purchasing Department as would otherwise be required if all low-dollar purchasing had to be done through a trained buyer.

Historically, departmental purchasing has been successful and is relied on by operating departments to efficiently conduct day-to-day operations. In reviewing the manner in which other municipalities address purchasing thresholds, it is noted that the City’s

dollar limits were conservative. In addition, the base cost of goods and services has increased significantly over the years since the current levels were established in 2012. The Consumer Price Index (CPI) rose 3.4% on an annual average basis in 2021, the fastest pace since 1991 (+5.6%), following an increase of 0.7% in 2020 in 2021. The COVID-19 pandemic remained a key factor impacting the prices of goods and services purchased by Canadians. The global economy is grappling with significant supply chain disruptions throughout all sectors, including input shortages, production bottlenecks, backlogs at key ports, higher shipping costs and delivery delays. These constraints limited the supply of goods and services and as a result prices have increased.

Vendors are less able to expend the resources necessary to respond to formal processes for the current threshold dollar purchases. In addition, the conduct of formal processes requires a lot of time on the part of departments and the Purchasing office. The change in the formal quotation range will allow better utilization of expertise by redirecting a trained buyer to focus on more complex procurements. Amending the dollar thresholds of the informal and formal RFQs will streamline operations, improve utilization of human capital and resources, while reserving the RFT and RFP process for higher dollar purchases. In light of these things and considering the fact that the dollar thresholds were established over 10 years ago, it is recommended that thresholds in the Bylaw be amended as follows, in order to remain efficient and still obtain the best value for money:

Process	Present Levels	Proposed Changes	Summary
Small Purchase Order	\$0- \$5,000	\$0- \$15,000	Department responsible to use SPO process to make purchases; no process required
Informal quotation	\$5,001-\$25,000	\$15,001-\$50,000	Department responsible to obtain quotations and provide to Purchasing Department; Purchasing Department reviews and approves and finalizes purchasing instrument with lowest quotation
Formal quotation –	\$25,001- \$50,000	\$50,001- \$100,000	Department provides specifications; Purchasing Department obtains quotations and finalizes purchasing instrument with lowest quotation

RFP or tender	In excess of \$50,000	In excess of \$100,000	Department provides specifications; Purchasing Department conducts tender or RFP and facilitates contract

The City reviewed and compared our recommended thresholds against the City of London, Hamilton, and Waterloo. The results show that if amendments are approved the City would be applying same threshold processes with other municipalities of same size and scope. See following chart.

Dollar Value

Process	London	Hamilton	Waterloo	Windsor
Low Dollar Procurements/Small Purchase Order	\$0- \$15,000	\$0- \$10,000	\$0- \$49,999	\$0- \$15,000
Informal quotation	\$15,001- \$50,000	Does not use this process	Does not use this process	\$15,001- \$50,000
Formal quotation	\$50,001- \$100,000	\$10,001- \$100,000	\$50,000- \$100,000	\$50,001- \$100,000
RFT	In excess of \$100,000	In excess of \$100,000	In excess of \$100,000	In excess of \$100,000
RFP	In excess of \$100,000	In excess of \$100,000	In excess of \$100,000	In excess of \$100,000

The departments have budgetary pressures to make smart purchasing decisions in a timely manner and the increase in the informal quotation range will allow departments greater flexibility in meeting operational needs. Purchasing oversight will be maintained prior to issuing the purchasing instrument for added control and review in regards to quality and value.

Administrative Award of Certain Types of Request for Proposals

Proposed amendment is to allow the CAO to approve RFPs for professional service.

Currently, the CAO has the authority to approve purchases up to \$150,000. Any purchase in excess of this amount, with the exception of tenders and sole sources regardless of whether it falls within the designated budget, must be returned to Council for decision.

A "Request for Proposal" (RFP) is a document used to request vendors to propose solutions for the delivery of complex products or services or to provide alternative options or solutions where the need is clear but multiple solutions exist. It is a process that uses predefined evaluation criteria in which price is not the only factor. The goal of an RFP is to identify the best value for the City in regards to the deliverable when the deliverable need is identified but multiple solutions exist. Although an RFP offers more evaluation opportunity than a tender, ultimately the results are equally binding and the extent of the exercise of council discretion is to award or not award the contract and as such, the distinction between RFPs and tenders for the purpose of award is an artificial one.

The proposed amendment will allow the CAO to approve all RFPs for professional services only, within available budget dollars, in order to improve and streamline infrastructure construction projects. Historically, in the past 4-year period over 95% of RFPs went on consent agenda because these deliverables are usually the first stage in a multi stage procurement process and is required in order to progress with the project.

The proposed amendment would be similar to the approval process that already exists with RFT and sole source projects. It would apply to RFPs for professional services only and would not include product related RFPs. The majority of professional services RFPs are general infrastructure or construction consultant related services, specifically; design, contract administration and inspection. If approved, the CAO may use discretion and seek Council approval from time to time where he or she considers necessary and in the best interest of the City. Administrative approval would continue to be restricted to budgeted expenditures. Given their more complex nature, all other RFPs (excluding professional services RFPs) would be brought to Council on the regular agenda, as would over-budget professional services RFPs or professional services RFPs with any irregularities.

Rosters

Proposed amendment is to allow the CAO to add different deliverable categories to roster provisions.

Rostering is an effective way to procure frequently-used services while providing opportunities to vendors to participate in City activities. Vendors are qualified through a competitive process (RFPs) to participate in the roster, and work fitting roster criteria is allocated among roster members for the defined time period. Rosters are best utilized

for repetitive work for which a formal process would not be expected to yield any significant range of ability or proposed solutions.

Currently the only services addressed by a roster are consulting engineering and architectural services to a limit of \$100,000 (excluding tax). A review of rostered assignments and other solicitations up to \$100,000 over the last four years demonstrates that there is a need to incorporate deliverables other than professional services which the City frequently utilizes and where a formal process would not be expected to yield any significant range of ability or proposed solutions. Demolition services are an example of such deliverables. The proposed amendment recommends granting the CAO the authority to authorize the development of other roster deliverables upon recommendation by the operating departments and Purchasing Manager.

Housekeeping Amendments

The following proposed amendments are housekeeping in nature, intended to update and clarify the existing Bylaw.

Definitions: Change to the definition of City Solicitor to incorporate flexibility regarding delegation of authority by including “or his/her Designate”.

Definitions: Change to the definition of Purchasing Manager to incorporate flexibility regarding delegation of authority by including “or his/her Designate”.

Definitions: Change to the definition of “Irregularity” to better clarify and elaborate on the definitions parameters to ensure clear understanding.

Titles: Changes in position titles in the Bylaw to reflect organizational changes.

Sole Source: Currently the Bylaw limits sole source opportunities to City funds only. From time to time, the City may be required to procure deliverables via sole source for projects funded by other sources (i.e. Federal or Provincial grants) and so an amendment is proposed to allow this to occur. In addition, in 2018, Council amended the Bylaw and granted the CAO the authority to approve a requisition and award of a sole source purchase of deliverables with purchase price in excess of \$100,000 provided the funds have been included in the Council approved operating or capital budget. Administration is requiring further amendments to section 111 to remove the dollar threshold in this paragraph in order to ensure internal consistency with prior amendments from 2018 as the authorities and monetary thresholds are noted in another section of the Bylaw.

Contract Amendments and Revisions: Currently the CAO has the authority to approve Contract amendments. In the 2018 Bylaw review, Council approved amendments to this section to further detail out specific scenarios where the CAO has administrative authority to approve amendments for certain types of solicitations; such as RFTs and Sole Sources. Administration is requiring further amendments to ensure internal consistency with prior amendments from 2018.

Sale of Surplus Items: Currently no Employees or related parties are permitted to receive Surplus items from the City except by purchase at public auction or online auction even if the City decides that the items are to be discarded to waste or recycled. It is recommended to amend section 159 to allow Employees to obtain surplus items from the City if those items are slated for waste or to be recycled, at the discretion of the CAO.

Feedback on the proposed bylaw amendments was positive, and concerns were addressed through meetings, provision of additional information, minor wording changes and further related policy development and recommendations around concerns specific to certain industries and practices.

Risk Analysis:

The Bylaw is an important piece of internal governance legislation mandated by the Municipal Act, 2001. Regular review is important to ensure the provisions remain reflective of current circumstances.

Dollar Thresholds

The proposed change relating to the dollar thresholds may create cost increases if administration selects certain vendors which generally price their deliverables higher than their competition during the RFQ bid opportunity since all RFQs are executed in a competitive closed procurement process. Currently all procurement over \$50,000 have to go through an open (public) competitive process and the proposed amendments would move that requirement to \$100,000 or greater. This risk is mitigated by the fact that the Purchasing Department is soliciting all formal RFQs and it has oversight of all informal RFQs prior to issuing a purchasing instrument. The expertise and database in the Purchasing Department reduces the risk of selecting a non favourable vendor. In addition, the Purchasing Manager has the discretion to require an RFT or an RFP be conducted for deliverables even if the estimated purchase price is less than \$100,000.

Administrative Award of Certain Types of Request for Proposals

The risk of not accepting the proposed change relating to award of professional services RFPs would create administrative burden, time constraints and potential delays in project timeline. This amendment brings no financial risk as it is mitigated by the fact that the services being obtained must be within existing budget dollars, and poses no greater risk than the risk already tolerated for RFTs and other procurements where Council approval is not required. The stringent requirements of an RFP process are meant to identify the risks and benefits at the beginning of the solicitation which gives the evaluation committee the ability to properly evaluate and eliminate subjectivity. In the past 4-year period over 95% of RFPs went on consent agenda. The Purchasing Manager will continue to review for compliance to the bid document. CAO approval and budget compliance provide controls on the award. The proposed amendment to the Bylaw would improve internal business flows and reduce or eliminate the timing risk in getting professional services RFPs onto Council agenda.

Rosters

The risk of not accepting the proposed change to allow the CAO to add different deliverable categories to roster provisions would create administrative burden and would be a time and resource wasting exercise. The proposed change to allow all deliverables to be incorporated into a roster process has no risk as the vendors are qualified through a competitive process (RFPs) to participate in the roster regardless of the type of deliverable they are providing, and the work fitting roster criteria is allocated among roster members for the defined time period. The levels of oversight and prior approvals required to be placed on a roster is significant and only qualified vendors are selected. All roster list awards are made at the discretion of the responsible CLT Member based on an equitable distribution of awards to the vendors on the relevant roster list and provided that an acceptable contract can be negotiated with the vendor.

Housekeeping Amendments

The housekeeping items are amendments and clarifications for the purposes of accuracy, efficiency and practicality. Not making these amendments will necessarily reduce the accuracy, efficiency, practicality and clarity of the Bylaw.

Sale of Surplus Items

There is very little risk in allowing City employees to receive Surplus items because only those items slated for waste or disposal by the Purchasing Manager, with prior approval of the CAO, would be allowed to be obtained by employees. All previous process requirements would stay the same and the proposed amendments would be an addition to those already existing processes. Currently the levels of oversight and prior approvals required for surplus items to be designated as waste is significant. All surplus items need to be identified as surplus through a report issued by the Department Head to the Purchasing Manager. Only identified goods which are reviewed in detail are selected for disposal. If there is potential to obtain any value from these items, the Purchasing Manager would attempt to generate revenue by placing those items for sale. In addition, if the value generation is not worth the effort of a sale or auction then the Purchasing Manager shall determine if the items may be of use to other City departments and may authorize distribution. After all of those attempts are met would the proposed amendments be triggered.

Financial Matters:

The proposed changes have no financial impact. Simplification and clarity of the bylaw may improve the competitive environment in which bids are submitted, thereby improving results for the City.

Consultations:

Section 165 of the Bylaw requires that internal and external stakeholders be consulted in making amendments to the Bylaw.

The proposed Bylaw amendments have been given a thorough internal review through provision to corporate management in all areas by all members of the CLT. An opportunity for external review was provided to:

- Windsor Construction Association
- Heavy Construction Association
- Ontario Association of Professional Engineers (local chapter)
- Windsor Public Library Board
- Windsor Police Service
- Roseland Golf and Curling Club
- Your Quick Gateway (YQG) Ltd.
- Transit Windsor

This report was prepared in consultation with the City Solicitor.

Conclusion:

The current Bylaw meets all current and potential legislative requirements, all audit recommendations, and embodies best practices in use across Canada. The Bylaw promotes fairness towards and engagement with the vendor community, and it supports the needs of its users in their own unique environment.

After ten years of use, the success of the Bylaw can be measured in the amount and nature of the requested amendments required following careful review. The amendments requested are limited and are designed for greater efficiency and clarity in the operation of the Bylaw, to the benefit of the City as a whole.

Approvals:

Name	Title
Alex Vucinic	Purchasing Manager
Shelby Askin Hager	Commissioner, Legal & Legislative Services
Joe Mancina	Commissioner, Corporate Services CFO/City Treasurer
Onorio Colucci	Acting Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:

Subject: Roxborough Boulevard Development & 1500 Northway Avenue Servicing Projects – Cost Sharing – Ward 10

Reference:

Date to Council: September 26, 2022

Author: Shannon Mills

Technologist III

519-255-6100 ext. 6635

smills@citywindsor.ca

Engineering

Report Date: September 8, 2022

Clerk's File #: SW2022

To: Mayor and Members of City Council

Recommendation:

- I. THAT Council **APPROVE** payment to South Windsor Development Company Limited for costs to service privately owned lands municipally known as 2405 & 2410 Roxborough Blvd as part of the Roxborough Development, of up to \$62,678.78 (inclusive of HST), to be funded from Project ID #7035119 – New Infrastructure Development. These costs are to be recovered from the Roxborough Boulevard benefiting properties; and,
- II. THAT Council **APPROVE** payment to Olivia Construction Homes Inc. for costs to service privately owned lands included as part of the 1500 Northway Avenue Service Extension, of up to \$154,481.48 (inclusive of HST), to be funded from Project ID #7035119 – New Infrastructure Development. A portion of these costs are to be recovered from the Northway Avenue benefiting properties; and,
- III. THAT Administration **REPORT BACK** 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.

Executive Summary:

N/A

Background:

Roxborough Development - Extension of Municipal Services

Roxborough Boulevard was extended south of Northwood Street and has been serviced in accordance with the City of Windsor's General Servicing Conditions under a Special Permit issued to South Windsor Development Company Limited (SWDC) by the Office of the Commissioner of Infrastructure Services.

At the request of Administration, SWDC provided municipal services including sanitary and storm mainline sewers and private drain connections to two (2) additional privately owned properties on Roxborough Avenue. These properties are municipally known as 2405 and 2410 Roxborough Boulevard and are shown on drawing C-3687 (attached). As SWDC owned the majority of the properties fronting the proposed street, SWDC agreed to complete the entirety of the servicing requirements for the Roxborough Development on the condition the City collected servicing costs related to the existing benefiting properties and remitted the same to SWDC.

A contract was awarded by SWDC for the construction of the municipal services through public tender in accordance with Purchasing By-Law 93-2012. Servicing was completed and paid for by SWDC in accordance with City standards, all drawings reviewed and approved by the City of Windsor prior to construction. The Developer's Consulting Engineer has completed detailed As-Built servicing drawings for the development. Letters were sent April 25, 2022 notifying said residents the municipal sewers were now available for them to connect to and detailing the associated fees applied to each property.

Pursuant to City of Windsor By-law 9-2019, S. 1.21, connection to the new sanitary sewer is mandatory and the property owner has one (1) year from the date of the letter to connect to the available sanitary sewer and decommission the private sewage septic system. By-law 9-2019 does not mandate a property to connect to an available storm sewer, however this would be a condition of any development or severance of the property and storm Servicing Charges would be collected at that time, including applicable interest.

The property owner of 2405 Roxborough Blvd has requested payment options be offered by the City due to the significant costs to decommission the septic system, connect to the new municipal sanitary sewer and pay servicing costs.

1500 Northway Avenue – Extension of Services

1500 Northway Avenue has been serviced in accordance with the City of Windsor's General Servicing Conditions under a Special Permit issued to Olivia Construction Homes Inc. by the Office of the Commissioner of Infrastructure Services. A contract was awarded for the construction through public tender in accordance with Purchasing By-Law 93-2012. Servicing was completed in accordance with City standards, all drawings reviewed and approved by the City of Windsor prior to construction.

At the request of Administration, the developer provided municipal services including mainline sewers and sanitary and storm private drain connections to three (3) additional privately owned properties on the east side of Northway Avenue. These properties are municipally known as 1410, 1420 & 1526 Northway Avenue (the Northway Benefiting

Properties) and are currently on septic systems. These properties are shown on the attached drawing C-3686.

The Developer's Consulting Engineer has completed detailed As-Built servicing drawings for the development, and together with Administration cost sharing terms acceptable to both parties have been negotiated and agreed upon. The purpose of this report is to bring forward the City's share of the costs to Council for approval, which include servicing costs to be recovered from the Northway Benefiting Property owners.

Verbal objections have been received to date from at least one of the Northway Benefiting Property owners related to the municipal servicing costs.

Discussion:

Roxborough Development - Extension of Municipal Services

As part of developing Roxborough Boulevard south of Northwood Street, two (2) additional privately owned lots with existing dwellings were serviced by the developer at the City's request.

The property owner of 2410 Roxborough Blvd has already paid the City their portion of the sanitary Servicing Charges and completed the changeover from their private septic system to the municipal sanitary sewer. The City will remit this payment to SWDC and fund the cost from Project ID #7035119 – New Infrastructure Development.

The property owner for 2405 Roxborough Blvd has not paid their proportionate share of the Servicing Charges or applied for a permit to decommission their septic system. A search of permit records for 2405 Roxborough Boulevard has found no evidence of the subject property having replaced their septic systems in the past 10 years. The City will collect Servicing Charges for this property prior to issuance of a permit.

The City recommends payment to SWDC for the remainder of the servicing charges owing to the developer as detailed in the financials section of this report, to be funded from Project ID #7035119 - New Infrastructure Development.

1500 Northway Avenue - Extension of Municipal Services

Zoning By-law 8600 prohibits the erection of a building on a lot unless a paved street, municipal stormwater outlet, municipal sanitary sewer, municipal electrical service and municipal water service are available. In this case, storm and sanitary sewers ended at 1540 Northway Avenue, south of the subject lands. As a result, 1500 Northway Avenue could not develop unless these municipal services were extended to the property.

As noted above, three (3) additional privately owned lots with existing dwellings were serviced by the developer for 1500 Northway at the City's request.

The City of Windsor's Property Standards By-law 9-2019 states that all sewage shall be discharged directly into a municipal sewage system if the sewer system is within 30.0 metres of any said property abutting municipal right-of-way. As required under By-law 9-2019 property owners have one (1) year to connect to the available sanitary sewer and

decommission the private sewer system in the event a City sewage system becomes available.

The City recommends payment to Olivia Construction Homes Inc. for cost sharing related to the extension of municipal services based on the actual construction and engineering costs associated with the storm and sanitary sewer extension, to be funded from Project ID #7035119 – New Infrastructure Development.

Payment Options for Benefiting Properties

Costs related to servicing and septic system changeover are significant and can be onerous on a property owner to pay up front. In the case of a local improvement project under O. Reg. 586/06, options exist for a home owner to pay in one lump sum or on their taxes over a ten (10) or twenty (20) year term. Understanding the financial burden for benefiting properties, Administration wishes to explore options for terms similar to local improvement payments for the servicing charges on public property (mainline sewer and private drain connections on public right-of-way) and private property (private drain connections and septic sewer changeover on private property).

Administration recommends reporting back to Council with payment options that would apply to benefiting property owners who currently have a dwelling serviced by a sanitary sewage septic system and have had municipal sewers extended to their property by the City or a developer, outside of the local improvement process governed by O. Reg. 586/06.

In an effort to ensure timely payment to the developer for work previously completed on Roxborough Boulevard and Northway Avenue, Administration further recommends providing payment in full for the servicing charges as negotiated and agreed to for these developments.

Risk Analysis:

While By-law 9-2019 requires connection to the sanitary sewer within one (1) year, there is a risk that the storm sewer Servicing Charges from the two (2) Roxborough Boulevard Benefiting Properties and three (3) Northway Avenue Benefiting Properties may be recovered at a future date when the properties re-develop, request to connect to the storm sewer or sewer. Interest charges that will accrue from the time of repayment of storm Servicing Charges to the developers will mitigate some of the risk associated with potential future collection of these charges. Further, this risk is mitigated to some extent by the current economy and real estate prices. Now that full municipal services are available, property owners may have the opportunity to sever parcels and build. Severances and building permits shall not be issued until the cost of these services have been paid in full.

Climate Change Risks

Climate Change Mitigation:

This report is administrative in nature and does not include any risks related to Climate Change mitigation.

Climate Change Adaptation:

This report is administrative in nature and does not include any risks related to Climate Change adaptation.

Financial Matters:

Roxborough Development and Extension of Municipal Services

The City is responsible for compensating SWDC for the extension of municipal services beyond what is required for their site. The developer constructed these works in 2021 and is seeking payment from the City for \$62,678.78 (inclusive of HST). The City has reviewed these costs and consider them to be a fair compensation value based on actual construction costs through a public tender process.

The Roxborough Benefitting Properties have been assessed the costs of the construction of mainline sewers based on a rate per metre of frontage and a fixed rate per private drain connection. Sanitary Servicing Charges in the amount of \$25,465.28 (inclusive of HST) are estimated to be fully recovered from the Roxborough Benefitting Properties within the next six (6) months. The property owner of 2410 Roxborough Blvd has already paid the City their portion of the sanitary Servicing Charges. The remaining storm Servicing Charges in the amount of \$37,213.50 (inclusive of HST) may be recovered in the future including applicable interest charges. An overall summary of costs is provided in the table below.

<u>Description</u>	<u>Amount</u>		
<i>Expenses</i>	<i>Actual Cost</i>		
Sanitary Main	\$ 18,435.65		
Sanitary PDC's	\$ 4,100.00		
Storm Main	\$ 29,122.30		
Storm PDC's	\$ 3,810.00		
Subtotal	\$ 55,467.95		
HST	\$ 7,210.83		
Total City Expenses	\$ 62,678.78		
<i>Revenues</i>		<i>Payment Received</i>	<i>Outstanding Receivable</i>
Property Assessment - Sanitary Servicing Charges	\$ 25,465.28	\$ 12,732.64	\$ 12,732.64
Property Assessment - Storm Servicing Charges	\$ 37,213.50		\$ 37,213.50
Total City Revenue	\$ 62,678.78	\$ 12,732.64	\$ 49,946.14
TOTAL NET CITY COST	\$ -		

The New Infrastructure Development project (ID#7035119) has previously earmarked funds within its budget for this development. This project has sufficient available funding to make this payment.

1500 Northway – Extension of Services

The City is responsible for compensating the Developer for the extension of municipal services beyond what is required for their site. The developer constructed these works in 2020 and is seeking payment from the City for \$154,481.48 (inclusive of HST).

The three (3) Northway Benefiting Properties will be assessed the costs of the construction of mainline sewers based on a rate per metre of frontage and a fixed rate per private drain connection. A total of \$82,103.07 (inclusive of HST) is estimated to be fully recovered from the Northway Benefiting Properties. The remaining net cost to the City is \$72,378.41 (inclusive of HST). An overall summary of the City’s share of the costs is provided in the table below.

<u>Description</u>	<u>Amount</u>
<u>Expenses</u>	
Road Work and Miscellaneous	\$ 59,434.32
Sanitary Main	\$ 27,940.60
Sanitary PDC's	\$ 8,700.00
Storm Main	\$ 29,416.98
Storm PDC's	\$ 6,600.00
Subtotal	\$ 132,091.90
Construction Administration 15%	\$ 19,813.79
HST (on Construction Administration)	\$ 2,575.79
Total City Expenses	\$ 154,481.48
<u>Revenues</u>	
Property Assessment - Storm Servicing Charges	\$ 40,699.19
Property Assessment - Sanitary Servicing Charges	\$ 41,403.88
Total City Revenue	\$ 82,103.07
TOTAL NET CITY COST	\$ 72,378.41

The New Infrastructure Development project (ID#7035119) has previously earmarked funds within its budget for this development. This project has sufficient available funding to make this payment.

It is also important to note that with the extension of sanitary sewers to these properties, the homeowners will now be subject to the payment of Sewer Surcharge Fees.

Consultations:

Legal Department – Wira Vendrasco

Finance Department – Janice Guthrie, Tony Ardovini

Right-of-Way Department – Adam Pillon

Financial Planning Administrator – Linda Mancina

Conclusion:

Administration is recommending approval for payment to South Windsor Development Company at \$62,678.78 (inclusive of HST) for the Servicing Charges for Roxborough Boulevard related to 2405 & 2410 Roxborough Boulevard. Payment to be funded from Project ID #7035119 - New Infrastructure Development. The costs related to the servicing charges for municipal services will be recovered over time, from the benefiting property owners at 2410 & 2405 Roxborough Boulevard.

Administration is recommending approval for payment to Olivia Construction Homes Inc. at \$154,481.48 (inclusive of HST) for the servicing extension costs for Northway Avenue. Payment to be funded from Project ID #7035119 - New Infrastructure Development. The costs related to the servicing charges for municipal services will be recovered over time, from the benefiting property owners at 1410, 1420 & 1526 Northway Avenue.

Planning Act Matters:

N/A

Approvals:

Name	Title
Stacey McGuire	Manager of Development
France Isabelle-Tunks	Executive Director of Engineering/Deputy City Engineer
Chris Nepszy	Commissioner, Infrastructure Services
Wira Vendrasco	Deputy City Solicitor, Legal, Real Estate
Shelby Askin Hager	Commissioner, Legal and Legislative Services
Joe Mancina	Commissioner, Corporate Services CFO/City Treasurer
Onorio Colucci	Acting Chief Administrative Officer

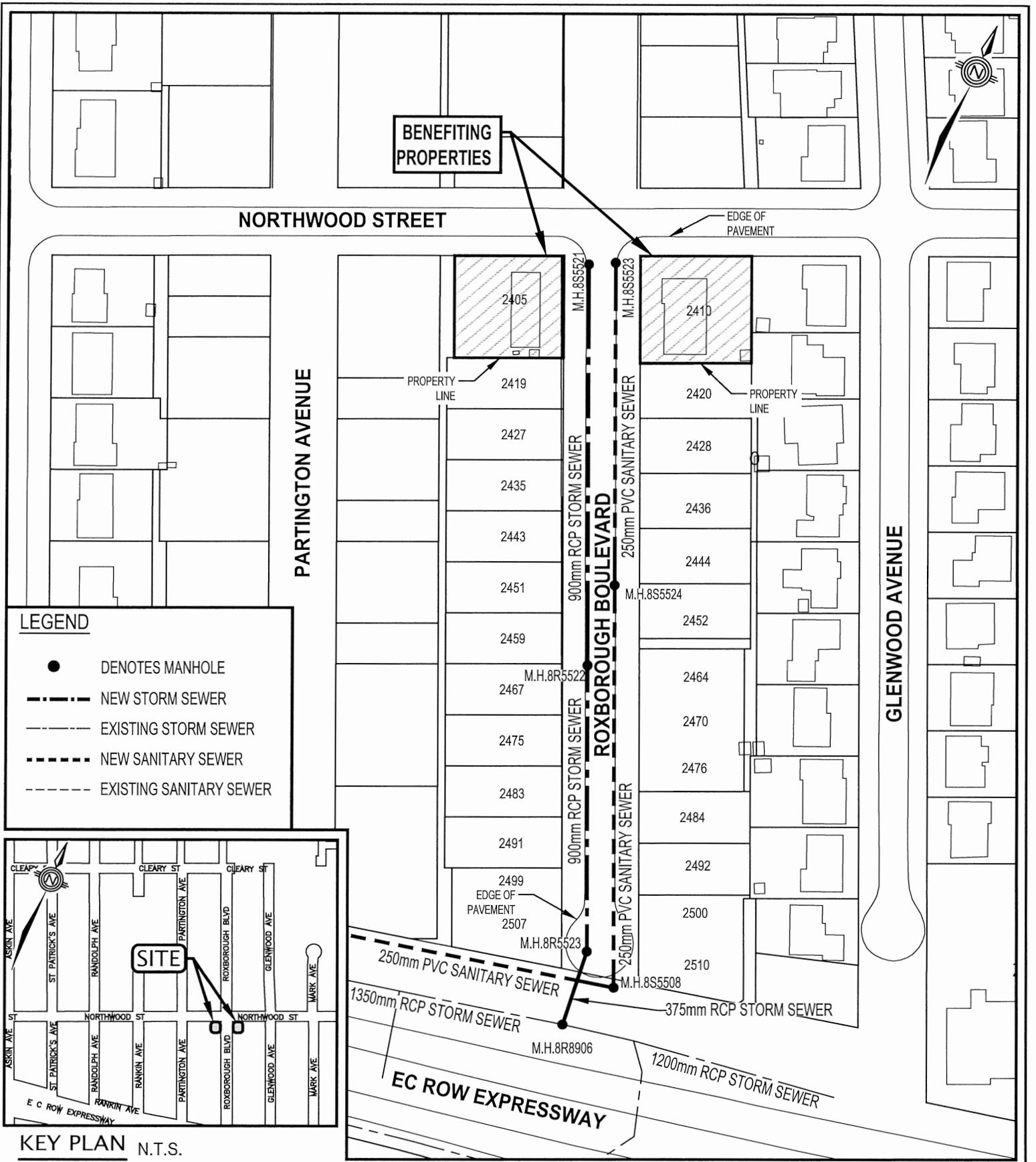
Notifications:

Name	Address	Email
Ward 10 Councillor Jim Morrison	350 City Hall Square West, Suite 220, Windsor, ON, N9A 6S1	jmorrison@citywindsor.ca

Name	Address	Email
Karl Tanner	3200 Deziel Drive, Suite 608, Windsor, ON, N8W 5K8	ktanner@dillon.ca
Abir Ramadan	2405 Roxborough Boulevard, Windsor, ON, N9E 2Z7	maan_allawi@hotmail.com
Franco & Teresa Spizzirri	2410 Roxborough Boulevard, Windsor, ON, N9E 2Z7	
Frank Fazio – Fazio Giorgi LLP	Frank Fazio – Fazio Giorgi LLP	ffazio@faziogiorgi.com
Ashraf Botros – Olivia Homes Inc.	1797 South Cameron Blvd., Windsor, ON, N9B 3P6	ashrafbotros@icloud.com
Matilde Santia	1410 Northway Avenue, Windsor, ON, N9B 3L7	
James Ellis	1420 Northway Avenue, Windsor, ON, N9B 3L7	
Cheryl Ann Wood	1526 Northway Avenue, Windsor, ON, N9B 3L7	

Appendices:

- 1 C-3687
- 2 C-3686



THE CORPORATION OF THE CITY OF WINDSOR - ENGINEERING DEPARTMENT

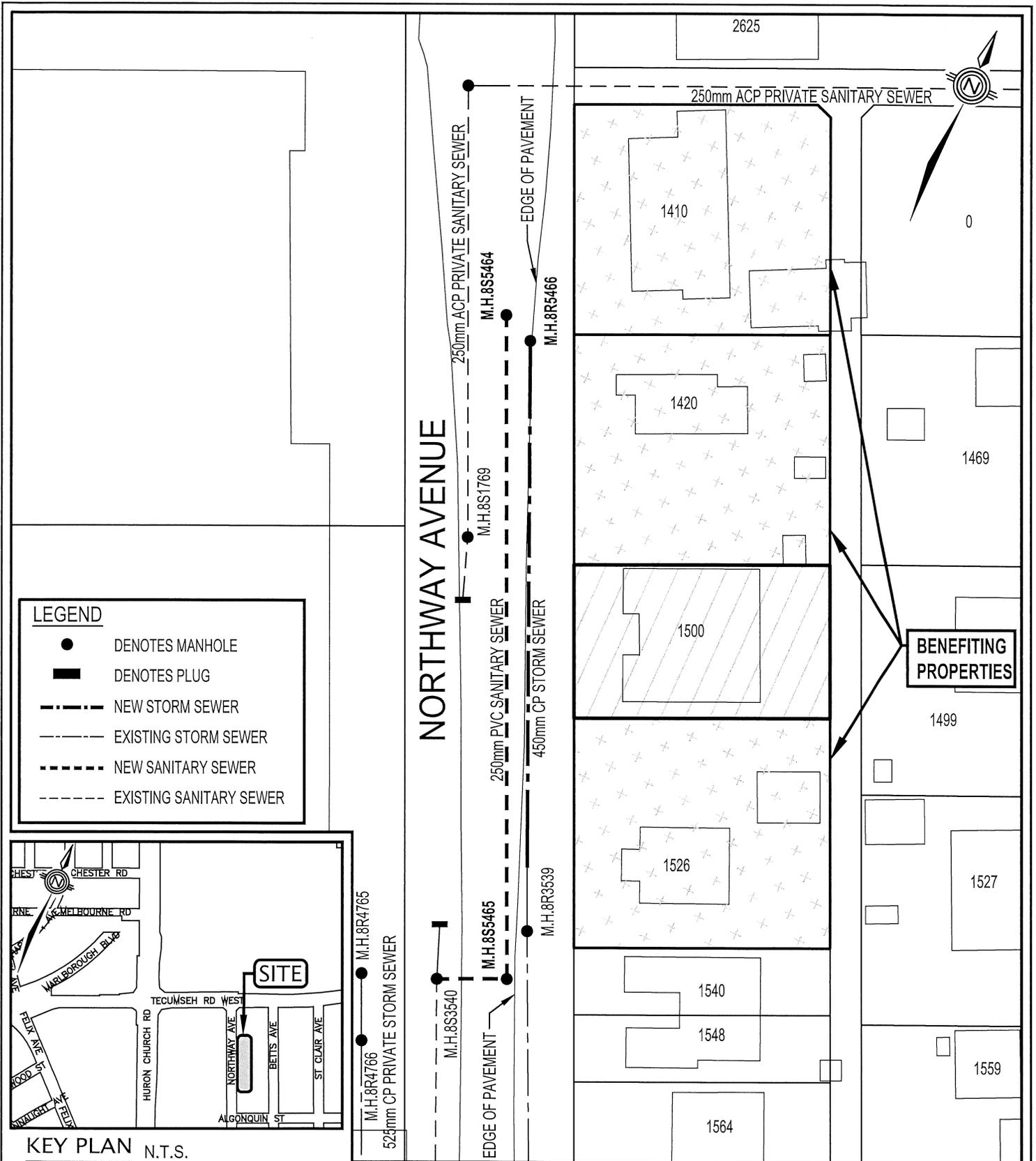
Roxborough Boulevard Service Extension

Kirk Tamm
 Kirk Tamm, Manager of Geomatics

SCALE: 1:1500 DATE: SEP 2022
 City Council Agenda - September 26, 2022
 DWN BY: Page 394 of 395 DESIGNED BY: P.J.U / SM

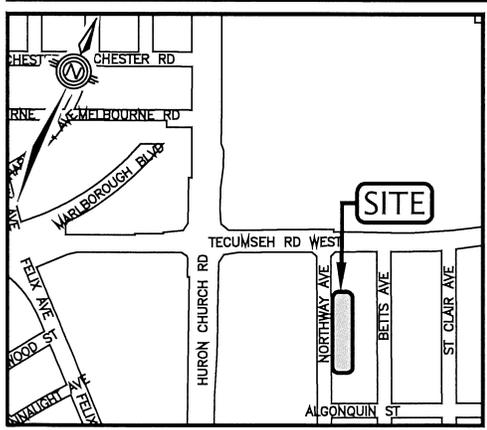
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DWG. NO.
 C-3687



LEGEND

- DENOTES MANHOLE
- DENOTES PLUG
- - - - NEW STORM SEWER
- - - - EXISTING STORM SEWER
- - - - NEW SANITARY SEWER
- - - - EXISTING SANITARY SEWER



THE CORPORATION OF THE CITY OF WINDSOR - ENGINEERING DEPARTMENT

1500 Northway Avenue Service Extension

 Kirk Tamm, Manager of Geomatics	SCALE: 1 : 600	DATE: SEP 2022	REVISED: -	DWG. NO.
	DWN BY: SS	CHKD BY: PJU / SM	REVISION NO.: -	C-3686