

July 8, 2022

TO THE MAYOR AND MEMBERS OF COUNCIL:

A special meeting of Council will be held on **Monday, July 11, 2022, at 3:30 o'clock p.m., in Room 139, 350 City Hall Square.** Council will at the special meeting adopt a resolution to authorize Council to meet in closed session, and the resolution shall contain the general nature of the matters to be considered in the closed session. The resolution must be adopted by a majority of Council present during the open special meeting before the meeting may be closed.

The **regular meeting** of Council will be held on **Monday, July 11, 2022 at 4:00 o'clock p.m., in the Council Chambers, 350 City Hall Square.**

BY ORDER OF THE MAYOR.

Yours very truly,



Steve Vlachodimos

City Clerk

/bm

c.c. Chief Administrative Officer

Consolidated City Council Meeting Agenda

Date: July 11, 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 will have the option of participating electronically or in person.

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
---------------	-------------------------

1.	ORDER OF BUSINESS
----	--------------------------

1.1.	In the event of the absence of the Mayor, Councillor Holt has been Appointed Acting Mayor for the month of July, 2022 in accordance with By-law 176-2018, as amended.
------	---

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

READING OF LAND ACKNOWLEDGEMENT

We [I] would like to begin by acknowledging that the land on which we gather is the traditional territory of the Three Fires Confederacy of First Nations, which includes the Ojibwa, the Odawa, and the 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
----	--

4.	ADOPTION OF THE MINUTES
----	--------------------------------

4.1	Minutes of the June 13, 2022 Regular City Council Meeting (SCM 171/2022) (enclosed)
-----	---

5.	NOTICE OF PROCLAMATIONS
----	--------------------------------

Proclamations

“Srebrenica Genocide Remembrance Day” – Monday, July 11, 2022

Flag Raising Ceremony

“Eid” – Friday, July 22, 2022

Illumination

“Eid” – Friday, July 22, 2022

6.	COMMITTEE OF THE WHOLE
----	-------------------------------

7. **COMMUNICATIONS INFORMATION PACKAGE** (This includes both Correspondence and Communication Reports)
 - 7.1 Correspondence 7.1.1. through 7.1.9. **(CMC 10/2022) (enclosed)**
 - 7.2 Disposal of Surplus Goods Reporting Requirements - Purchasing Bylaw 93-2012 - City Wide **(CM 7/2022)**
 - 7.3 Windsor Canada Utilities - 1st Quarter 2022 Financial Statements - City Wide **(C 106/2022)**
 - 7.4 Performance Appraisal Report (for period of January - December 2021) - City Wide **(CM 8/2022)**

8. **CONSENT AGENDA**

- 8.1. Response to Council Directive in Council Decision Number CR83/2022 Regarding the Repair and Improvement to the McKee Drain - Wards 1 and 2 **(C 102/2022)**
Clerk's note: David Hanna, submitting an email dated July 8, 2022, as a written submission **(attached)**
- 8.3. Application for Municipal Borrowing from Ontario Infrastructure and Lands Corporation – Administrative Matters - City Wide **(C 105/2022)**
- 8.4. Payment Card Data Security Policy - City Wide **(C 57/2022)**

CONSENT COMMITTEE REPORTS

- 8.6. Essex-Windsor Solid Waste Authority Regular Board Meeting Minutes - April 5, 2022 **(SCM 175/2022) (SCM 142/2022)**
- 8.7. Essex-Windsor Solid Waste Authority Annual Report - Essex-Windsor Residential Waste Diversion 2021 **(SCM 176/2022) (SCM 143/2022)**
- 8.8. Minutes of the Windsor Bicycling Committee of its meeting held May 4, 2022 **(SCM 177/2022) (SCM 151/2022)**
- 8.9. CQ24-2019 - Designating all BIA's as "Tourist Destinations" - City Wide **(SCM 178/2022) (S 66/2022)**
- 8.10. Fleet Documentation - City Wide **(SCM 179/2022) (S 67/2022) Clerk's Note:** Administration submitting the **attached** memo dated July 6, 2022 as additional information **(AI 10/2022)**
- 8.11. City of Windsor Traffic Pre-Emption and Priority Project - Pre-Approval – City Wide **(SCM 180/2022) (S 71/2022)**

- 8.12. Tuition-Based ("SaintsPass") Bus Pass Program - Partnership with St. Clair College Student Representative Council - City Wide **(SCM 181/2022) (S 52/2022)**
- 8.13. Transit Windsor Route Infrastructure Planning & Design Guidelines - City Wide **(SCM 182/2022) (S 69/2022)**
- 8.14. Town of Amherstburg - Transit Service Agreement - City Wide **(SCM 183/2022) (S 70/2022)**
- 8.15. 2022 Decommissioning of Transit Windsor Buses - City Wide **(SCM 184/2022) (S 73/2022)**
- 8.18. Rezoning – Andi Shallvari - 716 Josephine Ave - Z-011/22 ZNG/6703 - Ward 2 **(SCM 169/2022) (S 56/2022)**
- 8.19. 1478 Kildare Road, Cunningham Sheet Metal (formerly) - Heritage Permit Request (Ward 4) **(SCM 170/2022) (S 60/2022)**
9. **REQUEST FOR DEFERRALS, REFERRALS AND/OR WITHDRAWALS**
- 11.1 Bernard Road Subdivision – NOC Development Inc. Cost Sharing/Oversizing/Servicing - Ward 5 **(C 104/2022) Clerk's Note:** The applicant has requested that this report **BE DEFERRED** to a future meeting of Council to allow for the applicant to meet with administration to discuss the client's share of servicing costs. **(attached)**
a) Robert Tomas, Solicitor, available for questions (*via Zoom*)
10. **PRESENTATIONS AND DELEGATIONS**
- DELEGATIONS (5-minute maximum)
- 8.17. Zoning By-Law Amendments for 1646 to 1648 Drouillard Road; File Z-004/22 (ZNG/6659) Ward 5 **(SCM 168/2022) (S 46/2022)**
a) Jacob Dickie & Terrance Glover, Agent, Urban In Mind (*via Zoom*) (available for questions)
- 8.16. Closure of part of southerly half of north/south alley between Brant Street and Wyandotte Street East, Ward 3 **(SCM 158/2022) (S 58/2022) Clerks Note:** Administration providing an Additional Information Memo dated June 14, 2022 **(previously distributed) (AI 9/2022)** and Kelly White, area resident submitting an email dated July 8, 2022, as a written submission **(attached)**
a) David Mady, VP Real Estate Development, Rosati Group (*via Zoom*) (available for questions)
- 8.2. Correcting the Spelling of Matchette Road to Matchett Road (Wards 1 and 2) **(C 101/2022)**
a) Al Matchett, resident of LaSalle (*via Zoom*)

- 8.5. Petition in Opposition to Sidewalk Installation on the West Side of Roxborough Blvd – Between Ojibway St. and Cleary St. (Ward 10) **(C 109/2022)**
Clerk’s Note: JJ Manku, area resident submitting an email dated July 3, 2022, as a written submission (**attached**); Gloria Olivito, area resident, submitted an email dated July 6, 2022, as a written submission (**attached**); Anna DeCia-Gualtieri, area resident, submitting the email dated July 6, 2022, as a written submission (**attached**); Nick Vincelli, area resident, submitting comments received July 7, 2022, as a written submission (**attached**); Dr. Nadeem Javed, area resident submitting comments received July 8, 2022 as a written submission (**attached**); Mohammad Reza Samei, area resident submitted the email dated July 8, 2022 as a written submission (**attached**)
a) Nick Vincelli, area resident (in person)
b) Muhammad Tareen, area resident, (*via Zoom*)
c) Dr. Nadeem Javed, area resident (in person)

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

- 11.1. Bernard Road Subdivision – NOC Development Inc. Cost Sharing/Oversizing/Service - Ward 5 **(C 104/2022)** **Clerks Note:** Administration submitting the **attached** correction to Appendix A which was previously distributed. (See also deferral request)
- 11.2. Declaration of a Vacant Parcel of Land Municipally Known as 0 Rockwell Boulevard Surplus and Authority to Offer for Sale - Ward 10 **(C 100/2022)**
- 11.3. Lanspeary Lions Outdoor Pool and Change Room Replacement - Ward 4 **(C 107/2022)**
- 11.4. Proposed Expropriation of lands and easements on Riverside Drive East for the Riverside Vista Road Improvements, Phase 2A- Ward 6 **(C 103/2022)**
Clerk’s Note: This item must remain off consent and approved as a regular business item.

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) (enclosed)**

- 13.1. **By-law 98-2022** A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW" authorized by CR238/2022 dated May 30, 2022
- 13.2. **By-law 99-2022** A BY-LAW TO AMEND BY-LAW NUMBER 139-2013, BEING A BY-LAW TO DELEGATE AUTHORITY TO THE CITY PLANNER TO APPROVE AND PROCESS CERTAIN APPLICATIONS UNDER THE PLANNING ACT AND PERMITS

UNDER THE ONTARIO HERITAGE ACT authorized by CR395/2021 dated September 27, 2021

- 13.3. **By-law 100-2022** A BY-LAW TO ADOPT AMENDMENT NO. 159 TO THE OFFICIAL PLAN OF THE CITY OF WINDSOR authorized by CR264/2022 dated June 13, 2022
- 13.4. **By-law 101-2022** A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW" authorized by CR264/2022 dated June 13, 2022
- 13.5. **By-law 102-2022** A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW" authorized by CR1175/95 dated October 16, 1995
- 13.6. **By-law 103-2022** A BY-LAW TO ESTABLISH LANDS AS A PUBLIC HIGHWAY KNOWN AS SANDWICH STREET, IN THE CITY OF WINDSOR authorized by CR76/2011 dated February 28, 2011
- 13.7. **By-law 104-2022** A BY-LAW TO ADOPT AMENDMENT NO. 152 TO THE OFFICIAL PLAN OF THE CITY OF WINDSOR authorized by CR265/2022 dated June 13, 2022
- 13.8. **By-law 105-2022** A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW" authorized by CR265/2022 dated June 13, 2022
- 13.9. **By-law 106-2022** A BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE 11th DAY OF JULY, 2022

14. **MOVE BACK INTO FORMAL SESSION**

15. **NOTICES OF MOTION**

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

By-laws 98-2022 through 106-2022 (inclusive)

17. **PETITIONS**

18. **QUESTION PERIOD**

18.1 Summary of Council Directives as of July 11, 2022 **(SCM 203/2022) (enclosed)**

18.2 Summary of Outstanding Council Questions as of July 11, 2022 **(SCM 204/2022) (enclosed)**

19. **STATEMENTS BY MEMBERS**

20. **UPCOMING MEETINGS**

City Council
Monday, July 25, 2022
4:30 p.m., Zoom/Hybrid Platform

Windsor Accessibility Advisory Committee
Tuesday, July 26, 2022
10:00 a.m., Zoom Video Conference

Windsor Licensing Commission
Wednesday, July 27, 2022
9:30 a.m., Zoom Video Conference

Environment, Transportation & Public Safety Standing Committee
Wednesday, July 27, 2022
4:30 p.m., Zoom/Hybrid Platform

21. **ADJOURNMENT**

Item No. 4.1.



Committee Matters: SCM 171/2022

Subject: Adoption of the Windsor City Council meeting minutes held June 13, 2022

City Council Meeting

Date: Monday, June 13, 2022

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

Members Present:

Mayor

Mayor Dilkens

Councillors

Ward 1 - Councillor Francis

Ward 2 - Councillor Costante

Ward 3 - Councillor Bortolin

Ward 4 - Councillor Holt

Ward 5 - Councillor Sleiman

Ward 6 - Councillor Gignac

Ward 7 - Councillor Gill

Ward 8 - Councillor Kaschak

Ward 9 - Councillor McKenzie

Ward 10 - Councillor Morrison

Clerk's Note: Several members of Administration and members of the public participated via video conference (Zoom), in accordance with Procedure By-law 98-2011 as amended, which allows for electronic participation.

Minutes

City Council

Monday, June 13, 2022

Page 2 of 40

1. ORDER OF BUSINESS

2. CALL TO ORDER

Following the playing of the Canadian National Anthem and the Land Acknowledgement, the Mayor calls the meeting to order at 4:00 o'clock p.m.

3. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

Councillor Francis discloses an interest and abstains from voting on Item 8.7 being the report of the Development & Heritage Standing Committee meeting held June 6, 2022 entitled "Approval of a Draft Plan of Subdivision for lands located on the south side of North Talbot Rd, between Southwood Lakes Blvd and HWY 401; File No. SDN-001/21[SDN/6575]; Applicant – Bellocorp Inc.; Ward 1," as it may be relatable to a family member.

Councillor Gill discloses an interest and abstains from voting on Item 8.7 being the report of the Development & Heritage Standing Committee meeting held June 6, 2022 entitled "Approval of a Draft Plan of Subdivision for lands located on the south side of North Talbot Rd, between Southwood Lakes Blvd and HWY 401; File No. SDN-001/21[SDN/6575]; Applicant – Bellocorp Inc.; Ward 1," as one of his employees' spouse (his brokerage) is the architect for this application.

4. ADOPTION OF THE MINUTES

4.1. Adoption of the Windsor City Council meeting minutes held May 30, 2022

Moved by: Councillor Bortolin

Seconded by: Councillor Costante

That the minutes of the meeting of Council held May 30, 2022 **BE ADOPTED** as presented.
Carried.

Report Number: SCM 167/2022

5. NOTICE OF PROCLAMATIONS

Proclamations

"Recreation & Parks Month" – June 2022

"Garden Day" – Saturday, June 18, 2022

"Longest Day of SMILES®" – Sunday, June 19, 2022

"World Sickle Cell Day" – Sunday, June 19, 2022

Minutes

City Council

Monday, June 13, 2022

Page 3 of 40

“Jennifer Jones Day” – Monday, June 27, 2022

“Father Paul Charbonneau Day” – Sunday, July 3, 2022

“Parachute National Injury Prevention Day” – Tuesday, July 5, 2022

Illumination

“World Blood Donor Day” – Sunday, June 12 to Saturday, June 18, 2022

“World Sickle Cell Day” – Sunday, June 19, 2022

“Parachute National Injury Prevention Day” – Tuesday, July 5, 2022

6. COMMITTEE OF THE WHOLE

Moved by: Councillor Francis

Seconded by: Councillor Gignac

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

(a) communication items;

(b) consent agenda;

(c) hearing requests for deferrals, referrals and/or withdrawals of any items of business;

(d) hearing presentations and delegations;

(e) consideration of business items;

(f) consideration of Committee reports;

(g) Report of Special In-Camera Meeting or other Committee as may be held prior to Council (if scheduled); and

(h) consideration of by-law 71-2022 and by-laws 86-2022 through 97-2022 (inclusive).

Carried.

7. COMMUNICATIONS INFORMATION PACKAGE

7.1. Correspondence for June 13, 2022

Moved by: Councillor Gill

Seconded by: Councillor Holt

Decision Number: CR259/2022

That the following Communication Items 7.1.1 and 7.1.3 through 7.1.9 (inclusive) as set forth in the Council Agenda **BE REFERRED** as noted; and that Item 7.1.2 be dealt with as follows:

Minutes

City Council

Monday, June 13, 2022

Page 4 of 40

7.1.2. Request for a communication from the City of Windsor to the Chair of the House of Commons Environment Committee to request scheduling the hearings on C-248 as soon as possible (An Act to amend the *Canada National Parks Act*) regarding the Ojibway National Urban Park (NUP)

Moved by: Councillor Francis

Seconded by: Councillor McKenzie

Decision Number: CR260/2022

That the correspondence item from the Member of Parliament – Windsor West dated June 9, 2022 seeking a communication from the City of Windsor to the Chair of the House of Commons Environment Committee to request scheduling the hearings on C-248 as soon as possible (An Act to amend the *Canada National Parks Act*) regarding the Ojibway National Urban Park (NUP) **BE RECEIVED** for information; and further,

That Administration **BE DIRECTED** to issue a letter to the Chair of the House of Commons Standing Committee on Environment and Sustainable Development to schedule hearings on Bill C-248 (An Act to amend the *Canada National Parks Act*) as soon as possible.

Carried.

Clerk's File: SR/14270

No.	Sender	Subject
7.1.1.	Minister of Veterans Affairs	Letter in response to Windsor City Council's resolution to endorse the nomination of Private Jess Randall Larochelle for the award of the Canadian Victoria Cross APR2022 Note & File
7.1.2.	Member of Parliament – Windsor West	Request for a communication from the City of Windsor to the Chair of the House of Commons Environment Committee to request scheduling the hearings on C-248 as soon as possible (An Act to amend the <i>Canada National Parks Act</i>) regarding the Ojibway National Urban Park (NUP) Commissioner, Community Services Commissioner, Infrastructure Services SR/14270 COUNCIL DIRECTION REQUESTED, otherwise Note & File

Minutes
City Council
Monday, June 13, 2022

No.	Sender	Subject
7.1.3.	Ontario Land Tribunal	<p>Symonds v. Windsor (City) case heard February 2-3, 2022 by video hearing. Decision delivered by D. S. Colbourne on February 2, 2022, Case No. OLT-22-002012 (Formerly PL210246)</p> <p style="text-align: right;">Commissioner, Legal & Legislative Services Commissioner, Economic Development & Innovation City Planner Chief Building Official Deputy City Solicitor Senior Legal Counsel Development Applications Clerk ZB/13918 Note & File</p>
7.1.4.	Ministry of Transportation, Carrier Safety and Enforcement Branch	<p>Letter regarding the Safety Rating Upgrade 062-452-600</p> <p style="text-align: right;">Commissioner, Infrastructure Services Commissioner, Legal & Legislative Services Executive Director, Operations/Deputy City Engineer GP2022 Note & File</p>
7.1.5.	Vice-President, Public, Government and Regulatory Affairs, Canadian National Railway Co. (CN)	<p>Letter to the Minister of Agriculture, Food and Rural Affairs confirming receipt of the March 14 letter addressed to CN CEO Tracy Robinson regarding municipal drainage matters</p> <p style="text-align: right;">Commissioner, Infrastructure Services MT2022 Note & File</p>
7.1.6.	<p>City of Niagara Falls AND Town of Fort Erie AND Niagara Falls Bridge Commission & Buffalo and Fort Erie Public Bridge Authority</p>	<p>Letter requesting the Government of Canada continue to market the ArriveCAN application as an “optional” tool when crossing the border</p> <p style="text-align: right;">GM2022 Note & File</p>

Minutes
City Council
Monday, June 13, 2022

No.	Sender	Subject
7.1.7.	Town of Tecumseh	The Town of Tecumseh will hold a virtual/electronic public meeting on Tuesday, June 28, 2022 at 6:00 p.m. to consider a proposed Zoning By-law Amendment pursuant to the provisions of the <i>Planning Act, R.S.O. 1990</i> for a parcel of land situated at the southwest corner of the Lesperance Road/Dillon Drive intersection <p style="text-align: right;">City Planner Commissioner, Legal & Legislative Services Deputy City Solicitor Development Applications Clerk Z2022 Note & File</p>
7.1.8.	Windsor Police Service	Windsor Police Service Annual Report 2021 <p style="text-align: right;">SP2022 Note & File</p>
7.1.9.	Committee of Adjustment	Applications to be heard by the Committee of Adjustment/Consent Authority, Thursday, June 16, 2022 at, 3:30 p.m., through Electronic Meeting Participation <p style="text-align: right;">Z2022 Note & File</p>

Carried.

Report Number: CMC 9/2022

8. CONSENT AGENDA

8.2. Capital Variance Report - March 31, 2022 - City Wide

Moved by: Councillor Kaschak
Seconded by: Councillor McKenzie

Decision Number: CR262/2022

1. That City Council **RECEIVE** for information the 2022 Life-to-Date Capital Variance Report as at March 31, 2022 as presented by the Chief Financial Officer / City Treasurer.
2. That City Council **APPROVE** the transfers to and from capital projects/reserves as identified within Appendix A – Summary of Capital Project Variances.

3. That City Council **APPROVE** the purchase of a forklift, at an estimated cost of \$70,000 plus HST, with 50% of funding originating from the Fire Truck Equipment Purchases project, 7145008, and the remaining 50% of funding originating from an Urban Search and Rescue grant.
4. That City Council **APPROVE** a transfer of \$245,000 from the Major F.A. Tilston VC Armoury Reserve, Fund 191, to Capital Account 7151017 (Facility Structural & Building Envelope Maintenance Program).
5. That Administration **BE DIRECTED** to further investigate and consider appropriate strategies in order to address the increasing impacts of inflationary pressures on the capital budget and report back on how to manage and address these pressures as part of the 2023 budget process.

Carried.

Report Number: C 91/2022
Clerk's File: AF2022

8.3. Little River Pollution Control Plant -Sludge Pump House No 01 Upgrades-City Wide

Moved by: Councillor Kaschak
Seconded by: Councillor McKenzie

Decision Number: CR263/2022

That the following tender be **ACCEPTED**:

TENDERER:	Vollmer Incorporated 3822 Sandwich Street Windsor, ON N9C 1C1
TENDER NO:	57-22
TOTAL TENDER PRICE:	\$1,737,178.00, excluding HST
ACCOUNT CHARGED:	007 5410 9998 02942 7192004

and,

That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign a contract with the tenderer, satisfactory in form to the City Solicitor, in technical content to the City Engineer, and financial content to the City Treasurer; and,

That City Council **APPROVE** a transfer of additional funds totalling \$388,855 from the funding sources noted below to **Project ID 7192004** that are required to upgrade the Sludge Pump House No. 01 at Little River Pollution Control Plant (LRPCP):

- a. Transfer of \$22,852 from Project 7211023 (LRWRP-Transformer Screen Wall Replacement) and close the project

- b. Transfer of \$208,080 from Project 7161022 (LRPCP- Polymer System Upgrades) and close the project
- c. Transfer of \$157,423 from Project 7172011 (LRPCP- Replacement of Aeration Blowers)

Carried.

Report Number: C 99/2022
Clerk's File: SW/14411

8.5. Official Plan and Rezoning Amendments – Tunio Development – 3885 & 0 Sandwich Street - OPA 152 OPA[6504] Z-028/21 ZNG[6503] - Ward 2

Moved by: Councillor Kaschak
Seconded by: Councillor McKenzie

Decision Number: CR265/2022 DHSC 399

That the City of Windsor Official Plan, Volume II, Part 1-Special Policy Areas **BE AMENDED** by deleting and replacing Specific Policy Area 1.7 as follows:

“1. 7 Sandwich Street and Chappell Avenue

1.7.1 The property comprising Part of Lot 27, Registered Plan 40S, east side of Sandwich Street and Part of Lot 28, east Side of Sandwich Street, and Lot 28 west side corner of Sandwich Street, Registered Plan 40, located at the northeast corner of Sandwich Street and Chappell Avenue;

Site Specific Policy Direction 1.7.2

Notwithstanding Section **6.4.3.1 Industrial Policies-Permitted** Uses designation of the subject lands on Schedule D: Land Use in Volume I--The Primary Plan, the uses permitted in Section 6.9.2.1 shall be additional permitted uses; and,

That Zoning By-law 8600 **BE AMENDED** by changing the zoning of Part Lot 27, Registered Plan 40S, Lot 28 East Side, Registered Plan 40, and Lot 28 West Side, Registered Plan 40, situated at the northeast corner of Sandwich Street and Chappell Avenue (known municipally as 0 and 3885 Sandwich Street; Roll # 050-170-09700 and 050-170-09800) from Development Reserve District 1.1 (DRD1.1), Commercial District 2.1 (CD2.1) and Manufacturing District 1.4 (MD1.4) to Commercial District 2.1 (CD2.1) and by adding the following site specific provision:

445. NORTHEAST SIDE OF SANDWICH STREET AND CHAPPELL AVENUE

For the lands comprising Part Lot 27, Registered Plan 40S; Lot 28 East Side on Registered Plan 40; and Lot 28 West Side, Registered Plan 40:

1. The following uses are prohibited:
Bakery

Food Outlet-Drive-Through
Gas Bar
Place of Entertainment and Recreation
Public Hall
Restaurant with Drive-through

2. A *Multiple Dwelling* and *Dwelling Units in a Combined Use Building* shall be additional permitted main uses and shall be subject to the following provisions:

- a) Main Building Height – maximum 37.0 m
- b) Amenity Area – Per Dwelling Unit – minimum 5.0 m²
- c) For a *Combined Use Building*, all *dwelling units*, not including entrances thereto, are located above the non-residential uses
- d) Exposed flat concrete block walls or exposed flat concrete wall, whether painted or unpainted, are prohibited
- e) Required Number of Parking Spaces – minimum - 156
[ZDM 4; ZNG/6503]; and,

That Part Lot 27 on Registered Plan 40S (PIN 012580193) (Roll # 050-170-09800-0000) known municipally as 0 Sandwich Street and for Lots 28 East Side; & Lot 28 West Side; Corner on Registered Plan 40 (PIN 012580190) (Roll #170-09700-0000) known municipally as 3885 Sandwich Street, situated at the northeast corner of Sandwich Street and Chappell Avenue **BE CLASSIFIED** as a Class 4 area pursuant to Publication NPC-300 (MOECP Environmental Noise Guideline – Stationary and Transportation Sources – Approval and Planning); and,

That the Site Plan Approval Officer **BE DIRECTED** to incorporate the mitigation measures including warning clauses required for a Class 4 designation pursuant to Publication NPC-300 identified in the Acoustical Report prepared by Baird AE (Project No. 20-028), dated October 1, 2021, in the site plan approval and the site plan agreement; and,

That the City Planner or their designate **BE DIRECTED** to provide a copy of the Council Resolution approving the Class 4 area classification and a copy of any development agreement or site plan agreement for the subject lands that incorporates noise mitigation measures to the surrounding noise sources identified in the Acoustical Report prepared by Baird AE (Project No. 20-028), dated October 1, 2021.

Carried.

Report Number: SCM 156/2022 & S 65/2022
Clerk's File: Z/14317

8.6. Draft Plan of Condominium with Exemption under Section 9(3) of the Condominium Act – St. Clair Rhodes Development – 233 Watson Avenue – Ward 6

Moved by: Councillor Kaschak
Seconded by: Councillor McKenzie

Decision Number: CR266/2022 DHSC 400

That the application of St. Clair Rhodes Development for an exemption under Section 9(3) of the *Condominium Act* for approval of a plan of condominium (Standard Condominium), comprised of a total of 24 dwelling units, as shown on the attached Map No. CDM-001/22-1 and CDM-001/22-2 on a parcel legally described as; Part of Lot 129, Concession 1, and Part of Closed Alley, Registered Plan 895; more particularly described as Parts 1 to 4, 12R-25008; City of Windsor; located at 233 Watson Avenue **BE APPROVED** for a period of three (3) years.

Carried.

Report Number: SCM 152/2022 & S 55/2022

Clerk's File: Z/14381

8.7. Approval of a Draft Plan of Subdivision for lands located on the south side of North Talbot Rd, between Southwood Lakes Blvd and HWY 401; File No. SDN-001/21[SDN/6575]; Applicant – Bellocorp Inc.; Ward 1

Moved by: Councillor Kaschak

Seconded by: Councillor McKenzie

Decision Number: CR267/2022 DHSC 402

I. That the application of Bellocorp Inc. for Draft Plan of Subdivision approval for Part Lot 306 and Part Lot 307, Concession N Talbot Rd., Sandwich East, Windsor (PIN 01558-0962 LT, PIN 01558-0544 LT and PIN 01558-0964 LT), **BE APPROVED** subject to the following conditions:

- A. That the Draft Plan Approval shall lapse on June 13, 2025;
- B. That this approval applies to the draft plan of subdivision identified on attached Map No. SDN-001/21-1, prepared by VERHAEGEN Land Surveyors for Bellocorp Inc., Reference No. 21-47-019-01, dated May 20, 2022, showing 33 Lots for single unit dwellings, 1 block for Stormwater Management Facility (SWM), 1 block for Parkland and 1 block for Reserve, plus proposed road allowances (Streets A, B & C);
- C. That the Owner(s) shall enter into a subdivision agreement with the Corporation of the City of Windsor for the proposed development on the subject land;
- D. That prior to the execution and registration of the subdivision agreement between the Owner(s) and the Corporation of the City of Windsor, the Owner(s) shall submit for approval of the City Planner/Executive Director of Planning & Building a final M plan; and
- E. That the subdivision agreement between the Owner(s) and the Corporation of the City of Windsor be registered on title and shall contain, among other matters, the following provisions:
 - 1. The Owner(s) shall include all items as set out in the Results of Circulation (Appendix C, attached) with further amendments as required and other relevant matters set out in CR233/98 (Standard Subdivision Agreement).

2. That the Owner(s) shall create, prior to the issuance of a building permit, a 20m right-of-way for the new Street A, Street B and Street C, in accordance with the approved Plan of Subdivision.
3. The Owner(s) shall, prior to the issuance of a construction permit,
 - (i) Finalize the engineering analysis to identify stormwater quality and quantity measures as necessary to control any increase in flows in downstream watercourses, up to and including the 1:100 year design storm and in accordance with the Windsor-Essex Stormwater Management Standards Manual, to the satisfaction of the City Engineer and the Essex Region Conservation Authority;
 - (ii) install the stormwater management measures identified in the engineering analysis completed as part of the development for the site and undertake to implement the recommendations contained therein, to the satisfaction of the City Engineer and the Essex Region Conservation Authority;
 - (iii) obtain the necessary development review clearances from the Essex Region Conservation Authority prior to undertaking site alterations and/or construction activities of any kind; and
 - (iv) provide, to the Essex Region Conservation Authority, a copy of the fully executed subdivision agreement between the Owner(s) and the City of Windsor, containing provisions to carry out the recommendations of the final plans, reports and requirements noted in Recommendations I.E.4 (i) & (ii) above;
4. Servicing Study - Prior to the issuance of a construction permit, the Owner(s) shall at its own expense, retain a Consulting Engineer to provide a detailed servicing study report on the impact of the increased flow to the existing municipal sewer systems, satisfactory in content to the City Engineer. The Servicing study shall
 - (i) review the proposed impact and recommend solutions to address the problems and ultimate implementation of solutions should there be a negative impact to the municipal sewer system, and
 - (ii) be finalized in agreement with the City Engineer.
5. Site Servicing Plans – The Owner(s) shall submit a site servicing plan for the subject lands to the satisfaction of the Chief Building Official, the City Engineer, and ERCA in regulated areas, prior to the issuance of any construction permits for the subject lands.
6. Sidewalks -The Owner(s) shall pay to the Corporation
 - (i) the sum of \$33,500.00 being the Owner's contribution towards the future construction of a concrete sidewalk on the North Talbot Road frontage of the subject lands, prior to the issuance of a Building Permit; and
 - (ii) the sum of \$16,500.00, being the Owner's contribution towards the future construction of a 3.0m wide multi-use trail connection from the Southwood Lakes Multi-use Trail, in Stoneybrook Park, to the proposed cul-de-sac at the western end of the proposed Street 'A', prior to the execution of a Subdivision Agreement,.

7. Curbs and Gutters – The Owner(s) shall also pay to the Corporation, prior to the issuance of a construction permit, the sum of \$17,750.00 being the Owner's contribution towards the construction of concrete curb and gutter on the North Talbot Road frontage of the subject lands.
8. Corner Cut-Off - The Owner(s) shall, prior to the issuance of a construction permit, gratuitously convey a 4.6m x 4.6m (15' x 15'), corner cut-off at the intersection of North Talbot Road and Street 'B' as well as North Talbot Road and Street 'C' on Map No. SDN-001/21-1, in accordance with City of Windsor Standard Drawing AS-230.
9. Cul-De-Sac: The Owner(s) shall, prior to the issuance of construction permit, construct a cul-de-sac with a minimum radius of 9.5m at the west and east limits of Street A.
10. Stormwater Management Facility: The Owner(s) shall, prior to the issuance of a construction permit, gratuitously convey Block 34 on Map No. SDN-001/21-1 to the Corporation of the City of Windsor for Storm Water Management (SWM) Facility SWM purposes, to the satisfaction of the City Engineer and City Solicitor.
11. Berm Requirement - Prior to the issuance of a construction permit, the Owner(s) shall install a berm along the west, south and east limits of the plan of subdivision, as proposed in Appendix A attached to the Stormwater and Functional Servicing Report dated May 14, 2021, prepared by Bill Fuerth of BAIRD AE Inc., to the satisfaction of the City Engineer and the Essex Region Conservation Authority.
12. Fencing Requirement – Prior to the issuance of a construction permit, the Owner(s) shall install a 1.8m (6ft) chain link fence on Block 34, along the mutual boundary line with Lots 9, 10 and 11, to the satisfaction of the City Engineer, the Executive Director of Parks and the Chief of Police.
13. Video Inspection (Mainline) - The applicant shall, prior to the issuance of a construction permit, conduct at its entire expense a video inspection, or pay the cost of similar inspection, of ALL EXISTING sanitary/storm sewers on North Talbot Road which will be tapped to service the development, all to the satisfaction of the City Engineer.
14. MTO Corridor Management (MTO Requirement) - The Owner(s) shall, prior to the issuance of a construction permit, contact the Ministry of Transportation (MTO) Corridor Management to obtain the necessary permits, clearances and/or approvals in accordance with the *Public Transportation & Highway Improvement Act*.
15. Noise Control Measures for Lots 4, 5 & 6 (inclusive): The Owner(s) shall at its entire expense
 - i) install a noise barrier fence along North Talbot Road as recommended in the Acoustical Report, prepared by Shurjeel Tunio of Baird AE Inc. (Baird AE Acoustical Report) dated March 16, 2021; and

-
- ii) ensure that ducting is provided for the installation of Central Air Conditioning for all the affected lots (Lots 4, 5 & 6), to the satisfaction of the Chief Building Official.
16. Noise Control Measures for all Lots on Map No. SDN-001/21-1: The Owner(s) shall at its entire expense
- i) ensure that all windows and doors leading to sensitive living areas have a minimum sound transmission class (STC) to meet the Ministry of Environment and Climate Change (MOECC) indoor noise level criteria, as specified in the March 16, 2021 Baird AE Acoustical Report;
 - ii) engage an acoustical consultant for review of the sound transmission class (STC) for walls, windows and doors, after being installed, to ensure they conform to the recommendations outlined in the March 16, 2021 BAIRD AE Acoustical Report.
17. Warning Clause(s) for Lots 4, 5 & 6 (inclusive): The Owner(s) shall place the following warning clauses in all Offers to Purchase, and Agreements of Purchase or Sale or lease between the Owner(s) and all prospective home buyers, and in the title of each dwelling unit within Lots 4, 5 & 6 on Map No. SDN-001/21-1:
- i) "Purchasers/tenants are advised that despite the inclusion of noise control features in the development and within the building units, sound levels due to increasing road traffic may on occasions interfere with some activities of the dwelling occupants as the sound levels exceed the sound level limits of the Municipality and the Ministry of Environment."
 - ii) "This dwelling unit has been designed with the provision for adding central air conditioning at the occupant's discretion. Installation of central air conditioning by the occupant in low and medium density developments will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the sound level limits of the Municipality and the Ministry of Environment."
18. Species at Risk/Habitat Protection: The Owner(s) shall comply with, and implement, mitigation measures for construction adjacent to habitat for SARS Reptiles (which include awareness training, strategic vegetation clearing, wildlife exclusion and erosion control fencing, equipment inspection, proper site maintenance and management, and implementation of encounter and reporting protocols) as detailed in Appendix B attached to the report (Preliminary Screening For Species at Risk) by MTE Consultants Inc., dated April 29, 2021, for the subject development.
19. Additional *Endangered Species Act* measures: To reduce the potential for impacts to maternity roosting habitat for Protected Species of bats, the Owner(s) shall
- i) ensure that vegetation removal will occur between October 1 and March 31, outside of the active season for bats; and
 - ii) install replacement bat roosting habitat (two rocket boxes) under the direction of a qualified professional, prior to the issuance of a construction permit.
20. Parkland Conveyance - The Owner(s) shall, prior to the issuance of any construction permit, convey to the Corporation Block 35 on Map No. SDN-001/21-1 which

represents 2.7% Parkland conveyance and the 2.3% remaining balance of the Parkland conveyance in the form of cash payment.

21. Tree Preservation –

- i) Prior to the final Subdivision Plan approval, the Owner(s) shall provide a Landscape and Tree Preservation Plan identifying the proposed locations of all existing trees removed from the development and those to be retained in Block 35, to the satisfaction of the Executive Director of Parks and the City Planner/Executive Director of Planning and Development Services.
- ii) Prior to the issuance of the construction permit the Owner(s) shall pay to the Corporation the sum of \$130,000.00 which represents replacement tree compensation, at a rate of one (1) street tree for every 70mm caliper (dbh) of desirable trees removed. Costs for the replacement trees is in accordance with the Corporation's Fees and Charges By-law 392-2002.

22. Performance Security - for preservation of the existing desirable trees in Block 35:

- i) Prior to issuance of the construction permit, the Owner(s) shall provide a Performance Security in the amount of \$25,000.00, in the form of cash or a certified cheque, to the Corporation to ensure that the nine (9) desirable trees located on Block 35 are preserved during the construction process;
- ii) Prior to release of the Performance Security, the Owner(s) shall request inspection by the Corporation's City Forester to ensure that the proposed tree protection and appropriate method of protection has been completed to the satisfaction of the Executive Director of Parks;
- iii) Where trees proposed to be preserved have been removed, at the time of inspection by the Corporation's City Forester, replacement tree compensation will be deducted from the Performance Security at a rate of one tree for every 70mm of tree caliper (dbh) or portion thereof missing. Costs for the replacement trees will be in accordance with the Corporation's Fees and Charges By-law 392-2002.

23. Climate Change Considerations:

- i) Replacement trees will be planted at locations deemed appropriate by the Corporation's City Forester within and near the subject development, including the parkland allowance (Block 35), the Stormwater facility (Block 34), Stoneybrook Park and nearby Public Park(s), to compensate for the removal of existing trees on the subject lands.
- ii) The Corporation's City Forester shall incorporate shade trees, among the new trees, to minimize the urban heat island impacts, and incorporate native, drought resistant plants to limit watering requirements.

24. Bell Canada - The Owner(s) shall, prior to the issuance of a construction permit,

- i) relocate any existing Bell Canada facilities or easements found to be in conflict with the proposed development;

-
- ii) contact Bell Canada during detailed design to confirm the provision of communication/telecommunication infrastructure needed to service the development;
 - iii) provide entrance/service duct(s) from Bell Canada's existing network infrastructure to service the subject development, and, where the required infrastructure is unavailable, the Owner(s) shall agree to pay for the connection to and/or extension of such network infrastructure.
25. Schools - The Owner(s) shall place the following warnings in all Offers to Purchase, Agreements of Purchase and Sale or lease between the Owner(s) and all prospective home buyers, and in the title:
- i) "Students from this area may not be able to attend the closest neighbourhood school due to insufficient capacity and may have to be bussed to a distant school with available capacity or could be accommodate in temporary portable space."
26. Archaeological Warning Clause(s) - The Owner(s) agrees to insert, the following warning clauses in all construction documents concerning the subject lands:
- 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.

NOTES TO DRAFT APPROVAL (File # SDN-001/21)

- 1. *The applicant is directed to Section 51(39) of The Planning Act 1990 regarding appeal of any imposed conditions to the Local Planning Appeal Tribunal. Appeals are to be directed to the City Clerk and Licence Commissioner of the City of Windsor.*
- 2. *It is the applicant's responsibility to fulfil the conditions of draft approval and to ensure that the required clearance letters are forwarded by the appropriate agencies to the City of Windsor, to the attention of the Executive Director/City Planner, quoting the above-noted file number.*
- 3. *Required agreements with the Municipality will be prepared by the City Solicitor.*

4. *The applicant should consult with an Ontario Land Surveyor for this proposed plan concerning registration requirements relative to the Certification of Titles Act.*
 5. *The final plan approved by the Corporation of the City of Windsor must be registered within thirty (30) days or the Corporation may withdraw its approval under Section 51(59) of The Planning Act 1990.*
 6. *All plans of subdivision/condominium are to be prepared and presented in metric units and certified by the Ontario Land Surveyor that the final plan is in conformity to the approved zoning requirements.*
 7. *Where agency conditions are included in the City's Subdivision Agreement, the Applicant is required to forward a copy of the agreement to the agencies in order to facilitate their clearance of conditions for final approval of this plan.*
- II. That the City Clerk **BE AUTHORIZED** to issue the required notice respecting approval of the draft plan of subdivision under Section 51(37) of *The Planning Act*.
- III. That the subdivision agreement shall **BE REGISTERED** against lands to which it applies prior to the final registration of the Plan of Subdivision.
- IV. That prior to the final approval by the Corporation of the City of Windsor, the City Planner/Executive Director of Planning and Development Services shall **BE ADVISED**, in writing, by the appropriate agencies that conditions have been satisfied.
- V. That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary agreements and documents approved as to form and content satisfactory to the City Solicitor.
- VI. That an amendment to City of Windsor Zoning By-law 8600 **BE APPROVED**, changing the zoning of Block 34 on the Draft Plan of Subdivision, identified as SDN001/21-1 in this report from HRD1.4 to GD1.5 for the purposes of a stormwater management facility, and Block 35 on the Draft Plan of Subdivision, identified as SDN001/21-1 in this report from HRD1.4 to GD1.1 for Parkland.

Carried.

Councillors Francis and Gill discloses an interest and abstains from voting on this matter.

Report Number: SCM 157/2022 & S 59/2022
Clerk's File: Z/14278

8.9. Request for Partial Demolition of a Heritage Listed Property- 2038 Willstead Crescent, C.E. Platt House (Ward 4)

Moved by: Councillor Kaschak

Seconded by: Councillor McKenzie

Decision Number: CR269/2022 DHSC 405

That Council **BE INFORMED** of the proposed removal of the cement and flagstone walkway, front stone porch and front door landing, and stone walls around the house above the collapsing porch, at 2038 Willistead Crescent, C.E. Platt House.

Carried.

Report Number: SCM 154/2022 & S 62/2022

Clerk's File: MBA2022

8.10. Bill 109, *More Homes for Everyone Act, 2022* – Changes to the *Planning Act* Affecting Site Plan Control Approval, City Wide

Moved by: Councillor Kaschak

Seconded by: Councillor McKenzie

Decision Number: CR270/2022 DHSC 406

- I. That Council **REPEAL** Bylaw Number 11275: A by-law to delegate authority to the City Planner or designate, to approve plans and drawings and to impose conditions of the approval.

- II. That Council **AMEND** Bylaw 139-2013 to delegate site plan control approval authority to the City Planner, allow the City Planner to determine the completeness of site plan control applications before accepting an application, terminate redundant site plan control agreements and remove all references to the Manager of Development Applications in accordance with the requirements of Bill 109, *More Homes for Everyone Act, 2022*.

Carried.

Report Number: SCM 155/2022 & S 57/2022

Clerk's File: Z2022

9. REQUEST FOR DEFERRALS, REFERRALS AND/OR WITHDRAWALS

None requested.

10. PRESENTATIONS AND DELEGATIONS

10.1. The Essex and Kent Scottish

Chief of Police (Ret'd) Glenn Stannard

Chief of Police (Ret'd) Glenn Stannard appears before Council to make a presentation regarding "The Essex and Kent Scottish Fundraising Campaign" and provides details related to the current campaign as well as some historical information and other details including the regiment's activities; over 200 years of service; government funds only a portion of commemorative

initiatives; relying on individual donations is not sustainable; fundraising campaign launched to fund these initiatives in perpetuity; maintain a number of monuments locally and in France and Belgium and other locations around the world; preserve records and historical artifacts; ensuring funding lasts into the future; variety of ways for donors to show support; overseas operations often take place in areas of active conflict; advancing Canada's foreign-policy initiatives; domestic operations, from natural disaster relief to keeping seniors safe in a time of pandemic; and conclude by requesting that the City consider contributing to this worthwhile Community cause and supporting the Essex and Kent Scottish.

Moved by: Councillor Francis
Seconded by: Councillor Gill

Decision Number: CR271/2022

That the Essex and Kent Scottish presentation to Windsor City Council on June 13, 2022 **BE RECEIVED** for information; and further,

That \$100,000 of currently available Mayor's Ward Funds **BE REDIRECTED** and **PROVIDED** as a contribution by the City of Windsor to the fundraising campaign of the Essex and Kent Scottish.
Carried.

Report Number: SCM 150/2022
Clerk's File: APR2022

11.2. Ditch Survey and Inspection of Private Culverts and Private Catch Basins - Ward 9

Jayne Lauzon, Area Resident

Jayne Lauzon, area resident, appears before Council and expresses concern regarding the recommendation in the administrative report "Ditch Survey and Inspection of Private Culverts and Private Catch Basins - Ward 9" and indicates that drainage is a big concern for this area and provides some historical information regarding flooding; and concludes by urging that the City continue to investigate a resolution to the flooding concerns in the area.

Russ Mann, Area Resident

Russ Mann, area resident, appears before Council and expresses concern regarding the recommendation in the administrative report "Ditch Survey and Inspection of Private Culverts and Private Catch Basins - Ward 9" and provides information related to water in the ditches in the surrounding area, as well as water in the culverts; and concludes by suggesting that if the vegetation in the ditches is taken care of this may alleviate some of the issues; and urges Council to continue to investigate a resolution to the flooding concerns in the area.

Moved by: Councillor McKenzie
Seconded by: Councillor Francis

Decision Number: CR273/2022 CR208/2022 ETPS892

That Local Improvement works for storm sewers, curb and gutter for those street segments not yet constructed to the municipal standard within the area bounded by E.C. Row Avenue to the north, Woodward Boulevard to the west, Division Road to the south, and Riberdy Road to the east, as shown on drawing 4M-206 **BE RECOMMENDED** to future Capital Budgets and prioritized relative to their technical scoring, subject to cost-sharing for such works as established by CR554/2019; and,

That WSP Canada Inc. firm **BE APPOINTED** as the Drainage Engineer to make an examination of, and prepare a Drainage Report for the repair and improvement to, the Dawson Drain between Division Road and the O'Neil Drain and to the O'Neil Drain from south of Hallee Crescent to Division Road under section 78 of the *Drainage Act*; and further,

That Administration **BE DIRECTED** to report back to Council once the Drainage report for the repair and improvement of the Dawson Drain is complete.
Carried.

Report Number: SCM 120/2022 & S 14/2022
Clerk's File: SW2022

8.4. Multi-Residential Interim Control By-law Study - Proposed Official Plan Amendment and Zoning By-law Amendment

Raymond Hoang, Resident of Ward 7

Raymond Hoang, resident of Ward 7, appears before Council regarding the report "Multi-Residential Interim Control By-law Study – Proposed Official Plan Amendment and Zoning By-law Amendment" and supports the portions of the administrative report related to intensification and the commitment to build more housing; and concludes by expressing concern related to limitations in the administrative report related to three-storey structures as well as the stipulation related to construction of same types of single family homes in existing areas and suggests that more dense type of affordable housing be built more quickly, including three storey structures.

Jim Dymont, Municipal Planning Consultants, and Ron Palmer, The Planning Partnership

Jim Dymont, Municipal Planning Consultants, and Ron Palmer, The Planning Partnership, appear before Council regarding the report "Multi-Residential Interim Control By-law Study – Proposed Official Plan Amendment and Zoning By-law Amendment" and are available for questions.

Moved by: Councillor Bortolin
Seconded by: Councillor Costante

Minutes
City Council
Monday, June 13, 2022

Decision Number: CR264/2022 DHSC 397

1. That the reports titled “MRICBL Background Study” prepared by Municipal Planning Consultants, dated April 2022, attached as Appendix B to Report S 64/2022 **BE ACCEPTED**.
2. That Volume 1: The Primary Plan of the City of Windsor Official Plan (“Official Plan”) **BE AMENDED** as follows:
 - 2A) Change the text of the Official Plan as follows:
 - a) “Commercial Corridor” changes to “Mixed Use Corridor”
 - b) “Commercial Centre” changes to “Mixed Use Centre”
 - c) “Mixed Use” changes to “Mixed Use Node”; and

That Schedule A-1: Special Policy Areas of the Official Plan **IS AMENDED** by adding the Mature Neighbourhoods designation as shown on Schedule A-1-1 attached to this report; and,

That Schedule D: Land Use of the Official Plan **IS AMENDED** by changing the names of the designations in the Legend as follows:

- i. “Commercial Corridor” changes to “Mixed Use Corridor”
- ii. “Commercial Centre” changes to “Mixed Use Centre”
- iii. “Mixed Use” changes to “Mixed Use Node”; and

That Schedule D: Land Use of the Official Plan **IS FURTHER AMENDED** by changing the existing land use designations to the Mixed Use Corridor, Mixed Use Centre, and Mixed Use Node designations as shown on Schedule D-1 attached to this report.

2B) Add the following to the Chapter 6 – Land Use:

<i>RESIDENTIAL INTENSIFICAT ION</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
---	--------	--

2C) Delete 6.3.1.3 and replace it with the following:

<i>INTENSIFICATION, INFILL REDEVELOPMENT</i>	6.3.1.3	To promote residential redevelopment, infill and intensification initiatives in appropriate locations in the City.
--	---------	--

2D) Delete 6.3.2.1 and replace it with the following:

<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 in the City Centre, Mixed Use Centres and Mixed Use Corridors.
---------------------------	---------	---

2E) Delete 6.3.2.3 and replace it with the following:

- 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.

2F) Delete 6.3.2.4 and replace it with the following:

- LOCATIONAL CRITERIA* 6.3.2.4 Residential intensification shall be directed to the Mixed Use Nodes and areas generally within 200 metres of those Nodes. Within these areas mid-profile buildings, up 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. 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.

2G) Delete 6.3.2.5 (c) and replace it with the following:

- (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;

2H) Delete 6.3.2.5 (f) and replace it with the following:

- (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.

2I) Delete 6.3.2.9 and replace it with the following:

NEIGHBOURHOOD 6.3.2.9
COMMERCIAL
EVALUATION
CRITERIA

Neighbourhood Commercial uses shall be encouraged to locate in Mixed Use Nodes as shown on Schedule J. Ideally these uses would form part of a multi-use building with residential uses located above or behind the non-residential uses on the street front.

At the time of submission, the proponent shall demonstrate to the satisfaction of the Municipality that a proposed Neighbourhood Commercial development within a designated Residential area 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;
 - (v) adjacent to heritage resources; and
 - (vi) where market impact is identified as a municipal concern;
- (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 landscaped areas;
- (d) capable of being provided with full municipal physical services and emergency services; and
- (e) provided with adequate off-street parking.

2J) Delete 6.3.2.17 and replace it with the following:

HERITAGE 6.3.2.17
CONSERVATION

Council shall encourage the retention, restoration and sensitive renovation of historic and/or architecturally significant residential buildings in accordance with the Heritage Conservation chapter of this Plan.

Infill and intensification within Mature Neighbourhoods, shown on Schedule A-1, shall be consistent with the built form, height, massing, architectural and landscape of the area. Council will adopt Design Guidelines to assist in the design and review of development in these areas.

2K) Delete 6.3.2.29 and replace it with the following:

COMPATIBLE 6.3.2.29 The creation of additional units through renovation or
ADDITIONAL redevelopment in existing residential neighbourhoods shall
UNITS be done in a manner that is compatible and complimentary
to the character of the neighbourhood. The Zoning By-law
will establish regulations for height, density, and massing
that will preserve the character of stable neighbourhoods.
Council will adopt Design Guidelines to assist in the design
and review of development applications within existing
stable neighbourhoods.

2L) Delete 6.5 and replace it with the following:

6.5 Commercial

Commercial lands provide the main locations for the purchase and sale of goods and services. In order to strengthen Windsor's economy, ensure convenient access and address compatibility concerns, Commercial land uses are provided under three designations on Schedule D: Mixed Use Centre, Mixed Use Corridor and Mixed Use Nodes.

Over the lifetime of this Plan, the Mixed Use Centres will evolve to become vibrant mixed-use commercial and residential areas. Ideally, the predominant form of new or redeveloped housing should be medium and high-density residential buildings with ground floor and possibly second floor commercial uses and upper floor residential dwellings.

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

2M) Add the 6.5.1.8 to the Chapter 6 – Land Use:

RESIDENTIAL 6.5.1.8 To promote residential intensification with medium and high profile
INTENSIFICATION buildings to meet the housing needs of the City in appropriate
areas where municipal services, transit and employment are in
proximity.

2N) Delete 6.5.2.2 and replace it with the following:

RESIDENTIAL 6.5.2.2
AND ANCILLARY
USES

Medium and high profile residential uses either as stand-alone buildings or part of a commercial-residential mixed use buildings shall be integrated within the Mixed Use Centres in a manner that creates a mixed-use community in a modern and attractive urban environment.

Institutional uses, community, cultural, recreational and entertainment facilities shall be permitted in stand-alone buildings, or in mixed-use buildings/developments. Hotels, institutional uses, community, cultural, recreational and entertainment facilities may be located on individual sites, or form part of a larger, comprehensively planned retail commercial centre.

In addition to the uses permitted above, Council may permit ancillary Open Space and Major Institutional uses in areas designated as Mixed Use Centre on Schedule D: Land Use without requiring an amendment to this Plan provided that:

- (a) the ancillary use is clearly incidental and secondary to, and complementary with, the main commercial use; and
- (b) the development satisfies the policies for the proposed land use.

2O) Add 6.5.2.6 (i) to 6.5.2.6:

- (i) Council will adopt Design Guidelines that will assist in the design and review of development applications in a manner that will ensure implementation of these policies.

2P) Delete 6.5.3 and replace it with the following:

The Mixed Use Corridor land use designation is intended for areas which are designed for vehicle oriented Mixed Use uses. Mixed Use Corridors take the form of Mixed Use strips along Arterial and Collector roads within Windsor. These Mixed Use Corridors are expected to provide people-oriented employment and to accommodate higher density/intensity development, while maintaining a broad mix of land uses that support investment in transit and the achievement of complete communities.

2Q) Delete 6.5.3.1 and replace it with the following:

PERMITTED 6.5.3.1
USES

Uses permitted in the Mixed Use Corridor land use designation are primarily retail, wholesale store (added by OPA 58, 24 07 2006) and service oriented uses and, to a lesser extent, office uses.

Medium and High profile residential uses either as stand-alone buildings or part of a commercial-residential mixed use buildings shall be throughout the Corridors.

2R) Delete 6.5.3.3 and replace it with the following:

STREET 6.5.3.3 Council will encourage Mixed Use Corridor development to provide a continuous street frontage and presence. Accordingly, development along a Mixed-Use Corridor shall be:

PRESENCE

- (a) no more than four storeys in height, except on lands immediately adjacent to an intersection with a Class I or Class II Arterial Road or Class I or Class II Collector Road where the height of buildings shall generally not exceed the width of the road right-of-way abutting the development site; and
- (b) Notwithstanding the identified maximum building height, the City may consider additional height, where the City is satisfied that the proposed height achieves compatible development, and where appropriate transitions to abutting lower scale development are established. Appropriate transitions may be achieved through the implementation of regulatory techniques including, but not limited to new height limitations, enhanced building setbacks and step backs, enhanced landscape buffers and planting requirements and/or the implementation of an angular plane. Permissions for taller buildings may be established through a site specific zoning By-law Amendment;
- (c) encouraged to locate the buildings at the street frontage lot line with parking accommodated at the rear of the site.

2S) Add 6.5.3.8 (f) to 6.5.3.8:

- (i) Council will adopt Design Guidelines that will assist in the design and review of development applications in a manner that will ensure

2T) Delete 6.9 and replace it with the following:

The lands designated as “Mixed Use Nodes” on Schedule D: Land Use provide the main locations for compact clusters of commercial, office, institutional, open space and residential uses. These areas are intended to serve as the focal point for the surrounding neighbourhoods, community. As such, they will be designed with a pedestrian orientation and foster a distinctive and attractive area identity. The following objectives and policies establish the framework for development decisions in Mixed Use Nodes areas.

2U) Delete 6.9.2.2

2V) Delete 6.9.2.3 and replace it with 6.9.2.2:

LOCATIONAL 6.9.2.2 Mixed Use Nodes development shall be located where:
CRITERIA

- (a) there is access to Class I or Class II Arterial Roads or Class I Collector Road;
- (b) full municipal physical services can be provided;
- (c) public transportation service can be provided; and
- (d) the surrounding development pattern is compatible with Mixed Use Nodes development.

2W) Delete 6.9.2.5(b) and replace it with 6.9.2.4 (b):

- (b) the mass, scale, orientation, form, and siting of the development achieves a compact urban form and a pedestrian friendly environment. Building should not exceed 4 storeys in height;

2X) Add 8.7.2.3 (j) to the Chapter 8 – Urban Design:

- (j) Council may adopt Design Guidelines that will assist in the design and review of applications for development in accordance with the policies noted above.

2Y) Add 9.3.8 to Chapter 9 – Heritage Conservation:

RECOGNIZE 9.3.8 Schedule A-1 illustrates Mature Neighbourhoods in the City. These areas are not designated as Heritage Areas or Heritage Conservation Districts. However, the areas reflect the cultural heritage of the City and should be protected. When considering the development of these areas, the policies of Section 9.3.7(d) shall be applied.
MATURE NEIGHBOURHOODS AS HERITAGE RESOURCE

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

3A) Delete Section 10.1.5.4 and substitute with a new Section 10.1.5.4 as follows:

				Duplex Dwelling	Semi-Detached Dwelling	Single Unit Dwelling
.4	Main Building maximum	Height	-	9.0 m	9.0 m	9.0 m

3B) Add Section 10.1.5.10 as follows:

		Duplex Dwelling	Semi-Detached Dwelling	Single Unit Dwelling
.10	Gross Floor Area - maximum	400 m ²	400 m ²	400 m ²

3C) Delete Section 10.2.5.4 and substitute with a new Section 10.2.5.4 as follows:

				Duplex Dwelling	Semi-Detached Dwelling	Single Unit Dwelling
.4	Main Building	Height	-	9.0 m	9.0 m	9.0 m
	maximum					

3D) Add Section 10.2.5.10 as follows:

		Duplex Dwelling	Semi-Detached Dwelling	Single Unit Dwelling
.10	Gross Floor Area - maximum	400 m ²	400 m ²	400 m ²

3E) Delete Section 10.3.5.4 and substitute with a new Section 10.3.5.4 as follows:

				Duplex Dwelling	Semi-Detached Dwelling	Single Unit Dwelling
.4	Main Building	Height	-	9.0 m	9.0 m	9.0 m
	maximum					

3F) Add Section 10.3.5.10 as follows:

		Duplex Dwelling	Semi-Detached Dwelling	Single Unit Dwelling
.10	Gross Floor Area - maximum	400 m ²	400 m ²	400 m ²

3G) Delete Section 10.4.5.4 and substitute with a new Section 10.4.5.4 as follows:

				Duplex Dwelling	Semi-Detached Dwelling	Single Unit Dwelling
.4	Main Building	Height	-	9.0 m	9.0 m	9.0 m
	maximum					

3H) Add Section 10.4.5.10 as follows:

		Duplex Dwelling	Semi-Detached Dwelling	Single Unit Dwelling
.10	Gross Floor Area - maximum	400 m ²	400 m ²	400 m ²

3I) Delete Section 10.5.5.4 and substitute with a new Section 10.4.5.4 as follows:

.4 Main Building Height - 9.0 m
 maximum

3J) Add Section 10.5.5.10 as follows:

.10 Gross Floor Area - maximum 400 m²

3K) Delete Section 11.1.5.4 and substitute with a new Section 11.1.5.4 as follows:

		Duplex Dwelling	Semi-Detached Dwelling	Single Unit Dwelling
.4	Main Building Height -	9.0 m	9.0 m	9.0 m
	maximum			

3L) Add Section 11.1.5.10 as follows:

		Duplex Dwelling	Semi-Detached Dwelling	Single Unit Dwelling
.10	Gross Floor Area - maximum	400 m ²	400 m ²	400 m ²

3M) Delete Section 11.2.5 and substitute with a new Section 11.2.5 as follows:

11.2.5 PROVISIONS

- .1 Duplex Dwelling
 - .1 Lot Width – minimum 12.0 m
 - .2 Lot Area – minimum 360.0 m²
 - .3 Lot Coverage – maximum 45.0%
 - .4 Main Building Height – maximum 9.0 m
 - .5 Front Yard Depth – minimum 6.0 m
 - .6 Rear Yard Depth – minimum 7.50 m
 - .7 Side Yard Width – minimum 1.20 m
 - .10 Gross Floor Area – maximum 400 m²
- .2 Semi-Detached Dwelling
 - .1 Lot Width – minimum 15.0 m
 - .2 Lot Area – minimum 450.0 m²
 - .3 Lot Coverage – maximum 45.0%
 - .4 Main Building Height – maximum 9.0 m

.5	Front Yard Depth – minimum	6.0 m
.6	Rear Yard Depth – minimum	7.50 m
.7	Side Yard Width – minimum	1.20 m
.10	Gross Floor Area – maximum	400 m ²
.3	Single Unit Dwelling	
.1	Lot Width – minimum	9.0 m
.2	Lot Area – minimum	270.0 m ²
.3	Lot Coverage – maximum	45.0%
.4	Main Building Height – maximum	9.0 m
.5	Front Yard Depth – minimum	6.0 m
.6	Rear Yard Depth – minimum	7.50 m
.7	Side Yard Width – minimum	1.20 m
.10	Gross Floor Area – maximum	400 m ²
.4	Double Duplex Dwelling or Multiple Dwelling	
.1	Lot Width – minimum	18.0 m
.2	Lot Area – minimum	540.0 m ²
.3	Lot Coverage – maximum	45.0%
.4	Main Building Height – maximum	9.0 m
.5	Front Yard Depth – minimum	6.0 m
.6	Rear Yard Depth – minimum	7.50 m
.7	Side Yard Width – minimum	1.80 m
.5	Townhome Dwelling	
.1	Lot Width – minimum	20.0 m
.2	Lot Area – per <i>dwelling unit</i> – minimum	200.0 m ²
.3	Lot Coverage – maximum	45.0%
.4	Main Building Height – maximum	9.0 m
.5	Front Yard Depth – minimum	6.0 m
.6	Rear Yard Depth – minimum	7.50 m
.7	Side Yard Width – minimum	1.50 m

3N) Delete Section 11.3.5.4 and substitute with a new Section 11.3.5.4 as follows:

	Semi-Detached Dwelling	Single Unit Dwelling	Townhome Dwelling
.4 Main Building Height - maximum	9.0 m	9.0 m	9.0 m

3O) Add Section 11.3.5.10 as follows:

	Semi-Detached Dwelling	Single Unit Dwelling	Townhome Dwelling
.10 Gross Floor Area - maximum	400 m ²	400 m ²	400 m ²

3P) Delete Section 11.4.5.4 and substitute with a new Section 11.4.5.4 as follows:

					Semi-Detached Dwelling	Single Unit Dwelling
.4	Main Building	Height	-	9.0 m	9.0 m	
	maximum					

3Q) Add Section 11.4.5.10 as follows:

				Semi-Detached Dwelling	Single Unit Dwelling
.10	Gross Floor Area - maximum			400 m ²	400 m ²

3R) Delete Section 5.2.20.1

3. That Interim Control By-law 103-2020 **BE REPEALED** when the amending by-laws that implement the Official Plan Amendment and Zoning By-law amendments are in force.
4. That the City of Windsor Intensification Guidelines **BE ADOPTED** as the Design Guidelines referenced in the Official Plan to evaluate Infill and Intensification development proposals.

Carried.

Report Number: SCM 149/2022 & S 64/2022
 Clerk's File: Z/14384 & Z/13872

8.8. Request for Heritage Permit – 3036 Sandwich Street, McKee Park (Ward 2)

Terry Kennedy, Resident of Ward 2

Terry Kennedy, resident of Ward 2, appears before Council regarding the report “Request for Heritage Permit – 3036 Sandwich Street, McKee Park (Ward 2)” and expresses concern with the recommendation in the administrative report and concludes by reiterating his concerns with heritage preservation in the Sandwich area including the removal of trees.

Moved by: Councillor Costante
 Seconded by: Councillor Francis

Minutes

City Council

Monday, June 13, 2022

Page 31 of 40

Decision Number: CR268/2022 DHSC 404

- I. That a Heritage Permit at 3036 Sandwich Street, McKee Park, for the alterations and addition of the gazebo, plaza, boardwalk, benches, decorative light standards, changes to address drainage, and playground, **BE APPROVED**, subject to the following condition(s):
 - a. Submission of satisfactory product details and samples (including material and colour selections as necessary) to the City Planner or designate; and further,
- II. That the City Planner or designate **BE DELEGATED** the authority to approve any further changes to the heritage alteration permit associated with the current phase of proposed scope for McKee Park including but not limited to the following items:
 - a. Receptacles
 - b. Widened paths

Carried.

Report Number: SCM 153/2022 & S 61/2022

Clerk's File: MBA2022

8.1. Request for Provincial Assistance with Zoning for Automotive Battery Manufacturing Facility located at Banwell Road and EC ROW Avenue East (Ward 9)

Chief Mary Duckworth, Councillor Ian Duckworth, and Councillor Doug Heil, Larry Sault, Intergovernmental Affairs, Caldwell First Nation Representatives; Chief Jason Henry, Chippewas of Kettle and Stony Point Representative; and Philip Lee and Todd Jardine, Southwind Representatives

Chief Mary Duckworth, Councillor Ian Duckworth, Councillor Doug Heil, and Larry Sault, Intergovernmental Affairs, Caldwell First Nation representatives; Chief Jason Henry, Chippewas of Kettle and Stony Point representative; and Philip Lee and Todd Jardine, Southwind representatives; appear before Council regarding the report "Request for Provincial Assistance with Zoning for Automotive Battery Manufacturing Facility located at Banwell Road and EC ROW Avenue East (Ward 9)" and provide some historical information related to land claims related to the Caldwell First Nations; and the process related to legislation regarding building on these lands; and conclude by expressing concerns related to the consultation and engagement process; archaeological concerns; environmental requirements; and request that Council delay voting on the administrative request until such time that meaningful consultations can be undertaken.

Grand Chief Joel Abrams, Association of Iroquois and Allied Indians Representative, and Oliver MacLaren, Olthuis, Kleer, Townshend LLP Representative

Grand Chief Joel Abrams, Association of Iroquois and Allied Indians representative, and Oliver MacLaren, Olthuis, Kleer, Townshend LLP representative, appear before Council regarding the report "Request for Provincial Assistance with Zoning for Automotive Battery Manufacturing Facility located at Banwell Road and EC ROW Avenue East (Ward 9)" and express concern related to the consultation process and provide some historical information; and conclude by requesting that the legal obligation related to consultation be upheld.

Minutes

City Council

Monday, June 13, 2022

Page 32 of 40

Chief Jackie French and Jennifer Mills, Chippewas of the Thames First Nation Representatives

Chief Jackie French and Jennifer Mills, Chippewas of the Thames First Nation representatives, appear before Council regarding the report “Request for Provincial Assistance with Zoning for Automotive Battery Manufacturing Facility located at Banwell Road and EC ROW Avenue East (Ward 9)” in support of the concerns that were put forward by Caldwell First Nation representatives, Chippewas of Kettle and Stony Point representatives, Association of Iroquois and Allied Indians representative, and Townshend LLP representative.

Moved by: Councillor Gignac

Seconded by: Councillor McKenzie

Decision Number: CR261/2022

- I. That the Mayor **BE AUTHORIZED** to submit a letter to the Deputy Minister of Economic Development, Job Creation and Trade outlining City Council’s support for the required zoning for the proposed EV battery manufacturing facility to be located at Banwell Road and E.C. ROW Avenue East and requesting assistance with expediting such approval; and,
- II. That supporting studies, reports, and information related to the zoning **BE ATTACHED** to the Mayor’s letter; and,
- III. That Administration **CONTINUE** to work with staff from the Ministry Economic Development, Job Creation and Trade to support and expedite the required zoning; and further,
- IV. That, within the letter to the Deputy Minister of Economic Development, Job Creation and Trade, the Mayor **BE DIRECTED** to state the need for the Government of Ontario to meet with the indigenous communities immediately as part of the consultation process for this economic development project with an expectation of a resolution to be reached.

Carried.

Report Number: C 86/2022

Clerk’s File: Z/14409

11.1. Charles Clark Square Repairs Versus Replacement at City Hall (Esplanade Project) - Ward 3

Art Roth, Coordinator All Saints Church Skate Program

Art Roth, Coordinator All Saints Church Skate Program, appears before Council regarding the report “Charles Clark Square Repairs Versus Replacement at City Hall (Esplanade Project) - Ward 3,” and provides historical information related to the skate program at All Saints Church and supports the proposed changes for the Esplanade area as well as commending administration for continuing to allow the public to access to other community rinks to make up for the lost ice time while the Charles Clarke Square rink is closed and progress with the Esplanade moves forward.

Minutes
City Council
Monday, June 13, 2022

Moved by: Councillor Morrison
Seconded by: Councillor McKenzie

Decision Number: CR272/2022

That City Council **APPROVE** \$300,000 in funding from the City Hall Square and Civic Esplanade project to hire a consultant immediately to begin the design of a new outdoor ice rink at City Hall; and,

That Council **PRE-APPROVE** and **AWARD** any procurement(s) necessary to hire a consultant to begin the design of a new outdoor ice rink at City Hall, with an upset limit of \$300,000, pursuant to the Purchasing By-Law 93-2012 and amendments thereto; satisfactory in financial content to the City Treasurer, and in technical content to the Executive Director of Recreation and Culture; and,

That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign any agreements or contracts related to this matter, satisfactory in legal form to the City Solicitor, in financial content to the City Treasurer, in technical content to the Executive Director of Recreation and Culture; and,

That the results of the Consultant's report for a new outdoor ice rink at City Hall **BE REFERRED** to the 2023 budget for funding required; and further,

That Administration **BE DIRECTED** to work with representatives from All Saints Church for alternatives/options for the next skating season.

Carried.

Report Number: C 98/2022
Clerk's File: SR/14410

11. REGULAR BUSINESS ITEMS (Non-Consent Items)

None presented.

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

Moved by: Councillor Bortolin
Seconded by: Councillor Costante

Decision Number: CR274/2022

That the report of the In Camera meeting held June 13, 2022 **BE ADOPTED** as presented.
Carried.

Clerk's File: ACO2022

13. BY-LAWS (First and Second Reading)

Moved by: Councillor Francis
Seconded by: Councillor Gignac

That the following By-laws No. 86-2022 through 97-2022 (inclusive) be introduced and read a first and second time:

86-2022 A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW" authorized by CR444/2019 dated August 26, 2019.

87-2022 A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW" authorized by CR173/2022 dated April 25, 2022 and CR216/2022 dated May 9, 2022.

88-2022 A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW" authorized by By-law 221-1998 dated July 13, 1998 and By-law 199-2001 dated June 4, 2001.

89-2022 A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 85-18 CITED AS THE "TOWNSHIP OF SANDWICH SOUTH COMPREHENSIVE ZONING BY-LAW" authorized CR254/2018 dated May 7, 2018 and By-law 59-2018 dated May 7, 2018.

90-2022 A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW" authorized by CR175/2022 dated April 25, 2022.

91-2022 A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW" authorized by CR487/2021 dated November 1, 2021.

92-2022 A BY-LAW TO ADOPT AMENDMENT NO. 143 TO THE OFFICIAL PLAN OF THE CITY OF WINDSOR authorized by CR115/2022 dated March 21, 2022.

93-2022 A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW" authorized by CR115/2022 dated March 21, 2022.

94-2022 A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW" authorized by CR239/2022 dated May 30, 2022.

95-2022 A BY-LAW TO PROVIDE THAT PART-LOT CONTROL SHALL NOT APPLY TO CERTAIN LAND THAT IS WITHIN REGISTERED PLAN 1196 IN THE CITY OF WINDSOR authorized by By-law 139-2013 dated August 26, 2013.

96-2022 A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW" authorized by By-law 8600 s. 5.4.20.

Minutes

City Council

Monday, June 13, 2022

Page 35 of 40

97-2022 A BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE 13th DAY OF JUNE, 2022.

Carried.

14. MOVE BACK INTO FORMAL SESSION

Moved by: Councillor Gill

Seconded by: Councillor Holt

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

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

Carried.

15. NOTICES OF MOTION

15.1. COUNCILLOR GILL'S MOTION

Moved by: Councillor Gill

Seconded by: Councillor Francis

Decision Number: CR275/2022

Whereas there has been an increase in residential development in the east end of the City of Windsor, particularly in Ward 7; and,

Whereas the grade crossings on Banwell, north of Tecumseh Road East; on Clover, north of Tecumseh Road East; and on Lauzon Road, between Spitfire Way and Tecumseh Road East are located in heavily populated residential areas; and,

Whereas residents regularly call with complaints regarding trains blowing whistles late at night, affecting those who live near these train crossings and ask that train whistling be stopped at night unless absolutely necessary; and,

Whereas the process per Transport Canada to apply to stop train whistling begins with a Citizen or group expressing interest followed by the municipality consulting with the railway company;

THEREFORE BE IT RESOLVED that Council **DIRECT** Administration to follow the procedures of Transport Canada and engage with the railway company to initiate the process to request train whistling stop at the following public grade crossings: Banwell, north of Tecumseh Road East; on Clover, north of Tecumseh Road East; and on Lauzon Road, between Spitfire Way and Tecumseh Road East.

Carried.

Councillor McKenzie voting nay.

Clerk's File: MT2022

16. THIRD AND FINAL READING OF THE BY-LAWS

Moved by: Councillor Kaschak

Seconded by: Councillor McKenzie

That the By-law No. 71-2022 and By-laws No. 86-2022 through 97-2022 having been read a first and second time be now read a third time and finally passed and that the Mayor and Clerk **BE AUTHORIZED** to sign and seal the same notwithstanding any contrary provision of the Council.

Carried.

17. PETITIONS

None presented.

18. QUESTION PERIOD

18.3. CQ 9-2022

Moved by: Councillor Bortolin

Seconded by: Councillor Costante

Decision Number: CR276/2022

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

CQ 9-2022:

Assigned to Commissioner, Infrastructure Services:

That Administration report back on the potential benefits of the City of Windsor offering a Private Culvert Rehabilitation Subsidy program to residents similar to other programs currently offered through the Flood Mitigation program framework such as

the Basement Flooding Protection Program and the Downspout Disconnection Program. The analysis should include reference to impacts both to individual homeowners and the community as a whole from a flood mitigation standpoint as well as estimated financial impacts, storm water management benefits and a potential funding source. The report to also include a subsidy program for backyard drains on private property.

Carried.

Clerk's File: ACOQ2022

21. ADJOURNMENT

Moved by: Councillor Francis
Seconded by: Councillor Gignac

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

Carried.

Accordingly, the meeting is adjourned at 6:05 o'clock p.m.

Mayor

City Clerk

SPECIAL MEETING OF COUNCIL – IN CAMERA
June 13, 2022

Members participating via electronic participation in accordance with Procedure By-law #98-2011 as amended, which allows for electronic participation.

Meeting called to order at: 3:30 p.m.

Members in Attendance (in person):

Mayor D. Dilkens
Councillor F. Francis
Councillor G. Kaschak
Councillor J. Gignac
Councillor J. Morrison
Councillor E. Sleiman
Councillor J. Gill
Councillor C. Holt
Councillor F. Costante
Councillor K. McKenzie
Councillor R. Bortolin

Also in attendance:

S. Askin Hager, Acting Chief Administrative Officer
D. Cercone, Acting Commissioner, Human and Health Services
(electronically)
C. Nepsy, Commissioner, Infrastructure Services (electronically)
J. Mancina, Commissioner, Corporate Services CFO/City Treasurer
(electronically)
W. Vendrasco, Acting Commissioner, Legal and Legislative Services
(electronically)
R. Mensour, Commissioner, Community Services (electronically)
J. Payne, Commissioner Economic Development and Innovation
(electronically)
S. Vlachodimos, City Clerk
A. Teliszewsky, Mayor's Chief of Staff

Minutes

City Council

Monday, June 13, 2022

Page 39 of 40

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

<u>Item No.</u>	<u>Subject</u>	Section – Pursuant to Municipal Act, 2001, as amended
1.	Legal/property matter – expropriation settlement	239(2)(e)(f)
2.	Property matter – purchase of land	239(2)(c)

Motion Carried.

Declarations of Pecuniary Interest:

None declared.

Discussion on the items of business. (Items 1 and 2)

Verbal Motion is presented by Councillor Bortolin, seconded by Councillor Morrison, to move back into public session.

Motion Carried.

****SEE NOTE BELOW**

Moved by Councillor Gignac, seconded by Councillor Costante, THAT the Clerk BE DIRECTED to transmit the recommendation(s) contained in the report(s) discussed at the In-Camera Council Meeting held June 13, 2022, directly to Council for consideration at the next Regular Meeting.

1. That the recommendation contained in the in-camera report from Senior Legal Counsel, Acting Commissioner of Legal and Legislative Services and Commission of Corporate Services and CFO/City Treasurer respecting a legal/property matter – expropriation settlement **BE APPROVED.**

Minutes

City Council

Monday, June 13, 2022

Page 40 of 40

2. That the recommendation contained in the in-camera report from the Manager of Real Estate Services, Acting Commissioner of Legal and Legislative Services, Commissioner of Infrastructure and Commissioner of Corporate Services/CFO/City Treasurer respecting a property matter – purchase of land **BE APPROVED**.

Motion Carried.

**Moved by Councillor Sleiman, seconded by Councillor Holt,
That the special meeting of council held June 13, 2022 BE ADJOURNED.**

(Time: 3:33 p.m.)

Motion Carried.

****CLERK'S NOTE: The transmittal motion and final votes were held in the open session of Council on June 13, 2022**



Correspondence Report: CMC 10/2022

ATTACHMENTS

Subject: Correspondence for July 11, 2022

No.	Sender	Subject
7.1.1.	Enbridge Gas Inc.	<p>2021 Utility Earnings and Disposition of Deferral & Variance Accounts - OEB Notice of Application</p> <p>Commissioner, Infrastructure Services Commissioner, Corporate Services CFO/City Treasurer MU2022 Note & File</p>
7.1.2.	St. Clair College	<p>Letter requesting that City Council consider Chief Laforet's participation in the 28th Annual Gourmet Food and Wine Gala</p> <p>COUNCIL DIRECTION REQUESTED, otherwise Commissioner, Legal & Legislative Services Fire Chief APR2022 Note & File</p>
7.1.3.	City Planner/ Executive Director	<p>Application for Zoning Amendment, 2356976 Ontario Inc., 0 & 845 Riverside Dr E and 856 & 864 Chatham St E, Application to amend Zoning By-law 8600 to permit a 7-storey multiple dwelling residential rental units</p> <p>Z/14430 Note & File</p>

No.	Sender	Subject
7.1.4.	City Planner/ Executive Director	Application for Zoning Amendment, VGA Investment Inc., 0 Wyandotte St E, Application to amend Zoning By-law 8600 to allow the construction of a 4-storey multiple residential dwelling with associated parking Z/14431 Note & File
7.1.5.	City Planner/ Executive Director	Application for Zoning Amendment, Garret MacGillivray & Kristen Cunningham, 1069 Shepherd St E, Application to amend Zoning By-law 8600 to permit a third dwelling unit in the basement within the existing building Z/14433 Note & File
7.1.6.	City Planner/ Executive Director	Application for Zoning Amendment, Farhi Holdings Corporation, Riverside Dr W (at Janette Ave), Application to amend Zoning By-law 8600 to allow for the development of a 28-storey multiple dwelling residential development Z/14427 Note & File
7.1.7.	City Planner/ Executive Director	Application for Zoning Amendment and Official Plan Amendment, Passa Associates Architects, 3821 King St, Application to amend Zoning By-law 8600 to allow the development of three low profile residential apartment buildings Z/14428 Note & File
7.1.8.	City Planner/ Executive Director	Application for Zoning Amendment, HD Development Group, 1850 North Service Rd, Application to amend Zoning By-law 8600 to allow a site specific RD3.3 zoning for 5 6-storey buildings with 387 residential condominium units Z/14429 Note & File

No.	Sender	Subject
7.1.9.	Manager of Urban Design	<p>Recent Site Plan Control (SPC) applications:</p> <ul style="list-style-type: none"> • J.P. Thomson Architects Ltd (Adam Wakulchik), 3064 Devon, warehouse addition • 4C Project Management (Randy Saccucci), 3063 Walker, second floor expansion to existing business office • Adrian Lai, 1153-1159 Riverside E, residential development – 8 unit multiple dwelling building • BairdAE/Farhi Holdings Corporation, 1530-1624 Lauzon Road, two multiple dwelling buildings – total of 302 dwelling units • Corporation of the City of Windsor, 1100 Riverside W, new building (Legacy Beacon) • Europro Real Estate (Jesse Nathanson), 7446 - 7780 Tecumseh Road E, Windsor Family Credit Union banking branch • Vijay Vasantgadkar, 1320 Tecumseh E, exterior and interior alterations and change of use from auto repair to health studio in an existing commercial building • Eddie Kadri, 1567 Ouellette, new commercial building (law office) • Architectural Design/BBPS Properties (Vincent Lip), 3260 Jefferson, expansion of the parking area for an existing warehouse • TILCAP RESIDENCE I INC. (Michael Kaye), 727 Sunset & 0 Patricia, 6-storey student residence consisting of 452 suites and dining hall • Corbett Land Strategies Inc. (Candice Hood) & Hind Barnieh, 4381 7th Concession, addition to existing self-storage building and construction of new self storage building <p style="text-align: right;">Z2022 Note & File</p>

Item No. 7.1.1.

From: Bonnie Adams <Bonnie.Adams@enbridge.com>

Sent: Monday, June 27, 2022 10:10 AM

Subject: EB-2022-0110 Enbridge Gas Inc. - 2021 Utility Earnings and Disposition of Deferral & Variance Account Balances - OEB Notice of Application

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.

To: Clerks of All Municipalities in which Enbridge Gas Supplies Gas

On May 31, 2022, Enbridge Gas Inc. (Enbridge Gas) filed an application with the Ontario Energy Board (OEB) for an order or orders approving the clearance or disposition of amounts recorded in certain deferral or variance accounts.

On June 22, 2022, the OEB issued the Notice of Application along with the Letter of Direction for the proceeding. The OEB has directed Enbridge Gas to serve a copy of the Notice of Application along with the application and evidence on the clerks of all municipalities in which Enbridge Gas supplies gas.

Attached please find the OEB's Notice of Application (English and French) along with Enbridge Gas's application and evidence filed with the OEB.

The OEB's Notice of Application provides information on how to become informed and involved in the proceeding. Interested parties can apply to the OEB for Intervenor Status in this proceeding by [July 8, 2022](#).

A paper copy of the evidence filed in this proceeding is available upon request and can also be viewed on Enbridge's website ([EB-2022-0110 -2021 Utility Earnings/Disposition of Deferral and Variance Account Balances](#))

Please contact me if you have any questions.

Sincerely,

Bonnie Jean Adams
Regulatory Coordinator

Enbridge Gas Inc.

T: 416-495-5751

500 Consumers Road | North York Ontario | M2J 1P8

enbridgegas.com

Safety. Integrity. Respect. Inclusion.

ONTARIO ENERGY BOARD NOTICE TO CUSTOMERS OF ENBRIDGE GAS INC.

**Enbridge Gas Inc. has applied to dispose of
the balances of certain deferral and variance accounts.**

Learn more. Have your say.

If the application is approved as filed, a typical residential customer of Enbridge Gas Inc. will see the following one-time billing adjustment, effective January 1, 2023:

EGD Rate Zone (former Enbridge Gas Distribution Inc. customers)

- Residential Rate 1 Sales Service and Direct Purchase customers will see a one-time billing charge of \$5.01, effective January 1, 2023.

Union Rate Zone (former Union Gas Limited customers)

- Union South Residential Rate M1 Sales Service customers will see a one-time billing charge of \$9.34, effective January 1, 2023.
- Union South Residential Rate M1 Direct Purchase customers will see a one-time billing charge of \$1.91, effective January 1, 2023.
- Union North-West Residential Rate 01 Sales Service and Direct Purchase customers will receive a one-time billing credit of \$17.33, effective January 1, 2023.
- Union North-East Residential Rate 01 Sales Service and Direct Purchase customers will see a one-time billing charge of \$7.78, effective January 1, 2023.

Other customers, including businesses, may also be affected.

Under the OEB-approved Earnings Sharing Mechanism, Enbridge Gas Inc. is required to share with customers any earnings that are 150 basis points over the OEB-approved return on equity. Enbridge Gas Inc. says that its 2021 earnings were below the 150 basis point threshold and as a result it is not proposing to share any earnings with customers.

THE ONTARIO ENERGY BOARD WILL HOLD A PUBLIC HEARING

The Ontario Energy Board (OEB) will hold a public hearing to consider Enbridge Gas's application. During this hearing, which could be an oral or written hearing, we will review Enbridge Gas's 2021 earnings and the deferral account balances that are requested for disposition. We will also hear questions and arguments from individuals that have registered to participate (called intervenors) in the OEB's hearing. At the end of this hearing, the OEB will decide whether to approve Enbridge Gas's request to dispose of the deferral account balances.

The OEB is an independent and impartial public agency. We make decisions that serve the public interest. Our goal is to promote a financially viable and efficient energy sector that provides you with reliable energy services at a reasonable cost.

BE INFORMED AND HAVE YOUR SAY

You have the right to information regarding this application and to be involved in the process.

- You can review Enbridge Gas's application on the OEB's website now
- You can file a letter with your comments, which will be considered during the hearing
- You can become an intervenor. As an intervenor, you can ask questions about Enbridge Gas's application and make arguments on whether the OEB should approve Enbridge Gas's request. Apply by **July 8, 2022** or the hearing will go ahead without you and you will not receive any further notice of the proceeding
- At the end of the process, you can review the OEB's decision and its reasons on our website

The OEB intends to consider cost awards in this proceeding that are in accordance with the Practice Direction on Cost Awards and only in relation to the following:

1) The review of the following deferral and variance accounts:

EGD Rate Zone (former Enbridge Gas Distribution Inc.) Accounts

- Storage and Transportation Deferral Account
- Transactional Services Deferral Account
- Unaccounted for Gas Variance Account
- Average Use True-Up Variance Account
- Deferred Rebate Account
- Transition Impact of Accounting Changes Deferral Account
- OEB Cost Assessment Variance Account
- Dawn Access Costs Deferral Account

Union Rate Zones (former Union Gas Limited) Accounts

- Upstream Transportation Optimization Deferral Account
- Unabsorbed Demand Costs Variance Account
- Short-Term Storage and Other Balancing Services
- Normalized Average Consumption Deferral Account
- Deferral Clearing Variance Account Variance Account
- OEB Cost Assessment Variance Account
- Parkway West Project Costs Deferral Account
- Lobo D/Bright C/Dawn H Compressor Project Costs Deferral Account
- Panhandle Reinforcement Project Costs Deferral Account
- Unaccounted for Gas Volume Variance Account
- Unaccounted for Gas Price Variance Account

Enbridge Gas Inc. Accounts

- Tax Variance - Accelerated Capital Cost Allowance – Enbridge Gas Inc.
 - Integrated Resource Planning Operating Costs Deferral Account
- 2) The review of Enbridge Gas Inc.'s 2021 earnings, earnings sharing calculations and the 2021 Performance Scorecard.
 - 3) The review of the methodology for the allocation and disposition of the deferral and variance account balances.

LEARN MORE

These proposed charges relate to Enbridge Gas's distribution services. The above referenced billing adjustment will appear as a separate line on your bill. Our file number for this case is **EB-2022-0110**. To learn more about this hearing, find instructions on how to file a letter with your comments or become an intervenor, or to access any document related to this case, please select the file number **EB-2022-0110** from the list on the OEB website: www.oeb.ca/notice. You can also phone our Public Information Centre at 1-877-632-2727 with any questions.

ORAL VS. WRITTEN HEARINGS

There are two types of OEB hearings – oral and written. Enbridge Gas has applied for a written hearing. The OEB will determine at a later date whether to proceed by way of a written or oral hearing. If you think an oral hearing is needed, you can write to the OEB to explain why by **July 8, 2022**.

PRIVACY

If you write a letter of comment, your name and the content of your letter will be put on the public record and the OEB website. However, your personal telephone number, home address and email address will be removed. If you are a business, all your information will remain public. If you apply to become an intervenor, all information will be public.

This rate hearing will be held under section 36 of the Ontario Energy Board Act, 1998, S.O. 1998, c.15, Schedule B.



Ontario
Energy
Board | Commission
de l'énergie
de l'Ontario



June 29, 2021

Shelby Askin Hager
City Solicitor
City of Windsor
350 City Hall Square West
Windsor, Ontario
N9A 6S1

Dear Shelby:

St. Clair College is in the planning process for our 28th Annual Gourmet Food and Wine Gala to be held at our St. Clair College Centre for the Arts on Friday, September 23, 2022.

This traditional gala showcases the culinary, hospitality, and music theatre students and our faculty and staff by providing hands-on learning for our students at a memorable evening presented to our community.

This year, we are holding the gala to raise funds for the new acute care hospital proposed to be built on County Rd. 42.

As stated by David Musyj, President and CEO of Windsor Regional Hospital, the community is responsible for demonstrating the ability to raise funds for this new hospital project.

The evening will be hosted by College President Patti France with the support of the Chiefs of Windsor Fire & Rescue Services, Windsor Police Services Chief and Essex-Windsor EMS. The evening will also reflect gratitude for these department's service in our community. These three agencies have an ongoing relationship with St. Clair College. They provide student placements and program input and have hired many College graduates.

The gala will be a ticketed event of \$250 per person and we hope to host over 500 guests.

Thank you for considering Chief Laforet's participation in this memorable night for our students and community.

If there are any questions about this event, please contact me on my mobile phone.

Regards,

John Fairley
Vice President, College Communications and Community Relations
St. Clair College



PLANNING DEPARTMENT – DEVELOPMENT DIVISION

Memo

To: City Clerk
From: City Planner/Executive Director
Date: July 4, 2022
Subject: TRANSMITTAL OF NEW FILE **Our File Number: Z-015/22 [ZNG/6738]**
RE: Application For: Zoning Amendment Official Plan Amendment
 Part Lot Control Draft Plan of Subdivision/Condominium

Applicant: 2356976 ONTARIO INC
Location: 0 & 845 RIVERSIDE DR E and 856 & 864 CHATHAM ST E
Description: Application to amend Zoning By-law 8600 to permit a 7-storey multiple dwelling residential rental units.

The ZONING AMENDMENT application submitted by 2356976 Ontario Inc for 0 & 845 Riverside Dr E and 856 & 864 Chatham St E has been deemed as complete on June 16, 2022.

Enclosures:

- 1 copy of Application Form
- 1 copy of Drawings
- 1 copy of Site Plan

Thom Hunt, MCIP, RPP
City Planner, Executive Director

/ms

June 27, 2022

TPA Assist
ATTN: Vijay Vasantgadkar
1614 Lesperance Rd, Unit 8A
Tecumseh ON N8N 1Y3

Dear Mr Vasantgadkar:

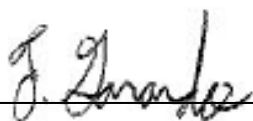
Re: REZONING APPLICATION
APPLICANT: 2356976 ONTARIO INC
LOCATION: 0 & 845 RIVERSIDE DR E and 856 & 864 CHATHAM ST E
FILE NO.: Z-015/22 [ZNG/6738]

This is to acknowledge receipt of the application for rezoning, which has been assigned the above-referenced file number. In accordance with the delegation authority as prescribed by By-Law 139-2013, the information and material required has been provided; therefore, the application was deemed COMPLETE on June 16, 2022 and processing has begun.

You will be advised prior to the Development & Heritage Standing Committee and Council meetings of the position of the Planning Department on the application and the dates of the public meetings.

Please email me at fgarardo@citywindsor.ca , if you have any questions.

Yours truly,



Frank Garardo, MCIP RPP
Planner III – Policy & Special Studies

FG/ms

ZONING BY-LAW AMENDMENT APPLICATION

INSTRUCTIONS

Verify that you are using the current application form.

- Section 1: Pre-Submission consultation with a staff Planner is mandatory per By-law 199-2007. If you do not have a valid Pre-Submission Letter, you must meet with a staff Planner who must sign and date this section.
- Section 2: During Pre-Submission consultation a staff Planner will indicate what supporting information must be submitted with the application.
- Section 3: Provide the full name, address, phone number, fax number and email address of the applicant, agent, and registered owner. If any of these are a corporation, provide the full corporate name. Include the full name of the contact person. If there is more than one person, corporation, or registered owner, use additional sheets.
- Section 4: Indicate if you are submitting other companion applications with this application.
- Section 5: Provide information about the subject land. This information is used to determine supporting information requirements and to assist in the review of the application.
- Section 6: Indicate the amendment, proposed uses and describe the nature and extent of the amendment being requested. Indicate why the amendment is being requested and how it is consistent with the Provincial Policy Statement and conforms to the City of Windsor Official Plan. If this information is in a Planning Rationale Report, check the box beside "See Planning Rationale Report".
- Section 7: If there are any existing buildings or structures on the subject land, provide the required information or submit a sketch, drawing or plan that shows this information.
- Section 8: If you propose to build any buildings or structures on the subject land, provide the required information or submit a sketch, drawing or plan that shows the information.
- Section 9: Indicate how the property is accessed. Check all boxes that apply.
- Section 10: Provide information about water service, sanitary sewage disposal, and storm drainage.
- Section 11: Provide a sketch of the subject land showing, in metric units, the items listed or indicate if this information is provided on an existing plan or a conceptual site plan.
- Section 12: Check the appropriate box based on a valid Pre-Submission Letter or pre-submission consultation.
- Section 13: Explain your proposed strategy for consulting with the public with respect to the application.
- Section 14: Complete and sign in the presence of a Commissioner of Taking Affidavits.
- Schedules: Read, complete in full, and sign Schedules A & E.

Submit the application form, supporting studies and information, and the fee to Ashley D'Alessandro, Senior Clerk Steno, Planning Division, 350 City Hall Square West, Suite 210, Windsor, ON N9A 6S1.

TYPE OF REZONING AMENDMENT

DATE RECEIVED STAMP

The type of amendment is determined by the City Planner or their designate.

Minor Zoning Amendment

- Site zoned commercial, institutional, or manufacturing
 - addition to the list of permitted uses
- Site already zoned
 - change to existing regulations or to zoning district boundary to match lot lines
- Site designated in the Official Plan for residential use
 - rezoning to accommodate a maximum of six dwelling units
- Site designated in the Official Plan for the proposed use other than residential
 - site-specific zoning for a site with a lot area of less than 1,000.0 m²

Major Zoning Amendment

- Any other amendment not listed as minor.

ZONING BY-LAW AMENDMENT APPLICATION

ZONING BY-LAW AMENDMENT PROCESS

The application will be terminated without notice after 60 days of inactivity. The following is for your information only. Review the Planning Act and relevant regulations for statutory requirements. Any timelines noted below have been suspended during the State of Emergency. The processing of the application is subject to change. Direct all questions to the assigned Planner. The process is generally as follows:

1. The application is reviewed to ensure all prescribed and required information and the fee have been submitted. Within 30 days of the receipt of the application, you will be notified in writing that the application is deemed incomplete or complete.
2. If deemed incomplete, the application and fee will be returned. If deemed complete, fees are not refundable, the application is circulated to departments and external agencies for review and comment, and all submitted documents are made available to the public.
3. Following circulation, a draft staff report containing a recommendation and any conditions is prepared. The City Planner and other staff review the draft staff report.
4. When the staff report is approved by appropriate municipal staff, it will be scheduled for a future meeting of the Development and Heritage Standing Committee (DHSC).
5. The DHSC meeting is the public meeting required by the Planning Act. Public notice of the DHSC meeting is advertised in the Windsor Star, a local newspaper, at least 20 days in advance of the DHSC meeting. A courtesy notice may be mailed to property owners and/or tenants within 120 metres or more of the subject land.
6. 10 days prior to the DHSC meeting, the staff report is circulated to the applicant and DHSC members and made available to the public. All supporting documentation submitted by the applicant is available for review.
7. At the DHSC meeting, a staff planner makes a presentation. The applicant and other parties have an opportunity to provide verbal and/or written submissions. The DHSC may ask questions of staff, the applicant, agent, and other parties. The DHSC may decide to defer or recommend approval or denial of the application.
8. If deferred, the application along with any additional information or a new staff report will be considered at a future DHSC meeting. If recommended for approval or denial, the staff report, the minutes of the DHSC meeting, and the amending by-law are forwarded to City of Windsor Council for consideration at a future date. The applicant, agent and all interested parties will be notified by the City Clerk of the date, time, and location of the Council meeting.
9. The application may be placed on the Consent Agenda of the Council Meeting, a part of the meeting where Council approves several matters with a single motion. If the application is not on the Consent Agenda, the staff planner may introduce the application, review the staff recommendation and any additional information provided to Council, and advise Council of any differences between the staff and DHSC recommendations. The applicant and other interested parties have an opportunity to make verbal and/or written submissions. Council may decide to approve, deny, or defer the application. If Council approves the application, the amending by-law may be approved at the same Council meeting, otherwise it will be approved at a future Council meeting.
10. When the amending by-law is passed, the City Clerk will mail a notice of the passing of the amending by-law to property owners and various public agencies within 15 days. There is a 20-day appeal period commencing the day after this notice is given. The notice will include the last day to file an appeal. An appeal is made to the Local Planning Appeal Tribunal (LPAT) through the City Clerk. If no appeal is filed, the amending by-law is final and binding as of the date of Council's passing of the by-law.
11. If the rezoning is subject to a holding symbol, it is the responsibility of the property owner to satisfy the conditions to remove the holding symbol, to apply, and to pay the fee to remove the holding symbol.

CONTACT INFORMATION

Planning & Building Department – Planning Division
Suite 210
350 City Hall Square West
Windsor ON N9A 6S1

Telephone: 519-255-6543
Fax: 519-255-6544
Email: planningdept@citywindsor.ca
Web Site: www.citywindsor.ca

ZONING BY-LAW AMENDMENT APPLICATION

1. PRE-SUBMISSION CONSULTATION

By-law 199-2007 requires pre-submission consultation with a staff Planner to determine what supporting information is required, to verify fee payable, and to review the process. This application is incomplete unless you have a valid Pre-Submission Letter or a staff Planner signs below.

Valid Pre-Submission Letter? NO YES File Number: PS-PS-111/21

Staff Use Only

Signature of Staff Planner	Date of Consultation
<input type="checkbox"/> Jim Abbs	<input type="checkbox"/> _____
<input type="checkbox"/> Greg Atkinson	<input type="checkbox"/> _____
<input type="checkbox"/> Justina Nwaesei	<input type="checkbox"/> _____
<input type="checkbox"/> Simona Simion	<input type="checkbox"/> _____
<input type="checkbox"/> Adam Szymczak	<input type="checkbox"/> _____

2. REQUIRED SUPPORTING INFORMATION *(To be completed by a staff Planner)*

Unless you have a valid Pre-Submission Letter, a staff Planner will indicate below what supporting information must be submitted with the application during pre-submission consultation. The City of Windsor reserves the right to require additional supporting information during the processing of the application. All supporting information submitted is made available for public review.

For each document, provide one paper copy, and where possible, one digital copy on a CD or USB flash drive. All drawings or plans shall be in letter size (8.5 x 11 inches) in JPG and PDF format. All other document shall be provided in Word and PDF format. All PDF documents shall be flattened with no layers.

If you are submitting a companion application submit only one set of documents.

<input checked="" type="checkbox"/> Deed or Offer to Purchase	<input type="checkbox"/> Corporation Profile Report	<input checked="" type="checkbox"/> Site Plan Conceptual <i>(see Section 8)</i>	<input checked="" type="checkbox"/> Sketch of Subject Land <i>(see Section 11)</i>
<input checked="" type="checkbox"/> Archaeological Assessment – Stage 1	<input type="checkbox"/> Built Heritage Impact Study	<input type="checkbox"/> Environmental Evaluation Report	<input type="checkbox"/> Environmental Site Assessment
<input type="checkbox"/> Floor Plan and Elevations	<input type="checkbox"/> Geotechnical Study	<input type="checkbox"/> Guideline Plan	<input type="checkbox"/> Lighting Study
<input type="checkbox"/> Market Impact Assessment	<input type="checkbox"/> Micro-Climate Study	<input checked="" type="checkbox"/> Noise Study	<input checked="" type="checkbox"/> Planning Rationale Report
<input type="checkbox"/> Record of Site Condition <i>(see Schedule E)</i>	<input checked="" type="checkbox"/> Sanitary Sewer Study	<input type="checkbox"/> Species at Risk Screening	<input type="checkbox"/> Storm Sewer Study
<input checked="" type="checkbox"/> Storm Water Retention Scheme	<input type="checkbox"/> Topographic Plan of Survey	<input type="checkbox"/> Transportation Impact Statement	<input type="checkbox"/> Transportation Impact Study
<input checked="" type="checkbox"/> Tree Preservation	<input checked="" type="checkbox"/> Tree Survey Study	<input type="checkbox"/> Urban Design Study	<input type="checkbox"/> Vibration Study
<input type="checkbox"/> Wetland Evaluation Study	Other Required Information: _____		

ZONING BY-LAW AMENDMENT APPLICATION

3. APPLICANT, REGISTERED OWNER, AND AGENT INFORMATION

Provide in full the name of the applicant, registered owner, and agent, the name of the contact person, and address, postal code, phone number, fax number and email address.

If the applicant or registered owner is a numbered company, provide the name of the principals of the company. If there is more than one applicant or registered owner, copy this page, complete in full and submit with this application.

All communication is with the Agent authorized by the Owner to file the application.
If there is no Agent, all communication is with the Applicant.

Applicant

Name: 2356976 Ontario Inc Contact: Dr. Bhan Garg
Name of Contact Person

Address: 13796 Riverside D East

Address: Tecumseh, ON Postal Code: N8N 2M9

Phone: 519-257-1774 Fax: _____

Email: Bgarg@gmail.com

Registered Owner Same as Applicant

Name: _____ Contact: _____
Name of Contact Person

Address: _____

Address: _____ Postal Code: _____

Phone: _____ Fax: _____

Email: _____

Agent Authorized by the Owner to File the Application (Also complete Section A1 in Schedule A)

Name: Vijay Vasantgadkar Contact: _____
Name of Contact Person

Address: 1614 Lesperance Rd., Unit 8A

Address: Tecumseh, ON Postal Code: N8N 1Y3

Phone: 519-988-1855 Fax: _____

Email: Vijaywindsor@yahoo.com

4. COMPANION APPLICATIONS

Are you submitting a companion Official Plan Amendment application? NO YES

Are you submitting a companion Plan of Subdivision/Condominium application? NO YES

Are you submitting a companion Site Plan Control application? NO YES

ZONING BY-LAW AMENDMENT APPLICATION

5. SUBJECT LAND INFORMATION

Municipal Address 0 and 845 Riverside Dr E and 856 and 864 Chatham St E

Legal Description Plan 1473 E Pt Lot 1, Plan 140, Pt Lot 7 and Plan 143 Pt Lot 12

Assessment Roll Number 030-050-00100, 030-050-00200, 030-050-01400 and 030-040-08800

If known, the date the subject land was acquired by the current owner: _____

Frontage (m) 47.25 m Depth (m) 51.86 m Area (sq m) 2,633 m2

Official Plan Designation Residential, Schedule D - Land Use

Current Zoning Residential District 2.2 (RD2.2), Map 6 By-law 8600

Existing Uses Vacant

If known, the lengths of time that the existing uses have continued: over 8 years

Previous Uses Residential

List the names and addresses of the holders of any mortgages, charges, or other encumbrances in respect of the subject land:

N/A

Are there any easements or restrictive covenants affecting the subject lands? NO YES

If yes, describe the easement or restrictive covenant and its effect:

If known, has the subject land ever been subject of: *(leave blank if unknown)*

An application for a Plan of Subdivision or Consent: NO YES File: _____

An application for an amendment to a Zoning By-law: NO YES File: _____

An application for approval of a Site Plan: NO YES SPC- _____

A Minister's Zoning Order (Ontario Regulation): NO YES OR#: _____

ZONING BY-LAW AMENDMENT APPLICATION

6. DESCRIPTION OF AMENDMENT

Amendment to Zoning By-law from: Residential District 2.2 (RD2.2)

to: Residential District 3.3 (RD3.3) - site specific

Proposed uses of subject land: Residential

Describe the nature and extent of the amendment(s) being requested:

Request to change the zoning to permit a 7 storey multiple dwelling with 37 residential (rental) dwelling units. On site parking of 46 is provided. 4 lots are being assembled. Relief is required to reduce the minimum lot area from 2,635 m2 to 2,633 m2. All other RD3.3 zone provisions can be complied with.

Why is this amendment or these amendments being requested?

To allow a for an infill development of vacant land.

Explain how the amendment to the Zoning By-law is consistent with the Provincial Policy Statement, 2014:

See Planning Rationale Report _____

Explain how the application conforms to the City of Windsor Official Plan:

See Planning Rationale Report _____

If this application is to remove land from an area of employment, details of the official plan or official plan amendment that deals with this matter:

See Planning Rationale Report See Official Plan Amendment

ZONING BY-LAW AMENDMENT APPLICATION

7. EXISTING BUILDINGS / STRUCTURES ON SUBJECT LAND

Are there any buildings or structures on the subject land?

- NO Continue to Section 8
- YES Indicate the type of building or structure, the date of construction (if known), and, in metric units, the setback from the front lot line, rear lot line and side lot lines, the height of the building or structure and its dimensions or floor area.
 - See attached Existing Plan or Sketch of Subject Land

8. PROPOSED BUILDINGS / STRUCTURES ON SUBJECT LAND

Do you propose to build any buildings or structures on the subject land?

- NO Continue to Section 9
- YES Indicate the type of building or structure and, in metric units, the setback from the front lot line, rear lot line and side lot lines, the height of the building or structure, and its dimensions or floor area.
 - See attached Site Plan Conceptual

ZONING BY-LAW AMENDMENT APPLICATION

9. ACCESS TO SUBJECT LAND

Indicate if access to subject land is by: *(check all that apply)*

- Municipal Road Provincial Highway Another public road or a right-of-way
- Water - If access to the subject land is by water only, describe the parking and docking facilities used or to be used and provide the approximate distance in metric of these facilities from the subject land and the nearest public road:

10. WATER, SANITARY SEWAGE AND STORM DRAINAGE

WATER – Indicate whether water will be provided to the subject land by:

- Publicly owned & operated piped water system
- Privately owned & operated individual well
- Privately owned & operated communal well
- Other _____

SANITARY - Indicate whether sewage disposal will be provided to the subject land by:

- Publicly owned & operated sanitary sewage system
- Privately owned & operated individual septic system - See Note below
- Privately owned & operated communal septic system - See Note below
- Other _____

Note: If the application would permit development on privately owned and operated individual or communal septic systems, and more than 4,500 litres of effluent would be produced per day as a result of the development being completed, you must submit a Servicing Options Report and a Hydrogeological Report.

STORM DRAINAGE - Indicate whether storm drainage will be provided by:

- Sewers Ditches Swales Other _____

ZONING BY-LAW AMENDMENT APPLICATION

11. SKETCH OF SUBJECT LAND

Provide a sketch showing, in metric units,

- a) the boundaries and dimensions of the subject land;
- b) the location, size, and type of all existing and proposed buildings and structures on the subject land, including their distance from the front lot line, rear lot line, and side lines;
- c) the approximate location of all natural and artificial features (for example, buildings, railways, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks) that are located on the subject land and on land that is adjacent to it, and in the applicant's opinion, may affect the application;
- d) the current uses of all land that is adjacent to the subject land;
- e) the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road, or a right of way;
- f) if access to the subject land will be water only, the location of the parking and docking facilities to be used; and
- g) the location and nature of any easement affecting the subject land.

12. APPLICATION FEE & OTHER FEES

Fees are subject to change and are not refundable once the application has been deemed complete by a delegated authority. Verify fees before submitting the application. The amendment type is determined by the City Planner or their designate.

Accepted methods of payment are Mastercard, Visa, Cash, Certified Cheque, and Personal Cheque. If paying by Mastercard or Visa, complete and sign the Credit Card Authorization. A cheque shall be payable to The Corporation of the City of Windsor.

APPLICATION FEE

Amendment Type	Code	<input type="checkbox"/> Minor Rezoning	<input checked="" type="checkbox"/> Major Rezoning
Base Fee	53001	\$4,200.00	\$5,640.00
GIS Fee	63024	+ \$50.00	+ \$50.00
Essex Region Conservation Authority Fee	53023	+ <u>\$200.00</u>	+ <u>\$300.00</u>
Total Application Fee		= \$4,450.00	= \$5,990.00

OTHER FEES

Re-Notification/Deferral Fee Code 53016 \$2,182.00
 Required when an applicant requests a deferral after notice of a public meeting has been given.

Legal Fee Code 63002 \$586.50 plus \$50 per unit, lot, or block
 Required when the preparation of an agreement is a condition of approval.

Removal of the Holding Symbol Application Code 53001 \$1,484.00
 It is the responsibility of the property owner to satisfy the conditions to remove the holding symbol and to submit an application and fee to remove the holding symbol.

Local Planning Appeal Tribunal (LPAT) Fee \$300.00
 An appeal is made through the City Clerk - Phone Number: 519-255-6211. Make certified cheque or money order payable to the Ministry of Finance. Appeals fees, forms, and processes are subject to change. Visit <http://elto.gov.on.ca/> for additional information.

ZONING BY-LAW AMENDMENT APPLICATION

13. PROPOSED PUBLIC CONSULTATION STRATEGY

Select or describe your proposed strategy for consulting with the public with respect to the application:

- Required Public Consultation (Public Notice & Public Meeting as required per the Planning Act)
 - Open House
 - Website
 - Other _____
- _____
- _____
- _____

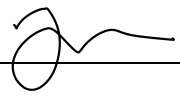
14. SWORN DECLARATION OF APPLICANT

Complete in the presence of a Commissioner for Taking Affidavits

I, Dr. Bhan Garg, solemnly declare that the information required under Schedule 1 to Ontario Regulation 545/06 and provided by the applicant is accurate and that the information contained in the documents that accompany this application is accurate, and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath.

X  _____
Signature of Applicant

*Sign in the presence of a Commissioner
For Taking Affidavits*

Declared before me  _____ at the Municipality of Chatham-Kent _____
Signature of Commissioner Municipality
For Taking Affidavits

this 8th day of April, 2022
day month year

PLACE AN IMPRINT OF YOUR STAMP BELOW

Tracey Lynn Cecilia Pillon-Abbs, a Commissioner, etc.,
Province of Ontario, for Pillon Abbs Inc
Expires August 4, 2023

READ & COMPLETE SCHEDULES A & E IN FULL & SIGN

ZONING BY-LAW AMENDMENT APPLICATION

SCHEDULE A – Authorizations & Acknowledgements

A1. Authorization of Registered Owner for Agent to Make the Application

If the applicant is not the registered owner of the land that is the subject of this application, the written authorization of the registered owner that the agent is authorized to make the application must be included with this application form or the authorization below must be completed.

I, Dr. Bhan Garg, am the registered owner of the land that is

Name of Registered Owner

subject of this application for an amendment to the City of Windsor Zoning By-law and I authorize

Vijay Vasantgadkar to make this application on my behalf.

Name of Agent

X



April 8, 2022

Signature of Registered Owner

Date

If Corporation - I have authority to bind the corporation

A2. Authorization to Enter Upon the Subject Lands and Premises

I, Dr. Bhan Garg,

Name of Registered Owner

hereby authorize the Development and Heritage Standing Committee or their successor, City Council, and staff of The Corporation of the City of Windsor to enter upon the subject lands and premises described in Section 5 of the application form for the purpose of evaluating the merits of this application and subsequently to conduct any inspections on the subject lands that may be required as a condition of approval. This is their authority for doing so.

X



April 8, 2022

Signature of Registered Owner

Date

If Corporation – I have authority to bind the corporation

SCHEDULE A CONTINUES ON NEXT PAGE

ZONING BY-LAW AMENDMENT APPLICATION

SCHEDULE A – Authorizations & Acknowledgements - *Continued*

A3. Acknowledgements

Receipt, Fees, Additional Information, Termination, and Freedom of Information

I acknowledge that receipt of this application by the City of Windsor does not guarantee it to be a complete application, that further review of the application will occur, and that I may be contacted to provide additional information and/or resolve any discrepancies or issues with the application as submitted.

I further acknowledge that after the application is deemed complete, fees are not refundable, additional information may be requested, and that after 60 days of inactivity the City of Windsor may terminate the application without notice.

I further acknowledge that pursuant to the provisions of the Planning Act and the Municipal Freedom of Information and Protection of Privacy Act, this application and all material and information provided with this application are made available to the public.

Species at Risk

Ontario's *Endangered Species Act* protects endangered and threatened species — animals and plants in decline and at risk of disappearing from the province by restricting activities that may affect these plants, animals or their habitats.

I acknowledge that it is my sole responsibility as the Applicant to comply with the provisions of the *Endangered Species Act, 2007, S. O. c.6*. This could require me to register an activity, get a permit or other authorization from the Ministry of the Environment, Conservation and Parks (MECP) prior to conducting an activity that could impact an endangered or threatened plant or animal or its habitat. I further acknowledge that any *Planning Act, R.S.O. 1990, c.P.13* approval given by the City of Windsor does not constitute an approval under the *Endangered Species Act*, nor does it absolve me from seeking the necessary authorization, approvals or permits from the MECP prior to conducting any activity that may affect endangered or threatened plant or animal or its habitat.

Additional information can be found at:


<https://www.ontario.ca/page/development-and-infrastructure-projects-and-endangered-or-threatened-species>

or by contacting MECP at SAROntario@ontario.ca

Acknowledgement

I acknowledge that I have read and understand the above statements:

X



Signature of Applicant or Agent

April 8, 2022

Date

**END OF SCHEDULE A
COMPLETE SCHEDULE E ON NEXT PAGE**

ZONING BY-LAW AMENDMENT APPLICATION

SCHEDULE E – Environmental Site Screening Questionnaire

Previous Use of Property

- Residential Industrial Commercial Institutional
 Agricultural Parkland Vacant Other _____

- a) If previous use of the property is Industrial or Commercial, specify use:

- b) Has the grading of the subject land been changed by adding earth or material? Has filling occurred on the subject land?
 Yes No Unknown
- c) Has a gasoline station and/or automobile service station been located on the subject land or adjacent lands at any time?
 Yes No Unknown
- d) Has there been petroleum or other fuel stored on the subject land or adjacent lands?
 Yes No Unknown
- e) Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?
 Yes No Unknown
- f) Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been applied as pesticides and/or sewage sludge applied to the lands?
 Yes No Unknown
- g) Have the lands or adjacent lands ever been used as a weapons firing range?
 Yes No Unknown
- h) Is the nearest boundary line of the application within 500 metres (1,640 feet) of the boundary line of an operational/non-operational public or private waste disposal site, landfill or dump?
 Yes No Unknown
- i) If there are existing or previously existing buildings on the subject lands, are there any building materials remaining on site which are potentially hazardous to public health (e.g., asbestos, PCB's)?
 Yes No Unknown
- j) Is there reason to believe the subject lands may have been contaminated by existing or former uses on the site or adjacent sites?*
- Yes No Unknown

** Possible uses that can cause contamination include but are not limited to: operation of electrical transformer stations, disposal of waste minerals, raw material storage, and residues left in containers, maintenance activities and spills. Some commercial properties such as gasoline stations, automotive repair garages, and dry cleaning plants have similar potential. The longer a property is under industrial or similar use, the greater the potential for site contamination. Also, a series of different industrial or similar uses upon a site could potentially increase the number of chemicals that are present.*

- k) If current or previous use of the property is Industrial or Commercial, or if YES to any of a) to j) above, attach a previous use inventory showing all former uses of the subject land, or if applicable, the land(s) adjacent to the subject lands.

SCHEDULE E CONTINUES ON NEXT PAGE

ZONING BY-LAW AMENDMENT APPLICATION

SCHEDULE E - CONTINUED

Acknowledgement Clause

I hereby acknowledge that it is my responsibility to ensure that I am in compliance with all applicable laws, regulations, guidelines and the City's Official Plan policies pertaining to potentially contaminated sites, and to use all reasonable effort to identify the potential for contamination on the subject property.

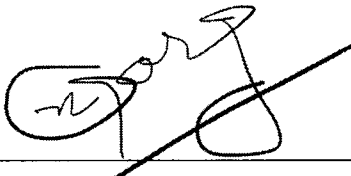
I acknowledge that as a condition of approval of this application that the City may require me to file a Record of Site Condition signed by a qualified person in the provincial Environmental Site Registry, and provide verification to the City of Windsor of acknowledgement of this Record of Site Condition by the Ministry of Environment.

I acknowledge that the City may require the qualified person signing the Record of Site Condition to submit to the City a Declaration acknowledging that the City of Windsor may rely on the statements in the Record of Site Condition.

I acknowledge that the City of Windsor is not responsible for the identification and/or remediation of contaminated sites, and I agree, whether in, through, or as a result of any action or proceeding for environmental clean-up of any damage or otherwise, I will not sue or make claim whatsoever against the City of Windsor, its officers, officials, employees or agents for or in respect of any loss, damage, injury or costs.

Dr. Bhan Garg

Name of Applicant (print)

X 

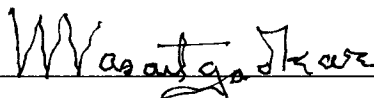
Signature of Applicant

April 8, 2022

Date

Vijay Vasantgadkar

Name of Agent (print)

X 

Signature of Agent

April 8, 2022

Date

END OF SCHEDULE E

ZONING BY-LAW AMENDMENT APPLICATION

DO NOT COMPLETE BELOW – STAFF USE ONLY

Receipt and Assignment of Application

Date Received Stamp

This application has been assigned to:

- | | |
|---|---|
| <input type="checkbox"/> Adam Szymczak (AS) | <input type="checkbox"/> Greg Atkinson (GA) |
| <input type="checkbox"/> Jim Abbs (JA) | <input type="checkbox"/> Justina Nwaesei (JN) |
| <input type="checkbox"/> Kevin Alexander (KA) | <input type="checkbox"/> Laura Diotte (LD) |
| <input type="checkbox"/> Simona Simion (SS) | <input type="checkbox"/> _____ |

Complete Application

This application is deemed complete on _____
Date

Signature of Delegated Authority

- | | | |
|---|---|--|
| <input type="checkbox"/> Neil Robertson, MCIP, RPP
Manager of Urban Design | <input type="checkbox"/> Michael Cooke, MCIP, RPP
Manager of Planning Policy | <input type="checkbox"/> Thom Hunt, MCIP, RPP
City Planner & Executive Director |
|---|---|--|

Internal Information

Fee Paid: \$ _____ Receipt No: _____ Date: _____

Payment Type: Cash Certified Cheque Credit Card Personal Cheque

NEW Zoning File No. ZNG/ _____ Z- _____

Previous Zoning File No. ZNG/ _____ Z- _____

Related OPA File No. OPA/ _____ OPA _____

Other File Numbers: _____

Notes: _____

THIS IS THE LAST PAGE OF THE APPLICATION FORM



PLANNING DEPARTMENT – DEVELOPMENT DIVISION

Memo

To: City Clerk

From: City Planner/Executive Director

Date: July 4, 2022

Subject: TRANSMITTAL OF NEW FILE

Our File Number: Z-023/22 [ZNG/6789]

RE: Application For: Zoning Amendment Official Plan Amendment
 Part Lot Control Draft Plan of Subdivision/Condominium

Applicant: VGA INVESTMENT INC

Location: 0 WYANDOTTE ST E

Description: Application to amend Zoning By-law 8600 to allow the construction of a 4-storey multiple residential dwelling with associated parking.

The ZONING AMENDMENT application submitted by VGA Investment Inc for 0 Wyandotte St E has been deemed as complete on June 24, 2022.

Enclosures:

- 1 copy of Application Form
- 1 copy of Drawings
- 1 copy of Site Plan

Thom Hunt, MCIP, RPP
City Planner, Executive Director

/ms

June 27, 2022

Dillon Consulting Ltd
ATTN: Amy Farkas
3200 Deziel Dr, Suite 608
Windsor ON N8W 5K8

Dear Ms Farkas:

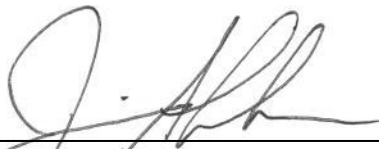
Re: REZONING APPLICATION
APPLICANT: VGA INVESTMENT INC
LOCATION: 0 WYANDOTTE ST E
FILE NO.: Z-023/22 [ZNG/6789]

This is to acknowledge receipt of the application for rezoning, which has been assigned the above-referenced file number. In accordance with the delegation authority as prescribed by By-Law 139-2013, the information and material required has been provided; therefore, the application was deemed COMPLETE on June 24, 2022 and processing has begun.

You will be advised prior to the Development & Heritage Standing Committee and Council meetings of the position of the Planning Department on the application and the dates of the public meetings.

Please email me at jabbs@citywindsor.ca , if you have any questions.

Yours truly,



Jim Abbs, MCIP RPP
Planner III - Subdivisions

JA/ms

ZONING BY-LAW AMENDMENT APPLICATION

INSTRUCTIONS

Verify that you are using the current application form.

- Section 1: Pre-Submission consultation with a staff Planner is mandatory per By-law 199-2007. If you do not have a valid Pre-Submission Letter, you must meet with a staff Planner who must sign and date this section.
- Section 2: During Pre-Submission consultation a staff Planner will indicate what supporting information must be submitted with the application.
- Section 3: Provide the full name, address, phone number, fax number and email address of the applicant, agent, and registered owner. If any of these are a corporation, provide the full corporate name. Include the full name of the contact person. If there is more than one person, corporation, or registered owner, use additional sheets.
- Section 4: Indicate if you are submitting other companion applications with this application.
- Section 5: Provide information about the subject land. This information is used to determine supporting information requirements and to assist in the review of the application.
- Section 6: Indicate the amendment, proposed uses and describe the nature and extent of the amendment being requested. Indicate why the amendment is being requested and how it is consistent with the Provincial Policy Statement and conforms to the City of Windsor Official Plan. If this information is in a Planning Rationale Report, check the box beside "See Planning Rationale Report".
- Section 7: If there are any existing buildings or structures on the subject land, provide the required information or submit a sketch, drawing or plan that shows this information.
- Section 8: If you propose to build any buildings or structures on the subject land, provide the required information or submit a sketch, drawing or plan that shows the information.
- Section 9: Indicate how the property is accessed. Check all boxes that apply.
- Section 10: Provide information about water service, sanitary sewage disposal, and storm drainage.
- Section 11: Provide a sketch of the subject land showing, in metric units, the items listed or indicate if this information is provided on an existing plan or a conceptual site plan.
- Section 12: Check the appropriate box based on a valid Pre-Submission Letter or pre-submission consultation.
- Section 13: Explain your proposed strategy for consulting with the public with respect to the application.
- Section 14: Complete and sign in the presence of a Commissioner of Taking Affidavits.
- Other: Read, complete in full, and sign Schedules A & E. Complete Credit Card Authorization if paying by credit card
- Submit application form, supporting information, and application fee / credit card authorization to Senior Steno Clerk at Planning Division, Suite 210, 350 City Hall Square West, Windsor ON N9A 6S1 or planningdept@citywindsor.ca

TYPE OF REZONING AMENDMENT

DATE RECEIVED STAMP

The type of amendment is determined by the City Planner or their designate.

Minor Zoning Amendment

- Site zoned commercial, institutional, or manufacturing
 - Addition to the list of permitted uses
- Site already zoned
 - Change to existing regulations or to zoning district boundary to match lot lines
- Site designated in the Official Plan for residential use
 - Rezoning to accommodate a maximum of six dwelling units
- Site designated in the Official Plan for the proposed use other than residential
 - Site-specific zoning for a site with a lot area of less than 1,000.0 m²

Major Zoning Amendment

- Any other amendment not listed as minor.

ZONING BY-LAW AMENDMENT APPLICATION

ZONING BY-LAW AMENDMENT PROCESS

The application will be terminated without notice after 60 days of inactivity. The following is for your information only. Review the Planning Act and relevant regulations for statutory requirements. The processing of the application is subject to change. Direct all questions to the assigned Planner. The process is generally as follows:

1. The application is reviewed to ensure all prescribed and required information and the fee have been submitted. Within 30 days of the receipt of the application, you will be notified in writing that the application is deemed incomplete or complete.
2. If deemed incomplete, the application and fee will be returned. If deemed complete, fees are not refundable, the application is circulated to departments and external agencies for review and comment, and all submitted documents are made available to the public.
3. Following circulation, a draft staff report containing a recommendation and any conditions is prepared. The City Planner and other staff review the draft staff report.
4. When the staff report is approved by appropriate municipal staff, it will be scheduled for a future meeting of the Development and Heritage Standing Committee (DHSC).
5. The DHSC meeting is the public meeting required by the Planning Act. Public notice of the DHSC meeting is advertised in the Windsor Star, a local newspaper, at least 20 days in advance of the DHSC meeting. A courtesy notice may be mailed to property owners and/or tenants within 120 metres or more of the subject land.
6. 10 days prior to the DHSC meeting, the staff report is circulated to the applicant and DHSC members and made available to the public. All supporting documentation submitted by the applicant is available for review.
7. At the DHSC meeting, a staff planner makes a presentation. The applicant and other parties have an opportunity to provide verbal and/or written submissions. The DHSC may ask questions of staff, the applicant, agent, and other parties. The DHSC may decide to defer or recommend approval or denial of the application.
8. If deferred, the application along with any additional information or a new staff report will be considered at a future DHSC meeting. If recommended for approval or denial, the staff report, the minutes of the DHSC meeting, and the amending by-law are forwarded to City of Windsor Council for consideration at a future date. The applicant, agent and all interested parties will be notified by the City Clerk of the date, time, and location of the Council meeting. Call 311 or contact the City Clerk at 519-255-6211 or clerks@citywindsor.ca.
9. The application may be placed on the Consent Agenda of the Council Meeting, a part of the meeting where Council approves several matters with a single motion. If the application is not on the Consent Agenda, the staff planner may introduce the application, review the staff recommendation and any additional information provided to Council, and advise Council of any differences between the staff and DHSC recommendations. The applicant and other interested parties have an opportunity to make verbal and/or written submissions. Council may decide to approve, deny, or defer the application. If Council approves the application, the amending by-law may be approved at the same Council meeting, otherwise it will be approved at a future Council meeting.
10. When the amending by-law is passed, the City Clerk will mail a notice of the passing of the amending by-law to property owners and various public agencies within 15 days. There is a 20-day appeal period commencing the day after this notice is given. The notice will include the last day to file an appeal. An appeal is made to the Ontario Land Tribunal (OLT) through the City Clerk. If no appeal is filed, the amending by-law is final and binding as of the date of Council's passing of the by-law. Contact the City Clerk at 519-255-6211 or clerks@citywindsor.ca.
11. If the rezoning is subject to a holding symbol, it is the responsibility of the property owner to satisfy the conditions to remove the holding symbol, to apply, and to pay the fee to remove the holding symbol.

CONTACT INFORMATION

Planning & Building Department – Planning Division
Suite 210
350 City Hall Square West
Windsor ON N9A 6S1

Telephone: 519-255-6543
Fax: 519-255-6544
Email: planningdept@citywindsor.ca
Web Site: www.citywindsor.ca

ZONING BY-LAW AMENDMENT APPLICATION

1. PRE-SUBMISSION CONSULTATION

By-law 199-2007 requires pre-submission consultation with a staff Planner to determine what supporting information is required, to verify fee payable, and to review the process. This application is incomplete unless you have a valid Pre-Submission Letter or a staff Planner signs below.

Valid Pre-Submission Letter? NO YES File Number: PS- 106-21

Staff Use Only

Signature of Staff Planner	Date of Consultation
<input type="checkbox"/> Jim Abbs	<input type="checkbox"/> Kevin Alexander
<input type="checkbox"/> Melissa Gasic	<input type="checkbox"/> Justina Nwaesei
<input type="checkbox"/> _____	<input type="checkbox"/> Greg Atkinson
	<input type="checkbox"/> Simona Simion
	<input type="checkbox"/> Laura Diotte
	<input type="checkbox"/> Adam Szymczak

2. REQUIRED SUPPORTING INFORMATION *(To be completed by a staff Planner)*

Unless you have a valid Pre-Submission Letter, a staff Planner will indicate below what supporting information must be submitted with the application during pre-submission consultation. The City of Windsor reserves the right to require additional supporting information during the processing of the application. All supporting information submitted is made available for public review.

For each document, provide one paper copy, and where possible, one digital copy on a CD or USB flash drive. All drawings or plans shall be in letter size (8.5 x 11 inches) in JPG and PDF format. All other document shall be provided in Word and PDF format. **All PDF documents shall be flattened with no layers.**

If you are submitting a companion application submit only one set of documents.

<input checked="" type="checkbox"/> Deed or Offer to Purchase	<input type="checkbox"/> Corporation Profile Report	<input checked="" type="checkbox"/> Site Plan Conceptual <i>(see Section 8)</i>	<input checked="" type="checkbox"/> Sketch of Subject Land <i>(see Section 11)</i>
<input type="checkbox"/> Archaeological Assessment – Stage 1	<input type="checkbox"/> Built Heritage Impact Study	<input type="checkbox"/> Environmental Evaluation Report	<input type="checkbox"/> Environmental Site Assessment
<input type="checkbox"/> Floor Plan and Elevations	<input type="checkbox"/> Geotechnical Study	<input type="checkbox"/> Guideline Plan	<input type="checkbox"/> Lighting Study
<input type="checkbox"/> Market Impact Assessment	<input type="checkbox"/> Micro-Climate Study	<input type="checkbox"/> Noise Study	<input type="checkbox"/> Planning Rationale Report
<input type="checkbox"/> Record of Site Condition <i>(see Schedule E)</i>	<input type="checkbox"/> Sanitary Sewer Study	<input type="checkbox"/> Species at Risk Screening	<input type="checkbox"/> Storm Sewer Study
<input type="checkbox"/> Storm Water Retention Scheme	<input type="checkbox"/> Topographic Plan of Survey	<input type="checkbox"/> Transportation Impact Statement	<input type="checkbox"/> Transportation Impact Study
<input type="checkbox"/> Tree Preservation	<input type="checkbox"/> Tree Survey Study	<input type="checkbox"/> Urban Design Study	<input type="checkbox"/> Vibration Study
<input type="checkbox"/> Wetland Evaluation Study	Other Required Information: _____		

ZONING BY-LAW AMENDMENT APPLICATION

3. APPLICANT, REGISTERED OWNER, AND AGENT INFORMATION

Provide in full the name of the applicant, registered owner, and agent, the name of the contact person, and address, postal code, phone number, fax number and email address.

If the applicant or registered owner is a numbered company, provide the name of the principals of the company. If there is more than one applicant or registered owner, copy this page, complete in full and submit with this application.

All communication is with the Agent authorized by the Owner to file the application. If there is no Agent, all communication is with the Applicant.

Applicant

Name: VGA Investment Inc. Contact: Shan Xue
Name of Contact Person

Address: 1354 Bruce Avenue

Address: Windsor, ON Postal Code: N8X 1X3

Phone: _____ Fax: _____

Email: xuece824@gmail.com

Registered Owner Same as Applicant

Name: _____ Contact: _____
Name of Contact Person

Address: _____

Address: _____ Postal Code: _____

Phone: _____ Fax: _____

Email: _____

Agent Authorized by the Owner to File the Application (Also complete Section A1 in Schedule A)

Name: Dillon Consulting Limited Contact: Amy Farkas
Name of Contact Person

Address: 3200 Deziel Drive, Suite 608

Address: Windsor, ON Postal Code: N8W 5K8

Phone: 519-948-5000 ext. 3205 Fax: 519-948-5054

Email: afarkas@dillon.ca

4. COMPANION APPLICATIONS

Are you submitting a companion Official Plan Amendment application? NO YES

Are you submitting a companion Plan of Subdivision/Condominium application? NO YES

Are you submitting a companion Site Plan Control application? NO YES

ZONING BY-LAW AMENDMENT APPLICATION

5. SUBJECT LAND INFORMATION

Municipal Address 0 Wyandotte Street East (S/S of Wyandotte Street East at Florence Avenue)

Legal Description LT 32,33,34 PL 1142 Riverside, Windsor

Assessment Roll Number 3739-060-450-12100

If known, the date the subject land was acquired by the current owner: July 09, 2018

Frontage (m) 35.9 Depth (m) 45.35 Area (sq m) 1603.99

Official Plan Designation Residential

Current Zoning Development Reserve District (DRD1.1)

Existing Uses Agriculture / Vacant

If known, the lengths of time that the existing uses have continued: 25+ years

Previous Uses Agriculture / Vacant

List the names and addresses of the holders of any mortgages, charges, or other encumbrances in respect of the subject land:

Are there any easements or restrictive covenants affecting the subject lands? NO YES

If yes, describe the easement or restrictive covenant and its effect:

If known, has the subject land ever been subject of: *(leave blank if unknown)*

An application for a Plan of Subdivision or Consent: NO YES File: _____

An application for an amendment to a Zoning By-law: NO YES File: _____

An application for approval of a Site Plan: NO YES SPC- _____

A Minister's Zoning Order (Ontario Regulation): NO YES OR#: _____

ZONING BY-LAW AMENDMENT APPLICATION

6. DESCRIPTION OF AMENDMENT

Amendment to Zoning By-law from: Development Reserve District (DRD1.1)

to: Residential District (RD2.5)

Proposed uses of subject land: The applicant intends to construct a four storey multiple dwelling residential building and associated parking, for a total of 15 dwelling units and 21 parking spaces.

Describe the nature and extent of the amendment(s) being requested:

A site specific zoning to RD2.5 is being requested to permit a multiple dwelling, a reduction in the minimum front yard depth, and an exemption from minimum lot area per dwelling unit requirement.
All other provisions for the RD2.5 zone will apply.

Why is this amendment or these amendments being requested?

This amendment is being requested to permit the proposed multiple dwelling residential development.

Explain how the amendment to the Zoning By-law is consistent with the Provincial Policy Statement:

See Planning Rationale Report _____

Explain how the application conforms to the City of Windsor Official Plan:

See Planning Rationale Report _____

If this application is to remove land from an area of employment, details of the official plan or official plan amendment that deals with this matter:

See Planning Rationale Report See Official Plan Amendment

N/A

ZONING BY-LAW AMENDMENT APPLICATION

7. EXISTING BUILDINGS / STRUCTURES ON SUBJECT LAND

Are there any buildings or structures on the subject land?

- NO Continue to Section 8
- YES Indicate the type of building or structure, the date of construction (if known), and, in metric units, the setback from the front lot line, rear lot line and side lot lines, the height of the building or structure and its dimensions or floor area.
 - See attached Existing Plan or Sketch of Subject Land

8. PROPOSED BUILDINGS / STRUCTURES ON SUBJECT LAND

Do you propose to build any buildings or structures on the subject land?

- NO Continue to Section 9
- YES Indicate the type of building or structure and, in metric units, the setback from the front lot line, rear lot line and side lot lines, the height of the building or structure, and its dimensions or floor area.
 - See attached Site Plan Conceptual

ZONING BY-LAW AMENDMENT APPLICATION

9. ACCESS TO SUBJECT LAND

Indicate if access to subject land is by: *(check all that apply)*

- Municipal Road Provincial Highway Another public road or a right-of-way
- Water - If access to the subject land is by water only, describe the parking and docking facilities used or to be used and provide the approximate distance in metric of these facilities from the subject land and the nearest public road:

10. WATER, SANITARY SEWAGE AND STORM DRAINAGE

WATER – Indicate whether water will be provided to the subject land by:

- Publicly owned & operated piped water system
- Privately owned & operated individual well
- Privately owned & operated communal well
- Other _____

SANITARY - Indicate whether sewage disposal will be provided to the subject land by:

- Publicly owned & operated sanitary sewage system
- Privately owned & operated individual septic system - See Note below
- Privately owned & operated communal septic system - See Note below
- Other _____

Note: If the application would permit development on privately owned and operated individual or communal septic systems, and more than 4,500 litres of effluent would be produced per day as a result of the development being completed, you must submit a Servicing Options Report and a Hydrogeological Report.

STORM DRAINAGE - Indicate whether storm drainage will be provided by:

- Sewers Ditches Swales Other _____

ZONING BY-LAW AMENDMENT APPLICATION

11. SKETCH OF SUBJECT LAND

Provide a sketch showing, in metric units,

- a) the boundaries and dimensions of the subject land;
- b) the location, size, and type of all existing and proposed buildings and structures on the subject land, including their distance from the front lot line, rear lot line, and side lines;
- c) the approximate location of all natural and artificial features (for example, buildings, railways, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks) that are located on the subject land and on land that is adjacent to it, and in the applicant's opinion, may affect the application;
- d) the current uses of all land that is adjacent to the subject land;
- e) the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road, or a right of way;
- f) if access to the subject land will be water only, the location of the parking and docking facilities to be used; and
- g) the location and nature of any easement affecting the subject land.

12. APPLICATION FEE & OTHER FEES

The amendment type is determined by the City Planner or their designate.

Verify fees before submitting the application. Fees are subject to change and are not refundable when the application is deemed complete. Method of payment: Cash, Mastercard or Visa (complete Credit Card Authorization on page 15), or by Certified Cheque or Personal Cheque payable to The Corporation of the City of Windsor.

APPLICATION FEE

Amendment Type	Code	<input type="checkbox"/> Minor Rezoning	<input checked="" type="checkbox"/> Major Rezoning
Base Fee	53001	\$4,347.00	\$5,837.40
GIS Fee	63024	+ \$50.00	+ \$50.00
Essex Region Conservation Authority Fee	53023	+ <u>\$200.00</u>	+ <u>\$300.00</u>
Total Application Fee		= \$4,597.00	= \$6,187.40

OTHER FEES

- Re-Notification/Deferral Fee** Code 53016 \$2,258.40
Required when an applicant requests a deferral after notice of a public meeting has been given.
- Legal Fee - Servicing Agreement** Code 63002 \$597.64 plus \$50 per unit, lot, or block
Required when the preparation of a servicing agreement is a condition of approval.
- Removal of the Holding Symbol Application** Code 53001 \$1,536.00
It is the responsibility of the property owner to satisfy the conditions to remove the holding symbol and to apply and fee to remove the holding symbol.
- Ontario Land Tribunal (OLT) Appeal Fee** \$1,100.00
An appeal is made through the Office of the City Clerk (519-255-6211). Fees, forms, and processes are subject to change. Visit <https://olt.gov.on.ca> for additional information

ZONING BY-LAW AMENDMENT APPLICATION

13. PROPOSED PUBLIC CONSULTATION STRATEGY

Select or describe your proposed strategy for consulting with the public with respect to the application:

- Required Public Consultation (Public Notice & Public Meeting as required per the Planning Act)
 - Open House
 - Website
 - Other _____
-
-
-

14. SWORN DECLARATION OF APPLICANT

Complete in the presence of a Commissioner for Taking Affidavits. If the declaration is to be administered remotely, you must be able to see, hear and communicate with the Commissioner and show documentation that confirms your identity.

I, Dillon Consulting Limited, c/o Amy Farkas, solemnly declare that the information required under Schedule 1 to Ontario Regulation 545/06 and provided by the applicant is accurate and that the information contained in the documents that accompany this application is accurate, that if this declaration was administered remotely that it was in accordance with Ontario Regulation 431/20, and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath.

Amy Farkas
Signature of Applicant

City of Windsor
Location of Applicant at time of declaration

*Sign in the presence of a Commissioner
For Taking Affidavits*

This declaration was administered remotely in accordance with Ontario Regulation 431/20

Declared before me *Melanie Anne Muir* at the City of Windsor
Signature of Commissioner *Location of Commissioner*

this 1 day of June, 2022
day month year

PLACE AN IMPRINT OF YOUR STAMP BELOW

MELANIE ANNE MUIR,
a Commissioner, etc., Province of Ontario,
for Dillon Consulting Limited.
Expires May 3, 2025.

READ & COMPLETE SCHEDULES A & E IN FULL & SIGN

ZONING BY-LAW AMENDMENT APPLICATION

SCHEDULE A – Authorizations & Acknowledgements

A1. Authorization of Registered Owner for Agent to Make the Application

If the applicant is not the registered owner of the land that is the subject of this application, the written authorization of the registered owner that the agent is authorized to make the application must be included with this application form or the authorization below must be completed.

I, VGA Investment Inc. c/o Shan Xue, am the registered owner of the land that is
Name of Registered Owner

subject of this application for an amendment to the City of Windsor Zoning By-law and I authorize

Dillon Consulting Limited c/o Amy Farkas to make this application on my behalf.
Name of Agent

 *SHAN XUE*

06/01/22

Signature of Registered Owner

Date

If Corporation - I have authority to bind the corporation

A2. Authorization to Enter Upon the Subject Lands and Premises

I, VGA Investment Inc. c/o Shan Xue,
Name of Registered Owner

hereby authorize the Development and Heritage Standing Committee or their successor, City Council, and staff of The Corporation of the City of Windsor to enter upon the subject lands and premises described in Section 5 of the application form for the purpose of evaluating the merits of this application and subsequently to conduct any inspections on the subject lands that may be required as a condition of approval. This is their authority for doing so.

 *SHAN XUE*

06/01/22

Signature of Registered Owner

Date

If Corporation – I have authority to bind the corporation

SCHEDULE A CONTINUES ON NEXT PAGE

ZONING BY-LAW AMENDMENT APPLICATION

SCHEDULE A – Authorizations & Acknowledgements - *Continued*

A3. Acknowledgements

Receipt, Fees, Additional Information, Termination, and Freedom of Information

I acknowledge that receipt of this application by the City of Windsor does not guarantee it to be a complete application, that further review of the application will occur, and that I may be contacted to provide additional information and/or resolve any discrepancies or issues with the application as submitted.

I further acknowledge that after the application is deemed complete, fees are not refundable, additional information may be requested, and that after 60 days of inactivity the City of Windsor may terminate the application without notice.

I further acknowledge that pursuant to the provisions of the Planning Act and the Municipal Freedom of Information and Protection of Privacy Act, this application and all material and information provided with this application are made available to the public.

Species at Risk

Ontario's *Endangered Species Act* protects endangered and threatened species — animals and plants in decline and at risk of disappearing from the province by restricting activities that may affect these plants, animals or their habitats.

I acknowledge that it is my sole responsibility as the Applicant to comply with the provisions of the *Endangered Species Act, 2007, S. O. c.6*. This could require me to register an activity, get a permit or other authorization from the Ministry of the Environment, Conservation and Parks (MECP) prior to conducting an activity that could impact an endangered or threatened plant or animal or its habitat. I further acknowledge that any *Planning Act, R.S.O. 1990, c.P.13* approval given by the City of Windsor does not constitute an approval under the *Endangered Species Act*, nor does it absolve me from seeking the necessary authorization, approvals or permits from the MECP prior to conducting any activity that may affect endangered or threatened plant or animal or its habitat.

Additional information can be found at:

<https://www.ontario.ca/page/development-and-infrastructure-projects-and-endangered-or-threatened-species>

or by contacting MECP at SAROntario@ontario.ca

Acknowledgement

I acknowledge that I have read and understand the above statements:



May 31, 2022

Signature of Applicant or Agent

Date

**END OF SCHEDULE A
COMPLETE SCHEDULE E ON NEXT PAGE**

ZONING BY-LAW AMENDMENT APPLICATION

SCHEDULE E – Environmental Site Screening Questionnaire

Previous Use of Property

- Residential Industrial Commercial Institutional
 Agricultural Parkland Vacant Other _____

- a) If previous use of the property is Industrial or Commercial, specify use:

- b) Has the grading of the subject land been changed by adding earth or material? Has filling occurred on the subject land?
 Yes No Unknown
- c) Has a gasoline station and/or automobile service station been located on the subject land or adjacent lands at any time?
 Yes No Unknown
- d) Has there been petroleum or other fuel stored on the subject land or adjacent lands?
 Yes No Unknown
- e) Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?
 Yes No Unknown
- f) Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been applied as pesticides and/or sewage sludge applied to the lands?
 Yes No Unknown
- g) Have the lands or adjacent lands ever been used as a weapons firing range?
 Yes No Unknown
- h) Is the nearest boundary line of the application within 500 metres (1,640 feet) of the boundary line of an operational/non-operational public or private waste disposal site, landfill or dump?
 Yes No Unknown
- i) If there are existing or previously existing buildings on the subject lands, are there any building materials remaining on site which are potentially hazardous to public health (e.g., asbestos, PCB's)?
 Yes No Unknown
- j) Is there reason to believe the subject lands may have been contaminated by existing or former uses on the site or adjacent sites?*

** Possible uses that can cause contamination include but are not limited to: operation of electrical transformer stations, disposal of waste minerals, raw material storage, and residues left in containers, maintenance activities and spills. Some commercial properties such as gasoline stations, automotive repair garages, and dry cleaning plants have similar potential. The longer a property is under industrial or similar use, the greater the potential for site contamination. Also, a series of different industrial or similar uses upon a site could potentially increase the number of chemicals that are present.*

- k) If current or previous use of the property is Industrial or Commercial, or if YES to any of a) to j) above, attach a previous use inventory showing all former uses of the subject land, or if applicable, the land(s) adjacent to the subject lands.

SCHEDULE E CONTINUES ON NEXT PAGE

ZONING BY-LAW AMENDMENT APPLICATION

SCHEDULE E - CONTINUED

Acknowledgement Clause

I hereby acknowledge that it is my responsibility to ensure that I am in compliance with all applicable laws, regulations, guidelines and the City's Official Plan policies pertaining to potentially contaminated sites, and to use all reasonable effort to identify the potential for contamination on the subject property.

I acknowledge that as a condition of approval of this application that the City may require me to file a Record of Site Condition signed by a qualified person in the provincial Environmental Site Registry, and provide verification to the City of Windsor of acknowledgement of this Record of Site Condition by the Ministry of Environment.

I acknowledge that the City may require the qualified person signing the Record of Site Condition to submit to the City a Declaration acknowledging that the City of Windsor may rely on the statements in the Record of Site Condition.

I acknowledge that the City of Windsor is not responsible for the identification and/or remediation of contaminated sites, and I agree, whether in, through, or as a result of any action or proceeding for environmental clean-up of any damage or otherwise, I will not sue or make claim whatsoever against the City of Windsor, its officers, officials, employees or agents for or in respect of any loss, damage, injury or costs.

VGA Investment Inc. c/o Shan Xue

Name of Applicant (print)

Authentisign
SHAN XUE

Signature of Applicant

06/01/22

Date

Dillon Consulting Limited c/o Amy Farkas

Name of Agent (print)

Amy Farkas

Signature of Agent

May 31, 2022

Date

END OF SCHEDULE E

ZONING BY-LAW AMENDMENT APPLICATION

DO NOT COMPLETE BELOW – STAFF USE ONLY

Receipt and Assignment of Application

Date Received Stamp

This application has been assigned to:

- | | |
|---|---|
| <input type="checkbox"/> Adam Szymczak (AS) | <input type="checkbox"/> Greg Atkinson (GA) |
| <input type="checkbox"/> Pablo Golob (GL) | <input type="checkbox"/> Jim Abbs (JA) |
| <input type="checkbox"/> Justina Nwaesei (JN) | <input type="checkbox"/> Kevin Alexandar (KA) |
| <input type="checkbox"/> Laura Diotte (LD) | <input type="checkbox"/> Melissa Gasic (MG) |
| <input type="checkbox"/> Simona Simion (SS) | <input type="checkbox"/> _____ |

Complete Application

This application is deemed complete on _____
Date

Signature of Delegated Authority

- | | | |
|---|---|--|
| <input type="checkbox"/> Neil Robertson, MCIP, RPP
Manager of Urban Design | <input type="checkbox"/> Michael Cooke, MCIP, RPP
Manager of Planning Policy | <input type="checkbox"/> Thom Hunt, MCIP, RPP
City Planner & Executive Director |
|---|---|--|

Internal Information

Fee Paid: \$ _____ Receipt No: _____ Date: _____

Payment Type: Cash Certified Cheque Credit Card Personal Cheque

NEW Zoning File No. ZNG/ _____ Z- _____

Previous Zoning File No. ZNG/ _____ Z- _____

Related OPA File No. OPA/ _____ OPA _____

Other File Numbers: _____

Notes: _____

THIS IS THE LAST PAGE OF THE APPLICATION FORM



PLANNING DEPARTMENT – DEVELOPMENT DIVISION

Memo

To: City Clerk
From: City Planner/Executive Director
Date: July 4, 2022
Subject: TRANSMITTAL OF NEW FILE **Our File Number: Z-012/22 [ZNG/6732]**
RE: Application For: Zoning Amendment Official Plan Amendment
 Part Lot Control Draft Plan of Subdivision/Condominium

Applicant: GARRET MACGILLIVRAY & KRISTEN CUNNINGHAM
Location: 1069 SHEPHERD ST E
Description: Application to amend Zoning By-law 8600 to permit a third dwelling unit in the basement within the existing building.

The ZONING AMENDMENT application submitted by Garret MacGillivray & Kristen Cunningham for 1069 Shepherd St E has been deemed as complete on June 16, 2022.

Enclosures:

- 1 copy of Application Form
- 1 copy of Drawings
- 1 copy of Site Plan

Thom Hunt, MCIP, RPP
City Planner, Executive Director

/ms

July 4, 2022

Garret MacGillivray & Kristen Cunningham
55 E Liberty St, Unit 1608
Toronto ON N6K 3P9

Dear Mr MacGillivray & Ms Cunningham:

Re: REZONING APPLICATION
APPLICANT: GARRET MACGILLIVRAY & KRISTEN CUNNINGHAM
LOCATION: 1069 SHEPHERD ST E
FILE NO.: Z-012/22 [ZNG/6732]

This is to acknowledge receipt of the application for rezoning, which has been assigned the above-referenced file number. In accordance with the delegation authority as prescribed by By-Law 139-2013, the information and material required has been provided; therefore, the application was deemed COMPLETE on June 16, 2022 and processing has begun.

You will be advised prior to the Development & Heritage Standing Committee and Council meetings of the position of the Planning Department on the application and the dates of the public meetings.

Please email me at ssimion@citywindsor.ca, if you have any questions.

Yours truly,



Simona Simion, MCIP RPP
Planner II – Research & Policy Support

SS/ms

ZONING BY-LAW AMENDMENT APPLICATION

INSTRUCTIONS

Verify that you are using the current application form.

- Section 1: Pre-Submission consultation with a staff Planner is mandatory per By-law 199-2007. If you do not have a valid Pre-Submission Letter, you must meet with a staff Planner who must sign and date this section.
- Section 2: During Pre-Submission consultation a staff Planner will indicate what supporting information must be submitted with the application.
- Section 3: Provide the full name, address, phone number, fax number and email address of the applicant, agent, and registered owner. If any of these are a corporation, provide the full corporate name. Include the full name of the contact person. If there is more than one person, corporation, or registered owner, use additional sheets.
- Section 4: Indicate if you are submitting other companion applications with this application.
- Section 5: Provide information about the subject land. This information is used to determine supporting information requirements and to assist in the review of the application.
- Section 6: Indicate the amendment, proposed uses and describe the nature and extent of the amendment being requested. Indicate why the amendment is being requested and how it is consistent with the Provincial Policy Statement and conforms to the City of Windsor Official Plan. If this information is in a Planning Rationale Report, check the box beside "See Planning Rationale Report".
- Section 7: If there are any existing buildings or structures on the subject land, provide the required information or submit a sketch, drawing or plan that shows this information.
- Section 8: If you propose to build any buildings or structures on the subject land, provide the required information or submit a sketch, drawing or plan that shows the information.
- Section 9: Indicate how the property is accessed. Check all boxes that apply.
- Section 10: Provide information about water service, sanitary sewage disposal, and storm drainage.
- Section 11: Provide a sketch of the subject land showing, in metric units, the items listed or indicate if this information is provided on an existing plan or a conceptual site plan.
- Section 12: Check the appropriate box based on a valid Pre-Submission Letter or pre-submission consultation.
- Section 13: Explain your proposed strategy for consulting with the public with respect to the application.
- Section 14: Complete and sign in the presence of a Commissioner of Taking Affidavits.
- Other: Read, complete in full, and sign Schedules A & E. Complete Credit Card Authorization if paying by credit card
- Submit application form, supporting information, and application fee / credit card authorization to Senior Steno Clerk at Planning Division, Suite 210, 350 City Hall Square West, Windsor ON N9A 6S1 or planningdept@citywindsor.ca

TYPE OF REZONING AMENDMENT

DATE RECEIVED STAMP

The type of amendment is determined by the City Planner or their designate.

Minor Zoning Amendment

- Site zoned commercial, institutional, or manufacturing
 - Addition to the list of permitted uses
- Site already zoned
 - Change to existing regulations or to zoning district boundary to match lot lines
- Site designated in the Official Plan for residential use
 - Rezoning to accommodate a maximum of six dwelling units
- Site designated in the Official Plan for the proposed use other than residential
 - Site-specific zoning for a site with a lot area of less than 1,000.0 m²

Major Zoning Amendment

- Any other amendment not listed as minor.

ZONING BY-LAW AMENDMENT APPLICATION

ZONING BY-LAW AMENDMENT PROCESS

The application will be terminated without notice after 60 days of inactivity. The following is for your information only. Review the Planning Act and relevant regulations for statutory requirements. The processing of the application is subject to change. Direct all questions to the assigned Planner. The process is generally as follows:

1. The application is reviewed to ensure all prescribed and required information and the fee have been submitted. Within 30 days of the receipt of the application, you will be notified in writing that the application is deemed incomplete or complete.
2. If deemed incomplete, the application and fee will be returned. If deemed complete, fees are not refundable, the application is circulated to departments and external agencies for review and comment, and all submitted documents are made available to the public.
3. Following circulation, a draft staff report containing a recommendation and any conditions is prepared. The City Planner and other staff review the draft staff report.
4. When the staff report is approved by appropriate municipal staff, it will be scheduled for a future meeting of the Development and Heritage Standing Committee (DHSC).
5. The DHSC meeting is the public meeting required by the Planning Act. Public notice of the DHSC meeting is advertised in the Windsor Star, a local newspaper, at least 20 days in advance of the DHSC meeting. A courtesy notice may be mailed to property owners and/or tenants within 120 metres or more of the subject land.
6. 10 days prior to the DHSC meeting, the staff report is circulated to the applicant and DHSC members and made available to the public. All supporting documentation submitted by the applicant is available for review.
7. At the DHSC meeting, a staff planner makes a presentation. The applicant and other parties have an opportunity to provide verbal and/or written submissions. The DHSC may ask questions of staff, the applicant, agent, and other parties. The DHSC may decide to defer or recommend approval or denial of the application.
8. If deferred, the application along with any additional information or a new staff report will be considered at a future DHSC meeting. If recommended for approval or denial, the staff report, the minutes of the DHSC meeting, and the amending by-law are forwarded to City of Windsor Council for consideration at a future date. The applicant, agent and all interested parties will be notified by the City Clerk of the date, time, and location of the Council meeting. Call 311 or contact the City Clerk at 519-255-6211 or clerks@citywindsor.ca.
9. The application may be placed on the Consent Agenda of the Council Meeting, a part of the meeting where Council approves several matters with a single motion. If the application is not on the Consent Agenda, the staff planner may introduce the application, review the staff recommendation and any additional information provided to Council, and advise Council of any differences between the staff and DHSC recommendations. The applicant and other interested parties have an opportunity to make verbal and/or written submissions. Council may decide to approve, deny, or defer the application. If Council approves the application, the amending by-law may be approved at the same Council meeting, otherwise it will be approved at a future Council meeting.
10. When the amending by-law is passed, the City Clerk will mail a notice of the passing of the amending by-law to property owners and various public agencies within 15 days. There is a 20-day appeal period commencing the day after this notice is given. The notice will include the last day to file an appeal. An appeal is made to the Ontario Land Tribunal (OLT) through the City Clerk. If no appeal is filed, the amending by-law is final and binding as of the date of Council's passing of the by-law. Contact the City Clerk at 519-255-6211 or clerks@citywindsor.ca.
11. If the rezoning is subject to a holding symbol, it is the responsibility of the property owner to satisfy the conditions to remove the holding symbol, to apply, and to pay the fee to remove the holding symbol.

CONTACT INFORMATION

Planning & Building Department – Planning Division
Suite 210
350 City Hall Square West
Windsor ON N9A 6S1

Telephone: 519-255-6543
Fax: 519-255-6544
Email: planningdept@citywindsor.ca
Web Site: www.citywindsor.ca

ZONING BY-LAW AMENDMENT APPLICATION

1. PRE-SUBMISSION CONSULTATION

By-law 199-2007 requires pre-submission consultation with a staff Planner to determine what supporting information is required, to verify fee payable, and to review the process. This application is incomplete unless you have a valid Pre-Submission Letter or a staff Planner signs below.

Valid Pre-Submission Letter? NO YES File Number: PS- 074-21

Staff Use Only

Signature of Staff Planner	Date of Consultation
<input type="checkbox"/> Jim Abbs	<input type="checkbox"/> Kevin Alexander
<input type="checkbox"/> Melissa Gasic	<input type="checkbox"/> Justina Nwaesei
<input type="checkbox"/> _____	<input type="checkbox"/> Greg Atkinson
	<input type="checkbox"/> Simona Simion
	<input type="checkbox"/> Laura Diotte
	<input type="checkbox"/> Adam Szymczak

2. REQUIRED SUPPORTING INFORMATION *(To be completed by a staff Planner)*

Unless you have a valid Pre-Submission Letter, a staff Planner will indicate below what supporting information must be submitted with the application during pre-submission consultation. The City of Windsor reserves the right to require additional supporting information during the processing of the application. All supporting information submitted is made available for public review.

For each document, provide one paper copy, and where possible, one digital copy on a CD or USB flash drive. All drawings or plans shall be in letter size (8.5 x 11 inches) in JPG and PDF format. All other document shall be provided in Word and PDF format. **All PDF documents shall be flattened with no layers.**

If you are submitting a companion application submit only one set of documents.

<input checked="" type="checkbox"/> Deed or Offer to Purchase	<input type="checkbox"/> Corporation Profile Report	<input checked="" type="checkbox"/> Site Plan Conceptual <i>(see Section 8)</i>	<input checked="" type="checkbox"/> Sketch of Subject Land <i>(see Section 11)</i>
<input type="checkbox"/> Archaeological Assessment – Stage 1	<input type="checkbox"/> Built Heritage Impact Study	<input type="checkbox"/> Environmental Evaluation Report	<input type="checkbox"/> Environmental Site Assessment
<input type="checkbox"/> Floor Plan and Elevations	<input type="checkbox"/> Geotechnical Study	<input type="checkbox"/> Guideline Plan	<input type="checkbox"/> Lighting Study
<input type="checkbox"/> Market Impact Assessment	<input type="checkbox"/> Micro-Climate Study	<input type="checkbox"/> Noise Study	<input type="checkbox"/> Planning Rationale Report
<input type="checkbox"/> Record of Site Condition <i>(see Schedule E)</i>	<input type="checkbox"/> Sanitary Sewer Study	<input type="checkbox"/> Species at Risk Screening	<input type="checkbox"/> Storm Sewer Study
<input type="checkbox"/> Storm Water Retention Scheme	<input type="checkbox"/> Topographic Plan of Survey	<input type="checkbox"/> Transportation Impact Statement	<input type="checkbox"/> Transportation Impact Study
<input type="checkbox"/> Tree Preservation	<input type="checkbox"/> Tree Survey Study	<input type="checkbox"/> Urban Design Study	<input type="checkbox"/> Vibration Study
<input type="checkbox"/> Wetland Evaluation Study	Other Required Information: _____		

ZONING BY-LAW AMENDMENT APPLICATION

3. APPLICANT, REGISTERED OWNER, AND AGENT INFORMATION

Provide in full the name of the applicant, registered owner, and agent, the name of the contact person, and address, postal code, phone number, fax number and email address.

If the applicant or registered owner is a numbered company, provide the name of the principals of the company. If there is more than one applicant or registered owner, copy this page, complete in full and submit with this application.

All communication is with the Agent authorized by the Owner to file the application. If there is no Agent, all communication is with the Applicant.

Applicant

Name: Garret MacGillivray & Kristen Cunningham Contact: Garret MacGillivray
Name of Contact Person

Address: 55 East Liberty Street, Unit 1608

Address: Toronto, Ontario Postal Code: M6K3P9

Phone: 613 816 6563 Fax: _____

Email: garret.macgillivray@gmail.com

Registered Owner Same as Applicant

Name: _____ Contact: _____
Name of Contact Person

Address: _____

Address: _____ Postal Code: _____

Phone: _____ Fax: _____

Email: _____

Agent Authorized by the Owner to File the Application (Also complete Section A1 in Schedule A)

Name: _____ Contact: _____
Name of Contact Person

Address: _____

Address: _____ Postal Code: _____

Phone: _____ Fax: _____

Email: _____

4. COMPANION APPLICATIONS

Are you submitting a companion Official Plan Amendment application? NO YES

Are you submitting a companion Plan of Subdivision/Condominium application? NO YES

Are you submitting a companion Site Plan Control application? NO YES

ZONING BY-LAW AMENDMENT APPLICATION

5. SUBJECT LAND INFORMATION

Municipal Address 1069 Shepherd Street East

Legal Description Lot 2 PLAN 1445 WINDSOR

Assessment Roll Number 3739030410049000000

If known, the date the subject land was acquired by the current owner: November 29, 2019

Frontage (m) 10.97 Depth (m) 36.57 Area (sq m) 402.6

Official Plan Designation Residential

Current Zoning Residential District 1.3 (RD1.3)

Existing Uses Former single family residence converted to a legal duplex dwelling

If known, the lengths of time that the existing uses have continued: _____

Previous Uses Single Family Residence

List the names and addresses of the holders of any mortgages, charges, or other encumbrances in respect of the subject land:

RBC

Are there any easements or restrictive covenants affecting the subject lands? NO YES

If yes, describe the easement or restrictive covenant and its effect:

If known, has the subject land ever been subject of: *(leave blank if unknown)*

An application for a Plan of Subdivision or Consent: NO YES File: _____

An application for an amendment to a Zoning By-law: NO YES File: _____

An application for approval of a Site Plan: NO YES SPC- _____

A Minister's Zoning Order (Ontario Regulation): NO YES OR#: _____

ZONING BY-LAW AMENDMENT APPLICATION

6. DESCRIPTION OF AMENDMENT

Amendment to Zoning By-law from: Residential District 1.3 (RD1.3)

to: Residential District 2.2 (RD2.2(20)(1) (XXX)

Proposed uses of subject land: Allow for conversion of the basement of the existing structure into an additional one (1) unit for a total of three (3) units.

Describe the nature and extent of the amendment(s) being requested:

Rezone property as required to permit a third dwelling unit in the basement area within the existing building

Why is this amendment or these amendments being requested?

To allow for site specific zoning that will permit the conversion of the basement of the existing structure into an additional (1) unit .

Explain how the amendment to the Zoning By-law is consistent with the Provincial Policy Statement:

See Planning Rationale Report

Explain how the application conforms to the City of Windsor Official Plan:

See Planning Rationale Report

If this application is to remove land from an area of employment, details of the official plan or official plan amendment that deals with this matter:

See Planning Rationale Report See Official Plan Amendment

ZONING BY-LAW AMENDMENT APPLICATION

7. EXISTING BUILDINGS / STRUCTURES ON SUBJECT LAND

Are there any buildings or structures on the subject land?

- NO Continue to Section 8
- YES Indicate the type of building or structure, the date of construction (if known), and, in metric units, the setback from the front lot line, rear lot line and side lot lines, the height of the building or structure and its dimensions or floor area.
 - See attached Existing Plan or Sketch of Subject Land

8. PROPOSED BUILDINGS / STRUCTURES ON SUBJECT LAND

Do you propose to build any buildings or structures on the subject land?

- NO Continue to Section 9
- YES Indicate the type of building or structure and, in metric units, the setback from the front lot line, rear lot line and side lot lines, the height of the building or structure, and its dimensions or floor area.
 - See attached Site Plan Conceptual

ZONING BY-LAW AMENDMENT APPLICATION

9. ACCESS TO SUBJECT LAND

Indicate if access to subject land is by: *(check all that apply)*

- Municipal Road Provincial Highway Another public road or a right-of-way
- Water - If access to the subject land is by water only, describe the parking and docking facilities used or to be used and provide the approximate distance in metric of these facilities from the subject land and the nearest public road:

10. WATER, SANITARY SEWAGE AND STORM DRAINAGE

WATER – Indicate whether water will be provided to the subject land by:

- Publicly owned & operated piped water system
- Privately owned & operated individual well
- Privately owned & operated communal well
- Other _____

SANITARY - Indicate whether sewage disposal will be provided to the subject land by:

- Publicly owned & operated sanitary sewage system
- Privately owned & operated individual septic system - See Note below
- Privately owned & operated communal septic system - See Note below
- Other _____

Note: If the application would permit development on privately owned and operated individual or communal septic systems, and more than 4,500 litres of effluent would be produced per day as a result of the development being completed, you must submit a Servicing Options Report and a Hydrogeological Report.

STORM DRAINAGE - Indicate whether storm drainage will be provided by:

- Sewers Ditches Swales Other _____

ZONING BY-LAW AMENDMENT APPLICATION

11. SKETCH OF SUBJECT LAND

Provide a sketch showing, in metric units,

- a) the boundaries and dimensions of the subject land;
- b) the location, size, and type of all existing and proposed buildings and structures on the subject land, including their distance from the front lot line, rear lot line, and side lines;
- c) the approximate location of all natural and artificial features (for example, buildings, railways, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks) that are located on the subject land and on land that is adjacent to it, and in the applicant's opinion, may affect the application;
- d) the current uses of all land that is adjacent to the subject land;
- e) the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road, or a right of way;
- f) if access to the subject land will be water only, the location of the parking and docking facilities to be used; and
- g) the location and nature of any easement affecting the subject land.

12. APPLICATION FEE & OTHER FEES

The amendment type is determined by the City Planner or their designate.

Verify fees before submitting the application. Fees are subject to change and are not refundable when the application is deemed complete. Method of payment: Cash, Mastercard or Visa (complete Credit Card Authorization on page 15), or by Certified Cheque or Personal Cheque payable to The Corporation of the City of Windsor.

APPLICATION FEE

Amendment Type	Code	<input checked="" type="checkbox"/> Minor Rezoning	<input type="checkbox"/> Major Rezoning
Base Fee	53001	\$4,347.00	\$5,837.40
GIS Fee	63024	+ \$50.00	+ \$50.00
Essex Region Conservation Authority Fee	53023	+ <u>\$200.00</u>	+ <u>\$300.00</u>
Total Application Fee		= \$4,597.00	= \$6,187.40

OTHER FEES

- Re-Notification/Deferral Fee** Code 53016 \$2,258.40
Required when an applicant requests a deferral after notice of a public meeting has been given.
- Legal Fee - Servicing Agreement** Code 63002 \$597.64 plus \$50 per unit, lot, or block
Required when the preparation of a servicing agreement is a condition of approval.
- Removal of the Holding Symbol Application** Code 53001 \$1,536.00
It is the responsibility of the property owner to satisfy the conditions to remove the holding symbol and to apply and fee to remove the holding symbol.
- Ontario Land Tribunal (OLT) Appeal Fee** \$1,100.00
An appeal is made through the Office of the City Clerk (519-255-6211). Fees, forms, and processes are subject to change. Visit <https://olt.gov.on.ca> for additional information

ZONING BY-LAW AMENDMENT APPLICATION

13. PROPOSED PUBLIC CONSULTATION STRATEGY

Select or describe your proposed strategy for consulting with the public with respect to the application:

- Required Public Consultation (Public Notice & Public Meeting as required per the Planning Act)
- Open House Website Other _____
- _____
- _____
- _____

14. SWORN DECLARATION OF APPLICANT

Complete in the presence of a Commissioner for Taking Affidavits. If the declaration is to be administered remotely, you must be able to see, hear and communicate with the Commissioner and show documentation that confirms your identity.

I, Garret MacGillivray, solemnly declare that the information required under Schedule 1 to Ontario Regulation 545/06 and provided by the applicant is accurate and that the information contained in the documents that accompany this application is accurate, that if this declaration was administered remotely that it was in accordance with Ontario Regulation 431/20, and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath.




Toronto, Ontario

Signature of Applicant

Location of Applicant at time of declaration

*Sign in the presence of a Commissioner
For Taking Affidavits*

This declaration was administered remotely in accordance with Ontario Regulation 431/20

Declared before me  at the City of Markham, Province of Ontario

JANICE M.W. HO
Signature of Commissioner *Location of Commissioner*

this 1st day of March, 20²²

day month year

PLACE AN IMPRINT OF YOUR STAMP BELOW



READ & COMPLETE SCHEDULES A & E IN FULL & SIGN

ZONING BY-LAW AMENDMENT APPLICATION

SCHEDULE A – Authorizations & Acknowledgements

A1. Authorization of Registered Owner for Agent to Make the Application

If the applicant is not the registered owner of the land that is the subject of this application, the written authorization of the registered owner that the agent is authorized to make the application must be included with this application form or the authorization below must be completed.

I, _____, am the registered owner of the land that is

Name of Registered Owner

subject of this application for an amendment to the City of Windsor Zoning By-law and I authorize

_____ to make this application on my behalf.

Name of Agent

Signature of Registered Owner

Date

If Corporation - I have authority to bind the corporation

A2. Authorization to Enter Upon the Subject Lands and Premises

I, Garret MacGillivray,

Name of Registered Owner

hereby authorize the Development and Heritage Standing Committee or their successor, City Council, and staff of The Corporation of the City of Windsor to enter upon the subject lands and premises described in Section 5 of the application form for the purpose of evaluating the merits of this application and subsequently to conduct any inspections on the subject lands that may be required as a condition of approval. This is their authority for doing so.

Garret MacGillivray

February 28th, 2022

Signature of Registered Owner

Date

If Corporation – I have authority to bind the corporation

SCHEDULE A CONTINUES ON NEXT PAGE

ZONING BY-LAW AMENDMENT APPLICATION

SCHEDULE A – Authorizations & Acknowledgements - *Continued*

A3. Acknowledgements

Receipt, Fees, Additional Information, Termination, and Freedom of Information

I acknowledge that receipt of this application by the City of Windsor does not guarantee it to be a complete application, that further review of the application will occur, and that I may be contacted to provide additional information and/or resolve any discrepancies or issues with the application as submitted.

I further acknowledge that after the application is deemed complete, fees are not refundable, additional information may be requested, and that after 60 days of inactivity the City of Windsor may terminate the application without notice.

I further acknowledge that pursuant to the provisions of the Planning Act and the Municipal Freedom of Information and Protection of Privacy Act, this application and all material and information provided with this application are made available to the public.

Species at Risk

Ontario's *Endangered Species Act* protects endangered and threatened species — animals and plants in decline and at risk of disappearing from the province by restricting activities that may affect these plants, animals or their habitats.

I acknowledge that it is my sole responsibility as the Applicant to comply with the provisions of the *Endangered Species Act, 2007, S. O. c.6*. This could require me to register an activity, get a permit or other authorization from the Ministry of the Environment, Conservation and Parks (MECP) prior to conducting an activity that could impact an endangered or threatened plant or animal or its habitat. I further acknowledge that any *Planning Act, R.S.O. 1990, c.P.13* approval given by the City of Windsor does not constitute an approval under the *Endangered Species Act*, nor does it absolve me from seeking the necessary authorization, approvals or permits from the MECP prior to conducting any activity that may affect endangered or threatened plant or animal or its habitat.

Additional information can be found at:

<https://www.ontario.ca/page/development-and-infrastructure-projects-and-endangered-or-threatened-species>

or by contacting MECP at SAROntario@ontario.ca

Acknowledgement

I acknowledge that I have read and understand the above statements:

Garret MacGillivray

February 28, 2022

Signature of Applicant or Agent

Date

**END OF SCHEDULE A
COMPLETE SCHEDULE E ON NEXT PAGE**

ZONING BY-LAW AMENDMENT APPLICATION

SCHEDULE E – Environmental Site Screening Questionnaire

Previous Use of Property

- Residential Industrial Commercial Institutional
 Agricultural Parkland Vacant Other _____

- a) If previous use of the property is Industrial or Commercial, specify use:

- b) Has the grading of the subject land been changed by adding earth or material? Has filling occurred on the subject land?
 Yes No Unknown
- c) Has a gasoline station and/or automobile service station been located on the subject land or adjacent lands at any time?
 Yes No Unknown
- d) Has there been petroleum or other fuel stored on the subject land or adjacent lands?
 Yes No Unknown
- e) Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?
 Yes No Unknown
- f) Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been applied as pesticides and/or sewage sludge applied to the lands?
 Yes No Unknown
- g) Have the lands or adjacent lands ever been used as a weapons firing range?
 Yes No Unknown
- h) Is the nearest boundary line of the application within 500 metres (1,640 feet) of the boundary line of an operational/non-operational public or private waste disposal site, landfill or dump?
 Yes No Unknown
- i) If there are existing or previously existing buildings on the subject lands, are there any building materials remaining on site which are potentially hazardous to public health (e.g., asbestos, PCB's)?
 Yes No Unknown
- j) Is there reason to believe the subject lands may have been contaminated by existing or former uses on the site or adjacent sites?*

** Possible uses that can cause contamination include but are not limited to: operation of electrical transformer stations, disposal of waste minerals, raw material storage, and residues left in containers, maintenance activities and spills. Some commercial properties such as gasoline stations, automotive repair garages, and dry cleaning plants have similar potential. The longer a property is under industrial or similar use, the greater the potential for site contamination. Also, a series of different industrial or similar uses upon a site could potentially increase the number of chemicals that are present.*

- k) If current or previous use of the property is Industrial or Commercial, or if YES to any of a) to j) above, attach a previous use inventory showing all former uses of the subject land, or if applicable, the land(s) adjacent to the subject lands.

SCHEDULE E CONTINUES ON NEXT PAGE

ZONING BY-LAW AMENDMENT APPLICATION

SCHEDULE E - CONTINUED

Acknowledgement Clause

I hereby acknowledge that it is my responsibility to ensure that I am in compliance with all applicable laws, regulations, guidelines and the City's Official Plan policies pertaining to potentially contaminated sites, and to use all reasonable effort to identify the potential for contamination on the subject property.

I acknowledge that as a condition of approval of this application that the City may require me to file a Record of Site Condition signed by a qualified person in the provincial Environmental Site Registry, and provide verification to the City of Windsor of acknowledgement of this Record of Site Condition by the Ministry of Environment.

I acknowledge that the City may require the qualified person signing the Record of Site Condition to submit to the City a Declaration acknowledging that the City of Windsor may rely on the statements in the Record of Site Condition.

I acknowledge that the City of Windsor is not responsible for the identification and/or remediation of contaminated sites, and I agree, whether in, through, or as a result of any action or proceeding for environmental clean-up of any damage or otherwise, I will not sue or make claim whatsoever against the City of Windsor, its officers, officials, employees or agents for or in respect of any loss, damage, injury or costs.

Garret MacGillivray

Name of Applicant (print)

Garret MacGillivray

Signature of Applicant

February 28, 2022

Date

Name of Agent (print)

Signature of Agent

Date

END OF SCHEDULE E

ZONING BY-LAW AMENDMENT APPLICATION

DO NOT COMPLETE BELOW – STAFF USE ONLY

Receipt and Assignment of Application

Date Received Stamp

This application has been assigned to:

- | | |
|---|---|
| <input type="checkbox"/> Adam Szymczak (AS) | <input type="checkbox"/> Greg Atkinson (GA) |
| <input type="checkbox"/> Pablo Golob (GL) | <input type="checkbox"/> Jim Abbs (JA) |
| <input type="checkbox"/> Justina Nwaesei (JN) | <input type="checkbox"/> Kevin Alexandar (KA) |
| <input type="checkbox"/> Laura Diotte (LD) | <input type="checkbox"/> Melissa Gasic (MG) |
| <input type="checkbox"/> Simona Simion (SS) | <input type="checkbox"/> _____ |

Complete Application

This application is deemed complete on _____
Date

Signature of Delegated Authority

- | | | |
|---|---|--|
| <input type="checkbox"/> Neil Robertson, MCIP, RPP
Manager of Urban Design | <input type="checkbox"/> Michael Cooke, MCIP, RPP
Manager of Planning Policy | <input type="checkbox"/> Thom Hunt, MCIP, RPP
City Planner & Executive Director |
|---|---|--|

Internal Information

Fee Paid: \$ _____ Receipt No: _____ Date: _____

Payment Type: Cash Certified Cheque Credit Card Personal Cheque

NEW Zoning File No. ZNG/ _____ Z- _____

Previous Zoning File No. ZNG/ _____ Z- _____

Related OPA File No. OPA/ _____ OPA _____



Other File Numbers: _____

Notes: _____

THIS IS THE LAST PAGE OF THE APPLICATION FORM

Signature Certificate

Reference number: WU9GL-ZIMKF-FCMLM-HFXFF

Signer	Timestamp	Signature
Janice Ho Email: jho@downtown-notary.ca Sent: 01 Mar 2022 13:46:51 UTC Viewed: 01 Mar 2022 16:20:59 UTC Signed: 01 Mar 2022 16:23:19 UTC		 IP address: 99.228.102.203 Location: Woodbridge, Canada
Garret MacGillivray Email: garret.macgillivray@gmail.com Sent: 01 Mar 2022 13:46:51 UTC Viewed: 01 Mar 2022 16:20:52 UTC Signed: 01 Mar 2022 16:23:26 UTC		 IP address: 142.115.58.168 Location: Toronto, Canada

Document completed by all parties on:
01 Mar 2022 16:23:26 UTC

Page 1 of 1



Signed with PandaDoc

PandaDoc is a document workflow and certified eSignature solution trusted by 30,000+ companies worldwide.





PLANNING DEPARTMENT – DEVELOPMENT DIVISION

Memo

To: City Clerk

From: City Planner/Executive Director

Date: July 4, 2022

Subject: TRANSMITTAL OF NEW FILE **Our File Number: Z-017/22 [ZNG/6760]**

RE: Application For: Zoning Amendment Official Plan Amendment
 Part Lot Control Draft Plan of Subdivision/Condominium

Applicant: FARHI HOLDINGS CORPORATION
 Location: RIVERSIDE DR W (at Janette Ave)
 Description: Application to amend Zoning By-law 8600 to allow for the development of a 28-storey multiple dwelling residential development.

The ZONING AMENDMENT application submitted by Farhi Holdings Corp for Riverside Dr W has been deemed as complete on June 16, 2022.

Enclosures:

- (X) 1 copy of Application Form
- () 1 copy of Drawings
- () 1 copy of Site Plan



Thom Hunt, MCIP, RPP
 City Planner, Executive Director

/ms

June 24, 2022

Dillon Consulting Ltd
ATTN: Zoe Sotirakos
3200 Deziel Dr, Suite 608
Windsor ON N8W 5K8

Dear Ms Sotirakos:

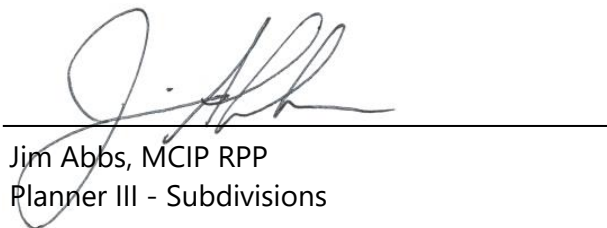
Re: REZONING APPLICATION
APPLICANT: FARHI HOLDINGS CORPORATION
LOCATION: RIVERSIDE DR W
FILE NO.: Z-017/22 [ZNG/6760]

This is to acknowledge receipt of the application for rezoning, which has been assigned the above-referenced file number. In accordance with the delegation authority as prescribed by By-Law 139-2013, the information and material required has been provided; therefore, the application was deemed COMPLETE on June 16, 2022 and processing has begun.

You will be advised prior to the Development & Heritage Standing Committee and Council meetings of the position of the Planning Department on the application and the dates of the public meetings.

Please email me at jabbs@citywindsor.ca , if you have any questions.

Yours truly,



Jim Abbs, MCIP RPP
Planner III - Subdivisions

JA/ms

ZONING BY-LAW AMENDMENT APPLICATION

INSTRUCTIONS

Verify that you are using the current application form.

- Section 1: Pre-Submission consultation with a staff Planner is mandatory per By-law 199-2007. If you do not have a valid Pre-Submission Letter, you must meet with a staff Planner who must sign and date this section.
- Section 2: During Pre-Submission consultation a staff Planner will indicate what supporting information must be submitted with the application.
- Section 3: Provide the full name, address, phone number, fax number and email address of the applicant, agent, and registered owner. If any of these are a corporation, provide the full corporate name. Include the full name of the contact person. If there is more than one person, corporation, or registered owner, use additional sheets.
- Section 4: Indicate if you are submitting other companion applications with this application.
- Section 5: Provide information about the subject land. This information is used to determine supporting information requirements and to assist in the review of the application.
- Section 6: Indicate the amendment, proposed uses and describe the nature and extent of the amendment being requested. Indicate why the amendment is being requested and how it is consistent with the Provincial Policy Statement and conforms to the City of Windsor Official Plan. If this information is in a Planning Rationale Report, check the box beside "See Planning Rationale Report".
- Section 7: If there are any existing buildings or structures on the subject land, provide the required information or submit a sketch, drawing or plan that shows this information.
- Section 8: If you propose to build any buildings or structures on the subject land, provide the required information or submit a sketch, drawing or plan that shows the information.
- Section 9: Indicate how the property is accessed. Check all boxes that apply.
- Section 10: Provide information about water service, sanitary sewage disposal, and storm drainage.
- Section 11: Provide a sketch of the subject land showing, in metric units, the items listed or indicate if this information is provided on an existing plan or a conceptual site plan.
- Section 12: Check the appropriate box based on a valid Pre-Submission Letter or pre-submission consultation.
- Section 13: Explain your proposed strategy for consulting with the public with respect to the application.
- Section 14: Complete and sign in the presence of a Commissioner of Taking Affidavits.

Other: Read, complete in full, and sign Schedules A & E. Complete Credit Card Authorization if paying by credit card

Submit application form, supporting information, and application fee / credit card authorization to Senior Steno Clerk at Planning Division, Suite 210, 350 City Hall Square West, Windsor ON N9A 6S1 or planningdept@citywindsor.ca

TYPE OF REZONING AMENDMENT

DATE RECEIVED STAMP

The type of amendment is determined by the City Planner or their designate.

Minor Zoning Amendment

- Site zoned commercial, institutional, or manufacturing
 - Addition to the list of permitted uses
- Site already zoned
 - Change to existing regulations or to zoning district boundary to match lot lines
- Site designated in the Official Plan for residential use
 - Rezoning to accommodate a maximum of six dwelling units
- Site designated in the Official Plan for the proposed use other than residential
 - Site-specific zoning for a site with a lot area of less than 1,000.0 m²

Major Zoning Amendment

- Any other amendment not listed as minor.

ZONING BY-LAW AMENDMENT APPLICATION

ZONING BY-LAW AMENDMENT PROCESS

The application will be terminated without notice after 60 days of inactivity. The following is for your information only. Review the Planning Act and relevant regulations for statutory requirements. The processing of the application is subject to change. Direct all questions to the assigned Planner. The process is generally as follows:

1. The application is reviewed to ensure all prescribed and required information and the fee have been submitted. Within 30 days of the receipt of the application, you will be notified in writing that the application is deemed incomplete or complete.
2. If deemed incomplete, the application and fee will be returned. If deemed complete, fees are not refundable, the application is circulated to departments and external agencies for review and comment, and all submitted documents are made available to the public.
3. Following circulation, a draft staff report containing a recommendation and any conditions is prepared. The City Planner and other staff review the draft staff report.
4. When the staff report is approved by appropriate municipal staff, it will be scheduled for a future meeting of the Development and Heritage Standing Committee (DHSC).
5. The DHSC meeting is the public meeting required by the Planning Act. Public notice of the DHSC meeting is advertised in the Windsor Star, a local newspaper, at least 20 days in advance of the DHSC meeting. A courtesy notice may be mailed to property owners and/or tenants within 120 metres or more of the subject land.
6. 10 days prior to the DHSC meeting, the staff report is circulated to the applicant and DHSC members and made available to the public. All supporting documentation submitted by the applicant is available for review.
7. At the DHSC meeting, a staff planner makes a presentation. The applicant and other parties have an opportunity to provide verbal and/or written submissions. The DHSC may ask questions of staff, the applicant, agent, and other parties. The DHSC may decide to defer or recommend approval or denial of the application.
8. If deferred, the application along with any additional information or a new staff report will be considered at a future DHSC meeting. If recommended for approval or denial, the staff report, the minutes of the DHSC meeting, and the amending by-law are forwarded to City of Windsor Council for consideration at a future date. The applicant, agent and all interested parties will be notified by the City Clerk of the date, time, and location of the Council meeting. Call 311 or contact the City Clerk at 519-255-6211 or clerks@citywindsor.ca.
9. The application may be placed on the Consent Agenda of the Council Meeting, a part of the meeting where Council approves several matters with a single motion. If the application is not on the Consent Agenda, the staff planner may introduce the application, review the staff recommendation and any additional information provided to Council, and advise Council of any differences between the staff and DHSC recommendations. The applicant and other interested parties have an opportunity to make verbal and/or written submissions. Council may decide to approve, deny, or defer the application. If Council approves the application, the amending by-law may be approved at the same Council meeting, otherwise it will be approved at a future Council meeting.
10. When the amending by-law is passed, the City Clerk will mail a notice of the passing of the amending by-law to property owners and various public agencies within 15 days. There is a 20-day appeal period commencing the day after this notice is given. The notice will include the last day to file an appeal. An appeal is made to the Ontario Land Tribunal (OLT) through the City Clerk. If no appeal is filed, the amending by-law is final and binding as of the date of Council's passing of the by-law. Contact the City Clerk at 519-255-6211 or clerks@citywindsor.ca.
11. If the rezoning is subject to a holding symbol, it is the responsibility of the property owner to satisfy the conditions to remove the holding symbol, to apply, and to pay the fee to remove the holding symbol.

CONTACT INFORMATION

Planning & Building Department – Planning Division
Suite 210
350 City Hall Square West
Windsor ON N9A 6S1

Telephone: 519-255-6543
Fax: 519-255-6544
Email: planningdept@citywindsor.ca
Web Site: www.citywindsor.ca

ZONING BY-LAW AMENDMENT APPLICATION

1. PRE-SUBMISSION CONSULTATION

By-law 199-2007 requires pre-submission consultation with a staff Planner to determine what supporting information is required, to verify fee payable, and to review the process. This application is incomplete unless you have a valid Pre-Submission Letter or a staff Planner signs below.

Valid Pre-Submission Letter? NO YES File Number: PS- 075/21

Staff Use Only

Signature of Staff Planner	Date of Consultation
<input type="checkbox"/> Jim Abbs <input type="checkbox"/> Melissa Gasic <input type="checkbox"/> _____	<input type="checkbox"/> Kevin Alexander <input type="checkbox"/> Justina Nwaesei <input type="checkbox"/> Greg Atkinson <input type="checkbox"/> Simona Simion <input type="checkbox"/> Laura Diotte <input type="checkbox"/> Adam Szymczak

2. REQUIRED SUPPORTING INFORMATION *(To be completed by a staff Planner)*

Unless you have a valid Pre-Submission Letter, a staff Planner will indicate below what supporting information must be submitted with the application during pre-submission consultation. The City of Windsor reserves the right to require additional supporting information during the processing of the application. All supporting information submitted is made available for public review.

For each document, provide one paper copy, and where possible, one digital copy on a CD or USB flash drive. All drawings or plans shall be in letter size (8.5 x 11 inches) in JPG and PDF format. All other document shall be provided in Word and PDF format. **All PDF documents shall be flattened with no layers.**

If you are submitting a companion application submit only one set of documents.

<input checked="" type="checkbox"/> Deed or Offer to Purchase	<input type="checkbox"/> Corporation Profile Report	<input checked="" type="checkbox"/> Site Plan Conceptual <i>(see Section 8)</i>	<input checked="" type="checkbox"/> Sketch of Subject Land <i>(see Section 11)</i>
<input type="checkbox"/> Archaeological Assessment – Stage 1	<input type="checkbox"/> Built Heritage Impact Study	<input type="checkbox"/> Environmental Evaluation Report	<input type="checkbox"/> Environmental Site Assessment
<input type="checkbox"/> Floor Plan and Elevations	<input type="checkbox"/> Geotechnical Study	<input type="checkbox"/> Guideline Plan	<input type="checkbox"/> Lighting Study
<input type="checkbox"/> Market Impact Assessment	<input type="checkbox"/> Micro-Climate Study	<input type="checkbox"/> Noise Study	<input type="checkbox"/> Planning Rationale Report
<input type="checkbox"/> Record of Site Condition <i>(see Schedule E)</i>	<input type="checkbox"/> Sanitary Sewer Study	<input type="checkbox"/> Species at Risk Screening	<input type="checkbox"/> Storm Sewer Study
<input type="checkbox"/> Storm Water Retention Scheme	<input type="checkbox"/> Topographic Plan of Survey	<input type="checkbox"/> Transportation Impact Statement	<input type="checkbox"/> Transportation Impact Study
<input type="checkbox"/> Tree Preservation	<input type="checkbox"/> Tree Survey Study	<input type="checkbox"/> Urban Design Study	<input type="checkbox"/> Vibration Study
<input type="checkbox"/> Wetland Evaluation Study	Other Required Information: _____		

ZONING BY-LAW AMENDMENT APPLICATION

3. APPLICANT, REGISTERED OWNER, AND AGENT INFORMATION

Provide in full the name of the applicant, registered owner, and agent, the name of the contact person, and address, postal code, phone number, fax number and email address.

If the applicant or registered owner is a numbered company, provide the name of the principals of the company. If there is more than one applicant or registered owner, copy this page, complete in full and submit with this application.

All communication is with the Agent authorized by the Owner to file the application. If there is no Agent, all communication is with the Applicant.

Applicant

Name: Farhi Holdings Corporation Contact: Shmuel Farhi
Name of Contact Person

Address: 620 Richmond Street, Suite 201

Address: London, ON Postal Code: N6A 5J9

Phone: 519-645-6666 Fax: 519-645-7735

Email: farhi@fhc.ca

Registered Owner Same as Applicant

Name: _____ Contact: _____
Name of Contact Person

Address: _____

Address: _____ Postal Code: _____

Phone: _____ Fax: _____

Email: _____

Agent Authorized by the Owner to File the Application (Also complete Section A1 in Schedule A)

Name: Dillon Consulting Limited Contact: Zoe Sotirakos
Name of Contact Person

Address: 51 Breithaupt Street, Suite 200

Address: Kitchener, ON Postal Code: N8W 5K8

Phone: 613-217-4923 Fax: 519-571-7424

Email: zsotirakos@dillon.ca

4. COMPANION APPLICATIONS

Are you submitting a companion Official Plan Amendment application? NO YES

Are you submitting a companion Plan of Subdivision/Condominium application? NO YES

Are you submitting a companion Site Plan Control application? NO YES

NOTE: Additional applications to be submitted following approval

ZONING BY-LAW AMENDMENT APPLICATION

5. SUBJECT LAND INFORMATION

Municipal Address Riverside Drive West and Janette Avenue (southwest corner of intersection)

Legal Description Part Lot 1, Part Alley, Block A, RP 76; Part Lot 77, Concession 1

Assessment Roll Number 373904011001200

If known, the date the subject land was acquired by the current owner: July 2, 2010

Frontage (m) 45.6m Depth (m) Irregular Area (sq m) 2,244 sq m

Official Plan Designation Mixed Use

Current Zoning General Commercial, Combined Use Building (CD3.1)

Existing Uses Vacant

If known, the lengths of time that the existing uses have continued: +/- 40 years

Previous Uses N/A

List the names and addresses of the holders of any mortgages, charges, or other encumbrances in respect of the subject land:

N/A

Are there any easements or restrictive covenants affecting the subject lands? NO YES

If yes, describe the easement or restrictive covenant and its effect:

If known, has the subject land ever been subject of: *(leave blank if unknown)*

An application for a Plan of Subdivision or Consent: NO YES File: _____

An application for an amendment to a Zoning By-law: NO YES File: _____

An application for approval of a Site Plan: NO YES SPC- _____

A Minister's Zoning Order (Ontario Regulation): NO YES OR#: _____

ZONING BY-LAW AMENDMENT APPLICATION

6. DESCRIPTION OF AMENDMENT

Amendment to Zoning By-law from: CD3.1

to: Site Specific CD3.1

Proposed uses of subject land: Residential development (28 storeys, 85.5 metres, with 166 units)

Describe the nature and extent of the amendment(s) being requested:

A site-specific CD3.1 zone is requested to add "multiple dwelling (only residential)" as a permitted use. Additionally, site-specific zone provisions for maximum height, minimum amenity area, tower separation distance, a reduced parking rate and minimum lot frontage are requested.

Please refer to Planning Justification Report for further details.

Why is this amendment or these amendments being requested?

The amendments are requested to allow for the construction of a 28-storey (85.5 m) residential building with 166 units on the subject site.

Explain how the amendment to the Zoning By-law is consistent with the Provincial Policy Statement:

See Planning Rationale Report _____

Explain how the application conforms to the City of Windsor Official Plan:

See Planning Rationale Report _____

If this application is to remove land from an area of employment, details of the official plan or official plan amendment that deals with this matter:

See Planning Rationale Report See Official Plan Amendment

N/A

ZONING BY-LAW AMENDMENT APPLICATION

7. EXISTING BUILDINGS / STRUCTURES ON SUBJECT LAND

Are there any buildings or structures on the subject land?

- NO Continue to Section 8
- YES Indicate the type of building or structure, the date of construction (if known), and, in metric units, the setback from the front lot line, rear lot line and side lot lines, the height of the building or structure and its dimensions or floor area.
 - See attached Existing Plan or Sketch of Subject Land

8. PROPOSED BUILDINGS / STRUCTURES ON SUBJECT LAND

Do you propose to build any buildings or structures on the subject land?

- NO Continue to Section 9
- YES Indicate the type of building or structure and, in metric units, the setback from the front lot line, rear lot line and side lot lines, the height of the building or structure, and its dimensions or floor area.
 - See attached Site Plan Conceptual

ZONING BY-LAW AMENDMENT APPLICATION

9. ACCESS TO SUBJECT LAND

Indicate if access to subject land is by: *(check all that apply)*

- Municipal Road Provincial Highway Another public road or a right-of-way
- Water - If access to the subject land is by water only, describe the parking and docking facilities used or to be used and provide the approximate distance in metric of these facilities from the subject land and the nearest public road:

10. WATER, SANITARY SEWAGE AND STORM DRAINAGE

WATER – Indicate whether water will be provided to the subject land by:

- Publicly owned & operated piped water system
- Privately owned & operated individual well
- Privately owned & operated communal well
- Other _____

SANITARY - Indicate whether sewage disposal will be provided to the subject land by:

- Publicly owned & operated sanitary sewage system
- Privately owned & operated individual septic system - See Note below
- Privately owned & operated communal septic system - See Note below
- Other _____

Note: If the application would permit development on privately owned and operated individual or communal septic systems, and more than 4,500 litres of effluent would be produced per day as a result of the development being completed, you must submit a Servicing Options Report and a Hydrogeological Report.

STORM DRAINAGE - Indicate whether storm drainage will be provided by:

- Sewers Ditches Swales Other _____

ZONING BY-LAW AMENDMENT APPLICATION

11. SKETCH OF SUBJECT LAND

Provide a sketch showing, in metric units,

- a) the boundaries and dimensions of the subject land;
- b) the location, size, and type of all existing and proposed buildings and structures on the subject land, including their distance from the front lot line, rear lot line, and side lines;
- c) the approximate location of all natural and artificial features (for example, buildings, railways, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks) that are located on the subject land and on land that is adjacent to it, and in the applicant's opinion, may affect the application;
- d) the current uses of all land that is adjacent to the subject land;
- e) the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road, or a right of way;
- f) if access to the subject land will be water only, the location of the parking and docking facilities to be used; and
- g) the location and nature of any easement affecting the subject land.

12. APPLICATION FEE & OTHER FEES

The amendment type is determined by the City Planner or their designate.

Verify fees before submitting the application. Fees are subject to change and are not refundable when the application is deemed complete. Method of payment: Cash, Mastercard or Visa (complete Credit Card Authorization on page 15), or by Certified Cheque or Personal Cheque payable to The Corporation of the City of Windsor.

APPLICATION FEE

Amendment Type	Code	<input type="checkbox"/> Minor Rezoning	<input checked="" type="checkbox"/> Major Rezoning
Base Fee	53001	\$4,347.00	\$5,837.40
GIS Fee	63024	+ \$50.00	+ \$50.00
Essex Region Conservation Authority Fee	53023	+ <u>\$200.00</u>	+ <u>\$300.00</u>
Total Application Fee		= \$4,597.00	= \$6,187.40

OTHER FEES

Re-Notification/Deferral Fee	Code 53016	\$2,258.40	
Required when an applicant requests a deferral after notice of a public meeting has been given.			
Legal Fee - Servicing Agreement	Code 63002	\$597.64 plus \$50 per unit, lot, or block	
Required when the preparation of a servicing agreement is a condition of approval.			
Removal of the Holding Symbol Application	Code 53001	\$1,536.00	
It is the responsibility of the property owner to satisfy the conditions to remove the holding symbol and to apply and fee to remove the holding symbol.			
Ontario Land Tribunal (OLT) Appeal Fee		\$1,100.00	
An appeal is made through the Office of the City Clerk (519-255-6211). Fees, forms, and processes are subject to change. Visit https://olt.gov.on.ca for additional information			

ZONING BY-LAW AMENDMENT APPLICATION

13. PROPOSED PUBLIC CONSULTATION STRATEGY

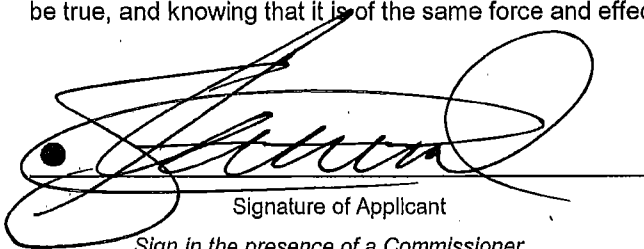
Select or describe your proposed strategy for consulting with the public with respect to the application:

- Required Public Consultation (Public Notice & Public Meeting as required per the Planning Act)
- Open House Website Other _____

14. SWORN DECLARATION OF APPLICANT

Complete in the presence of a Commissioner for Taking Affidavits. If the declaration is to be administered remotely, you must be able to see, hear and communicate with the Commissioner and show documentation that confirms your identity.

I, Farhi Holdings Corporation c/o Shmuel Farhi, solemnly declare that the information required under Schedule 1 to Ontario Regulation 545/06 and provided by the applicant is accurate and that the information contained in the documents that accompany this application is accurate, that if this declaration was administered remotely that it was in accordance with Ontario Regulation 431/20, and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath.



Signature of Applicant

London, Ontario
Location of Applicant at time of declaration

Sign in the presence of a Commissioner
For Taking Affidavits

This declaration was administered remotely in accordance with Ontario Regulation 431/20

Declared before me [Signature] at the Dillon Consulting Limited in the City of Windsor
Signature of Commissioner Location of Commissioner

this 9 day of March, 20 22
day month year

PLACE AN IMPRINT OF YOUR STAMP BELOW

Melanie Anne Muir,
a Commissioner, etc., Province of Ontario
for Dillon Consulting Limited
Expires May 3, 2022

READ & COMPLETE SCHEDULES A & E IN FULL & SIGN

ZONING BY-LAW AMENDMENT APPLICATION

SCHEDULE A – Authorizations & Acknowledgements

A1. Authorization of Registered Owner for Agent to Make the Application

If the applicant is not the registered owner of the land that is the subject of this application, the written authorization of the registered owner that the agent is authorized to make the application must be included with this application form or the authorization below must be completed.

I, Farhi Holdings Corporation c/o Shmuel Farhi, am the registered owner of the land that is
Name of Registered Owner

subject of this application for an amendment to the City of Windsor Zoning By-law and I authorize

Dillon Consulting Limited c/o Zoe Sotirakos to make this application on my behalf.
Name of Agent


Signature of Registered Owner


March 9, 2022
Date

If Corporation - I have authority to bind the corporation

A2. Authorization to Enter Upon the Subject Lands and Premises

I, Farhi Holdings Corporation c/o Shmuel Farhi,
Name of Registered Owner

hereby authorize the Development and Heritage Standing Committee or their successor, City Council, and staff of The Corporation of the City of Windsor to enter upon the subject lands and premises described in Section 5 of the application form for the purpose of evaluating the merits of this application and subsequently to conduct any inspections on the subject lands that may be required as a condition of approval. This is their authority for doing so.


Signature of Registered Owner

March 9, 2022
Date

If Corporation – I have authority to bind the corporation

SCHEDULE A CONTINUES ON NEXT PAGE

ZONING BY-LAW AMENDMENT APPLICATION

SCHEDULE A – Authorizations & Acknowledgements - *Continued*

A3. Acknowledgements

Receipt, Fees, Additional Information, Termination, and Freedom of Information

I acknowledge that receipt of this application by the City of Windsor does not guarantee it to be a complete application, that further review of the application will occur, and that I may be contacted to provide additional information and/or resolve any discrepancies or issues with the application as submitted.

I further acknowledge that after the application is deemed complete, fees are not refundable, additional information may be requested, and that after 60 days of inactivity the City of Windsor may terminate the application without notice.

I further acknowledge that pursuant to the provisions of the Planning Act and the Municipal Freedom of Information and Protection of Privacy Act, this application and all material and information provided with this application are made available to the public.

Species at Risk

Ontario's *Endangered Species Act* protects endangered and threatened species — animals and plants in decline and at risk of disappearing from the province by restricting activities that may affect these plants, animals or their habitats.

I acknowledge that it is my sole responsibility as the Applicant to comply with the provisions of the *Endangered Species Act, 2007, S. O. c.6*. This could require me to register an activity, get a permit or other authorization from the Ministry of the Environment, Conservation and Parks (MECP) prior to conducting an activity that could impact an endangered or threatened plant or animal or its habitat. I further acknowledge that any *Planning Act, R.S.O. 1990, c.P.13* approval given by the City of Windsor does not constitute an approval under the *Endangered Species Act*, nor does it absolve me from seeking the necessary authorization, approvals or permits from the MECP prior to conducting any activity that may affect endangered or threatened plant or animal or its habitat.

Additional information can be found at:

<https://www.ontario.ca/page/development-and-infrastructure-projects-and-endangered-or-threatened-species>

or by contacting MECP at SAROntario@ontario.ca

Acknowledgement

I acknowledge that I have read and understand the above statements:



Signature of Applicant or Agent

March 9, 2022

Date

**END OF SCHEDULE A
COMPLETE SCHEDULE E ON NEXT PAGE**

ZONING BY-LAW AMENDMENT APPLICATION

SCHEDULE E – Environmental Site Screening Questionnaire

Previous Use of Property

- Residential Industrial Commercial Institutional
 Agricultural Parkland Vacant Other _____

- a) If previous use of the property is Industrial or Commercial, specify use:

- b) Has the grading of the subject land been changed by adding earth or material? Has filling occurred on the subject land?
 Yes No Unknown
- c) Has a gasoline station and/or automobile service station been located on the subject land or adjacent lands at any time?
 Yes No Unknown
- d) Has there been petroleum or other fuel stored on the subject land or adjacent lands?
 Yes No Unknown
- e) Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?
 Yes No Unknown
- f) Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been applied as pesticides and/or sewage sludge applied to the lands?
 Yes No Unknown
- g) Have the lands or adjacent lands ever been used as a weapons firing range?
 Yes No Unknown
- h) Is the nearest boundary line of the application within 500 metres (1,640 feet) of the boundary line of an operational/non-operational public or private waste disposal site, landfill or dump?
 Yes No Unknown
- i) If there are existing or previously existing buildings on the subject lands, are there any building materials remaining on site which are potentially hazardous to public health (e.g., asbestos, PCB's)?
 Yes No Unknown
- j) Is there reason to believe the subject lands may have been contaminated by existing or former uses on the site or adjacent sites?*
- Yes No Unknown

** Possible uses that can cause contamination include but are not limited to: operation of electrical transformer stations, disposal of waste minerals, raw material storage, and residues left in containers, maintenance activities and spills. Some commercial properties such as gasoline stations, automotive repair garages, and dry cleaning plants have similar potential. The longer a property is under industrial or similar use, the greater the potential for site contamination. Also, a series of different industrial or similar uses upon a site could potentially increase the number of chemicals that are present.*

- k) If current or previous use of the property is Industrial or Commercial, or if YES to any of a) to j) above, attach a previous use inventory showing all former uses of the subject land, or if applicable, the land(s) adjacent to the subject lands.

SCHEDULE E CONTINUES ON NEXT PAGE

ZONING BY-LAW AMENDMENT APPLICATION

SCHEDULE E - CONTINUED

Acknowledgement Clause

I hereby acknowledge that it is my responsibility to ensure that I am in compliance with all applicable laws, regulations, guidelines and the City's Official Plan policies pertaining to potentially contaminated sites, and to use all reasonable effort to identify the potential for contamination on the subject property.

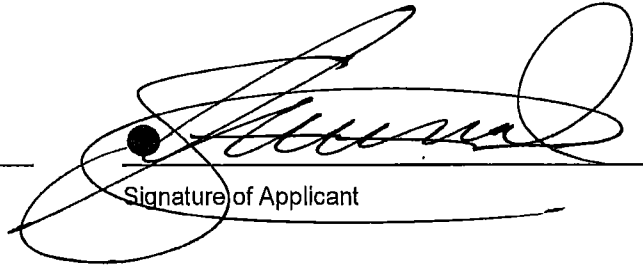
I acknowledge that as a condition of approval of this application that the City may require me to file a Record of Site Condition signed by a qualified person in the provincial Environmental Site Registry, and provide verification to the City of Windsor of acknowledgement of this Record of Site Condition by the Ministry of Environment.

I acknowledge that the City may require the qualified person signing the Record of Site Condition to submit to the City a Declaration acknowledging that the City of Windsor may rely on the statements in the Record of Site Condition.

I acknowledge that the City of Windsor is not responsible for the identification and/or remediation of contaminated sites, and I agree, whether in, through, or as a result of any action or proceeding for environmental clean-up of any damage or otherwise, I will not sue or make claim whatsoever against the City of Windsor, its officers, officials, employees or agents for or in respect of any loss, damage, injury or costs.

Farhi Holdings Corporation c/o Shmuel Farhi

Name of Applicant (print)



Signature of Applicant

Date

March 9, 2022

Dillon Consulting Limited c/o Zoe Sotirakos

Name of Agent (print)



Signature of Agent

Signature of Agent

March 9, 2022

Date

END OF SCHEDULE E

ZONING BY-LAW AMENDMENT APPLICATION

DO NOT COMPLETE BELOW – STAFF USE ONLY

Receipt and Assignment of Application	Date Received Stamp
This application has been assigned to:	
<input type="checkbox"/> Adam Szymczak (AS)	<input type="checkbox"/> Greg Atkinson (GA)
<input type="checkbox"/> Pablo Golob (GL)	<input type="checkbox"/> Jim Abbs (JA)
<input type="checkbox"/> Justina Nwaesei (JN)	<input type="checkbox"/> Kevin Alexandar (KA)
<input type="checkbox"/> Laura Diotte (LD)	<input type="checkbox"/> Melissa Gasic (MG)
<input type="checkbox"/> Simona Simion (SS)	<input type="checkbox"/> _____

Complete Application		
This application is deemed complete on _____ Date		
_____ Signature of Delegated Authority		
<input type="checkbox"/> Neil Robertson, MCIP, RPP Manager of Urban Design	<input type="checkbox"/> Michael Cooke, MCIP, RPP Manager of Planning Policy	<input type="checkbox"/> Thom Hunt, MCIP, RPP City Planner & Executive Director

Internal Information
Fee Paid: \$ _____ Receipt No: _____ Date: _____
Payment Type: <input type="checkbox"/> Cash <input type="checkbox"/> Certified Cheque <input type="checkbox"/> Credit Card <input type="checkbox"/> Personal Cheque
NEW Zoning File No. ZNG/ _____ Z- _____
Previous Zoning File No. ZNG/ _____ Z- _____
Related OPA File No. OPA/ _____ OPA _____
Other File Numbers: _____
Notes: _____

THIS IS THE LAST PAGE OF THE APPLICATION FORM



PLANNING DEPARTMENT – DEVELOPMENT DIVISION

Memo

To: City Clerk
From: City Planner/Executive Director
Date: July 4, 2022
Subject: TRANSMITTAL OF NEW FILE **Our File Number: Z-022/22 [ZNG/6787]**
OPA 161 [OPA/6788]
RE: Application For: (X) Zoning Amendment (X) Official Plan Amendment
() Part Lot Control () Draft Plan of Subdivision/Condominium

Applicant: PASSA ASSOCIATES ARCHITECTS
Location: 3821 KING ST
Description: Application to amend Zoning By-law 8600 to allow the development of three low profile residential apartment buildings.

The ZONING AMENDMENT and/or OFFICIAL PLAN AMENDMENT application submitted by Passa Associates Architects for 3821 King St has been deemed as complete on June 24, 2022.

Enclosures:

- (X) 1 copy of Application Form
- () 1 copy of Drawings
- () 1 copy of Site Plan

Thom Hunt, MCIP, RPP
City Planner, Executive Director

/ms

June 27, 2022

Lassaline Planning Consultants
ATTN: Jackie Lassaline
PO Box 52, 1632 County Road 31
St Joachim ON N0R 1S0

Dear Ms Lassaline:

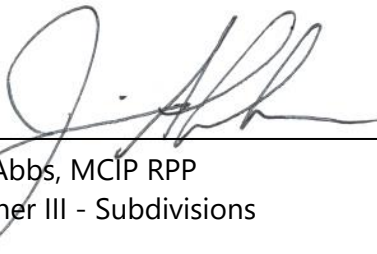
Re: REZONING APPLICATION
APPLICANT: PASSA ASSOCIATES ARCHITECTS
LOCATION: 3821 KING ST
FILE NO.: Z-022/22 [ZNG/6787] & OPA 161 [OPA/6788]

This is to acknowledge receipt of the application for rezoning, which has been assigned the above-referenced file number. In accordance with the delegation authority as prescribed by By-Law 139-2013, the information and material required has been provided; therefore, the application was deemed COMPLETE on June 24, 2022 and processing has begun.

You will be advised prior to the Development & Heritage Standing Committee and Council meetings of the position of the Planning Department on the application and the dates of the public meetings.

Please email me at jabbs@citywindsor.ca , if you have any questions.

Yours truly,



Jim Abbs, MCIP RPP
Planner III - Subdivisions

JA/ms

ZONING BY-LAW AMENDMENT APPLICATION

INSTRUCTIONS

Verify that you are using the current application form.

- Section 1: Pre-Submission consultation with a staff Planner is mandatory per By-law 199-2007. If you do not have a valid Pre-Submission Letter, you must meet with a staff Planner who must sign and date this section.
- Section 2: During Pre-Submission consultation a staff Planner will indicate what supporting information must be submitted with the application.
- Section 3: Provide the full name, address, phone number, fax number and email address of the applicant, agent, and registered owner. If any of these are a corporation, provide the full corporate name. Include the full name of the contact person. If there is more than one person, corporation, or registered owner, use additional sheets.
- Section 4: Indicate if you are submitting other companion applications with this application.
- Section 5: Provide information about the subject land. This information is used to determine supporting information requirements and to assist in the review of the application.
- Section 6: Indicate the amendment, proposed uses and describe the nature and extent of the amendment being requested. Indicate why the amendment is being requested and how it is consistent with the Provincial Policy Statement and conforms to the City of Windsor Official Plan. If this information is in a Planning Rationale Report, check the box beside "See Planning Rationale Report".
- Section 7: If there are any existing buildings or structures on the subject land, provide the required information or submit a sketch, drawing or plan that shows this information.
- Section 8: If you propose to build any buildings or structures on the subject land, provide the required information or submit a sketch, drawing or plan that shows the information.
- Section 9: Indicate how the property is accessed. Check all boxes that apply.
- Section 10: Provide information about water service, sanitary sewage disposal, and storm drainage.
- Section 11: Provide a sketch of the subject land showing, in metric units, the items listed or indicate if this information is provided on an existing plan or a conceptual site plan.
- Section 12: Check the appropriate box based on a valid Pre-Submission Letter or pre-submission consultation.
- Section 13: Explain your proposed strategy for consulting with the public with respect to the application.
- Section 14: Complete and sign in the presence of a Commissioner of Taking Affidavits.
- Other: Read, complete in full, and sign Schedules A & E. Complete Credit Card Authorization if paying by credit card
- Submit application form, supporting information, and application fee / credit card authorization to Senior Steno Clerk at Planning Division, Suite 210, 350 City Hall Square West, Windsor ON N9A 6S1 or planningdept@citywindsor.ca

TYPE OF REZONING AMENDMENT

DATE RECEIVED STAMP

The type of amendment is determined by the City Planner or their designate.

Minor Zoning Amendment

- Site zoned commercial, institutional, or manufacturing
 - Addition to the list of permitted uses
- Site already zoned
 - Change to existing regulations or to zoning district boundary to match lot lines
- Site designated in the Official Plan for residential use
 - Rezoning to accommodate a maximum of six dwelling units
- Site designated in the Official Plan for the proposed use other than residential
 - Site-specific zoning for a site with a lot area of less than 1,000.0 m²

Major Zoning Amendment

- Any other amendment not listed as minor.

ZONING BY-LAW AMENDMENT APPLICATION

ZONING BY-LAW AMENDMENT PROCESS

The application will be terminated without notice after 60 days of inactivity. The following is for your information only. Review the Planning Act and relevant regulations for statutory requirements. The processing of the application is subject to change. Direct all questions to the assigned Planner. The process is generally as follows:

1. The application is reviewed to ensure all prescribed and required information and the fee have been submitted. Within 30 days of the receipt of the application, you will be notified in writing that the application is deemed incomplete or complete.
2. If deemed incomplete, the application and fee will be returned. If deemed complete, fees are not refundable, the application is circulated to departments and external agencies for review and comment, and all submitted documents are made available to the public.
3. Following circulation, a draft staff report containing a recommendation and any conditions is prepared. The City Planner and other staff review the draft staff report.
4. When the staff report is approved by appropriate municipal staff, it will be scheduled for a future meeting of the Development and Heritage Standing Committee (DHSC).
5. The DHSC meeting is the public meeting required by the Planning Act. Public notice of the DHSC meeting is advertised in the Windsor Star, a local newspaper, at least 20 days in advance of the DHSC meeting. A courtesy notice may be mailed to property owners and/or tenants within 120 metres or more of the subject land.
6. 10 days prior to the DHSC meeting, the staff report is circulated to the applicant and DHSC members and made available to the public. All supporting documentation submitted by the applicant is available for review.
7. At the DHSC meeting, a staff planner makes a presentation. The applicant and other parties have an opportunity to provide verbal and/or written submissions. The DHSC may ask questions of staff, the applicant, agent, and other parties. The DHSC may decide to defer or recommend approval or denial of the application.
8. If deferred, the application along with any additional information or a new staff report will be considered at a future DHSC meeting. If recommended for approval or denial, the staff report, the minutes of the DHSC meeting, and the amending by-law are forwarded to City of Windsor Council for consideration at a future date. The applicant, agent and all interested parties will be notified by the City Clerk of the date, time, and location of the Council meeting. Call 311 or contact the City Clerk at 519-255-6211 or clerks@citywindsor.ca.
9. The application may be placed on the Consent Agenda of the Council Meeting, a part of the meeting where Council approves several matters with a single motion. If the application is not on the Consent Agenda, the staff planner may introduce the application, review the staff recommendation and any additional information provided to Council, and advise Council of any differences between the staff and DHSC recommendations. The applicant and other interested parties have an opportunity to make verbal and/or written submissions. Council may decide to approve, deny, or defer the application. If Council approves the application, the amending by-law may be approved at the same Council meeting, otherwise it will be approved at a future Council meeting.
10. When the amending by-law is passed, the City Clerk will mail a notice of the passing of the amending by-law to property owners and various public agencies within 15 days. There is a 20-day appeal period commencing the day after this notice is given. The notice will include the last day to file an appeal. An appeal is made to the Ontario Land Tribunal (OLT) through the City Clerk. If no appeal is filed, the amending by-law is final and binding as of the date of Council's passing of the by-law. Contact the City Clerk at 519-255-6211 or clerks@citywindsor.ca.
11. If the rezoning is subject to a holding symbol, it is the responsibility of the property owner to satisfy the conditions to remove the holding symbol, to apply, and to pay the fee to remove the holding symbol.

CONTACT INFORMATION

Planning & Building Department – Planning Division
Suite 210
350 City Hall Square West
Windsor ON N9A 6S1

Telephone: 519-255-6543
Fax: 519-255-6544
Email: planningdept@citywindsor.ca
Web Site: www.citywindsor.ca

ZONING BY-LAW AMENDMENT APPLICATION

1. PRE-SUBMISSION CONSULTATION

By-law 199-2007 requires pre-submission consultation with a staff Planner to determine what supporting information is required, to verify fee payable, and to review the process. This application is incomplete unless you have a valid Pre-Submission Letter or a staff Planner signs below.

Valid Pre-Submission Letter? NO YES File Number: PS- 022-21

Staff Use Only

Signature of Staff Planner	Date of Consultation
<input type="checkbox"/> Jim Abbs <input type="checkbox"/> Melissa Gasic <input type="checkbox"/> _____	<input type="checkbox"/> Kevin Alexander <input type="checkbox"/> Justina Nwaesei <input type="checkbox"/> Greg Atkinson <input type="checkbox"/> Simona Simion <input type="checkbox"/> Laura Diotte <input type="checkbox"/> Adam Szymczak

2. REQUIRED SUPPORTING INFORMATION *(To be completed by a staff Planner)*

Unless you have a valid Pre-Submission Letter, a staff Planner will indicate below what supporting information must be submitted with the application during pre-submission consultation. The City of Windsor reserves the right to require additional supporting information during the processing of the application. All supporting information submitted is made available for public review.

For each document, provide one paper copy, and where possible, one digital copy on a CD or USB flash drive. All drawings or plans shall be in letter size (8.5 x 11 inches) in JPG and PDF format. All other document shall be provided in Word and PDF format. **All PDF documents shall be flattened with no layers.**

If you are submitting a companion application submit only one set of documents.

<input checked="" type="checkbox"/> Deed or Offer to Purchase	<input type="checkbox"/> Corporation Profile Report	<input checked="" type="checkbox"/> Site Plan Conceptual <i>(see Section 8)</i>	<input checked="" type="checkbox"/> Sketch of Subject Land <i>(see Section 11)</i>
<input type="checkbox"/> Archaeological Assessment – Stage 1	<input type="checkbox"/> Built Heritage Impact Study	<input type="checkbox"/> Environmental Evaluation Report	<input type="checkbox"/> Environmental Site Assessment
<input type="checkbox"/> Floor Plan and Elevations	<input type="checkbox"/> Geotechnical Study	<input type="checkbox"/> Guideline Plan	<input type="checkbox"/> Lighting Study
<input type="checkbox"/> Market Impact Assessment	<input type="checkbox"/> Micro-Climate Study	<input type="checkbox"/> Noise Study	<input type="checkbox"/> Planning Rationale Report
<input type="checkbox"/> Record of Site Condition <i>(see Schedule E)</i>	<input type="checkbox"/> Sanitary Sewer Study	<input type="checkbox"/> Species at Risk Screening	<input type="checkbox"/> Storm Sewer Study
<input type="checkbox"/> Storm Water Retention Scheme	<input type="checkbox"/> Topographic Plan of Survey	<input type="checkbox"/> Transportation Impact Statement	<input type="checkbox"/> Transportation Impact Study
<input type="checkbox"/> Tree Preservation	<input type="checkbox"/> Tree Survey Study	<input type="checkbox"/> Urban Design Study	<input type="checkbox"/> Vibration Study
<input type="checkbox"/> Wetland Evaluation Study	Other Required Information: _____		

ZONING BY-LAW AMENDMENT APPLICATION

3. APPLICANT, REGISTERED OWNER, AND AGENT INFORMATION

Provide in full the name of the applicant, registered owner, and agent, the name of the contact person, and address, postal code, phone number, fax number and email address.

If the applicant or registered owner is a numbered company, provide the name of the principals of the company. If there is more than one applicant or registered owner, copy this page, complete in full and submit with this application.

All communication is with the Agent authorized by the Owner to file the application. If there is no Agent, all communication is with the Applicant.

Applicant

Name: Passa Associates Architects Contact: Joseph Passa
Name of Contact Person

Address: _____

Address: _____ Postal Code: _____

Phone: 519-252-0775 Fax: _____

Email: joseph@passa.ca

Registered Owner Same as Applicant

Name: GUOQIANG SU Contact: Benny Su
Name of Contact Person

Address: 276 Willowgrove Lane

Address: Saskatoon, Saskatchewan Postal Code: S7W 0H8

Phone: _____ Fax: _____

Email: bennyincan@hotmail.com

Agent Authorized by the Owner to File the Application (Also complete Section A1 in Schedule A)

Name: Lassaline Planning Consultants Contact: Jackie Lassaline
Name of Contact Person

Address: P.O. Box 52, 1632 County Road 31, St. Joachim ON N0R 1S0

Address: _____ Postal Code: _____

Phone: 519-563-8814 Fax: _____

Email: jackie@lassalineplan.ca

4. COMPANION APPLICATIONS

Are you submitting a companion Official Plan Amendment application? NO YES

Are you submitting a companion Plan of Subdivision/Condominium application? NO YES

Are you submitting a companion Site Plan Control application? NO YES

ZONING BY-LAW AMENDMENT APPLICATION

5. SUBJECT LAND INFORMATION

Municipal Address 3821 King Street, Windsor

Legal Description Pt Blk A Plan 953 Town of Sandwich; Pt Pklt 1 S/S of Center Road Plan 40
Town of Sandwich as in R531380 Windsor

Assessment Roll Number PIN: 01258-0230 (LT)
ROLL: 050 180 09900 0000

If known, the date the subject land was acquired by the current owner: _____

Frontage (m) 40.8 m Depth (m) _____ Area (sq m) 4,720 m2

Official Plan Designation 'Light Industrial'

Current Zoning 'Manufacturing District 1.2 (MD1.2)'

Existing Uses vacant - burned out, derelict residence

If known, the lengths of time that the existing uses have continued: 100 yrs +

Previous Uses _____

List the names and addresses of the holders of any mortgages, charges, or other encumbrances in respect of the subject land:

Are there any easements or restrictive covenants affecting the subject lands? NO YES

If yes, describe the easement or restrictive covenant and its effect:

If known, has the subject land ever been subject of: *(leave blank if unknown)*

An application for a Plan of Subdivision or Consent: NO YES File: _____

An application for an amendment to a Zoning By-law: NO YES File: _____

An application for approval of a Site Plan: NO YES SPC- _____

A Minister's Zoning Order (Ontario Regulation): NO YES OR#: _____

ZONING BY-LAW AMENDMENT APPLICATION

6. DESCRIPTION OF AMENDMENT

Amendment to Zoning By-law from: 'Manufacturing District (MD1.2)

to: 'Residential District 2.5 (RD2.5)'

Proposed uses of subject land: residential apartment units

Describe the nature and extent of the amendment(s) being requested:

Owner is proposing the development of the site with 3 low profile buildings. There are 3 buildings proposed with 3 storeys in height for a total of 30 residential, 2 bedroom apartment units.

There are 38 parking spaces; 1 loading space and approximately 50% landscaped open space

Why is this amendment or these amendments being requested?

To change the present light manufacturing zoning to residential to accomodate the proposed use.

Explain how the amendment to the Zoning By-law is consistent with the Provincial Policy Statement:

See Planning Rationale Report _____

Explain how the application conforms to the City of Windsor Official Plan:

See Planning Rationale Report _____

If this application is to remove land from an area of employment, details of the official plan or official plan amendment that deals with this matter:

See Planning Rationale Report

See Official Plan Amendment

ZONING BY-LAW AMENDMENT APPLICATION

7. EXISTING BUILDINGS / STRUCTURES ON SUBJECT LAND

Are there any buildings or structures on the subject land?

- NO Continue to Section 8
- YES Indicate the type of building or structure, the date of construction (if known), and, in metric units, the setback from the front lot line, rear lot line and side lot lines, the height of the building or structure and its dimensions or floor area.
 - See attached Existing Plan or Sketch of Subject Land

8. PROPOSED BUILDINGS / STRUCTURES ON SUBJECT LAND

Do you propose to build any buildings or structures on the subject land?

- NO Continue to Section 9
- YES Indicate the type of building or structure and, in metric units, the setback from the front lot line, rear lot line and side lot lines, the height of the building or structure, and its dimensions or floor area.
 - See attached Site Plan Conceptual

ZONING BY-LAW AMENDMENT APPLICATION

9. ACCESS TO SUBJECT LAND

Indicate if access to subject land is by: *(check all that apply)*

- Municipal Road Provincial Highway Another public road or a right-of-way
- Water - If access to the subject land is by water only, describe the parking and docking facilities used or to be used and provide the approximate distance in metric of these facilities from the subject land and the nearest public road:

10. WATER, SANITARY SEWAGE AND STORM DRAINAGE

WATER – Indicate whether water will be provided to the subject land by:

- Publicly owned & operated piped water system
- Privately owned & operated individual well
- Privately owned & operated communal well
- Other _____

SANITARY - Indicate whether sewage disposal will be provided to the subject land by:

- Publicly owned & operated sanitary sewage system
- Privately owned & operated individual septic system - See Note below
- Privately owned & operated communal septic system - See Note below
- Other _____

Note: If the application would permit development on privately owned and operated individual or communal septic systems, and more than 4,500 litres of effluent would be produced per day as a result of the development being completed, you must submit a Servicing Options Report and a Hydrogeological Report.

STORM DRAINAGE - Indicate whether storm drainage will be provided by:

- Sewers Ditches Swales Other _____

ZONING BY-LAW AMENDMENT APPLICATION

11. SKETCH OF SUBJECT LAND

Provide a sketch showing, in metric units,

- the boundaries and dimensions of the subject land;
- the location, size, and type of all existing and proposed buildings and structures on the subject land, including their distance from the front lot line, rear lot line, and side lines;
- the approximate location of all natural and artificial features (for example, buildings, railways, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks) that are located on the subject land and on land that is adjacent to it, and in the applicant's opinion, may affect the application;
- the current uses of all land that is adjacent to the subject land;
- the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road, or a right of way;
- if access to the subject land will be water only, the location of the parking and docking facilities to be used; and
- the location and nature of any easement affecting the subject land.

12. APPLICATION FEE & OTHER FEES

The amendment type is determined by the City Planner or their designate.

Verify fees before submitting the application. Fees are subject to change and are not refundable when the application is deemed complete. Method of payment: Cash, Mastercard or Visa (complete Credit Card Authorization on page 15), or by Certified Cheque or Personal Cheque payable to The Corporation of the City of Windsor.

APPLICATION FEE

Amendment Type	Code	<input type="checkbox"/> Minor Rezoning	<input checked="" type="checkbox"/> Major Rezoning
Base Fee	53001	\$4,347.00	\$5,837.40
GIS Fee	63024	+ \$50.00	+ \$50.00
Essex Region Conservation Authority Fee	53023	+ \$200.00	+ \$300.00
Total Application Fee		= \$4,597.00	= \$6,187.40

OTHER FEES

- Re-Notification/Deferral Fee** Code 53016 \$2,258.40
Required when an applicant requests a deferral after notice of a public meeting has been given.
- Legal Fee - Servicing Agreement** Code 63002 \$597.64 plus \$50 per unit, lot, or block
Required when the preparation of a servicing agreement is a condition of approval.
- Removal of the Holding Symbol Application** Code 53001 \$1,536.00
It is the responsibility of the property owner to satisfy the conditions to remove the holding symbol and to apply and fee to remove the holding symbol.
- Ontario Land Tribunal (OLT) Appeal Fee** \$1,100.00
An appeal is made through the Office of the City Clerk (519-255-6211). Fees, forms, and processes are subject to change. Visit <https://olt.gov.on.ca> for additional information

ZONING BY-LAW AMENDMENT APPLICATION

13. PROPOSED PUBLIC CONSULTATION STRATEGY

Select or describe your proposed strategy for consulting with the public with respect to the application:

Required Public Consultation (Public Notice & Public Meeting as required per the Planning Act)

Open House

Website

Other _____

14. SWORN DECLARATION OF APPLICANT

Complete in the presence of a Commissioner for Taking Affidavits. If the declaration is to be administered remotely, you must be able to see, hear and communicate with the Commissioner and show documentation that confirms your identity.

I, Jackie Lassaline, Lassaline Planning Consultants, solemnly declare that the information required under Schedule 1 to Ontario Regulation 545/06 and provided by the applicant is accurate and that the information contained in the documents that accompany this application is accurate, that if this declaration was administered remotely that it was in accordance with Ontario Regulation 431/20, and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath.

Jackie Lassaline

Signature of Applicant

*Sign in the presence of a Commissioner
For Taking Affidavits*

Village of St. Joachim, Municipality of Lakeshore

Location of Applicant at time of declaration

This declaration was administered remotely in accordance with Ontario Regulation 431/20

Declared before me _____ at the _____

Signature of Commissioner

Location of Commissioner

this _____ day of _____, 20____

day

month

year

PLACE AN IMPRINT OF YOUR STAMP BELOW

READ & COMPLETE SCHEDULES A & E IN FULL & SIGN

ZONING BY-LAW AMENDMENT APPLICATION

SCHEDULE A – Authorizations & Acknowledgements

A1. Authorization of Registered Owner for Agent to Make the Application

If the applicant is not the registered owner of the land that is the subject of this application, the written authorization of the registered owner that the agent is authorized to make the application must be included with this application form or the authorization below must be completed.

I, GUOQIANG SU, am the registered owner of the land that is
Name of Registered Owner

subject of this application for an amendment to the City of Windsor Zoning By-law and I authorize

Jackie Lassaline, Lassaline Planning Consultants to make this application on my behalf.
Name of Agent



May 19, 2022

Signature of Registered Owner

Date

If Corporation - I have authority to bind the corporation

A2. Authorization to Enter Upon the Subject Lands and Premises

I, GUOQIANG SU,
Name of Registered Owner

hereby authorize the Development and Heritage Standing Committee or their successor, City Council, and staff of The Corporation of the City of Windsor to enter upon the subject lands and premises described in Section 5 of the application form for the purpose of evaluating the merits of this application and subsequently to conduct any inspections on the subject lands that may be required as a condition of approval. This is their authority for doing so.



May 19, 2022

Signature of Registered Owner

Date

If Corporation – I have authority to bind the corporation

SCHEDULE A CONTINUES ON NEXT PAGE

ZONING BY-LAW AMENDMENT APPLICATION

SCHEDULE A – Authorizations & Acknowledgements - *Continued*

A3. Acknowledgements

Receipt, Fees, Additional Information, Termination, and Freedom of Information

I acknowledge that receipt of this application by the City of Windsor does not guarantee it to be a complete application, that further review of the application will occur, and that I may be contacted to provide additional information and/or resolve any discrepancies or issues with the application as submitted.

I further acknowledge that after the application is deemed complete, fees are not refundable, additional information may be requested, and that after 60 days of inactivity the City of Windsor may terminate the application without notice.

I further acknowledge that pursuant to the provisions of the Planning Act and the Municipal Freedom of Information and Protection of Privacy Act, this application and all material and information provided with this application are made available to the public.

Species at Risk

Ontario's *Endangered Species Act* protects endangered and threatened species — animals and plants in decline and at risk of disappearing from the province by restricting activities that may affect these plants, animals or their habitats.

I acknowledge that it is my sole responsibility as the Applicant to comply with the provisions of the *Endangered Species Act, 2007, S. O. c.6*. This could require me to register an activity, get a permit or other authorization from the Ministry of the Environment, Conservation and Parks (MECP) prior to conducting an activity that could impact an endangered or threatened plant or animal or its habitat. I further acknowledge that any *Planning Act, R.S.O. 1990, c.P.13* approval given by the City of Windsor does not constitute an approval under the *Endangered Species Act*, nor does it absolve me from seeking the necessary authorization, approvals or permits from the MECP prior to conducting any activity that may affect endangered or threatened plant or animal or its habitat.

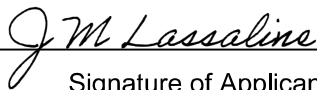
Additional information can be found at:

<https://www.ontario.ca/page/development-and-infrastructure-projects-and-endangered-or-threatened-species>

or by contacting MECP at SAROntario@ontario.ca

Acknowledgement

I acknowledge that I have read and understand the above statements:



Signature of Applicant or Agent

May 19, 2022

Date

**END OF SCHEDULE A
COMPLETE SCHEDULE E ON NEXT PAGE**

ZONING BY-LAW AMENDMENT APPLICATION

SCHEDULE E – Environmental Site Screening Questionnaire

Previous Use of Property

- Residential Industrial Commercial Institutional
 Agricultural Parkland Vacant Other _____

- a) If previous use of the property is Industrial or Commercial, specify use:

- b) Has the grading of the subject land been changed by adding earth or material? Has filling occurred on the subject land?
 Yes No Unknown
- c) Has a gasoline station and/or automobile service station been located on the subject land or adjacent lands at any time?
 Yes No Unknown
- d) Has there been petroleum or other fuel stored on the subject land or adjacent lands?
 Yes No Unknown
- e) Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?
 Yes No Unknown
- f) Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been applied as pesticides and/or sewage sludge applied to the lands?
 Yes No Unknown
- g) Have the lands or adjacent lands ever been used as a weapons firing range?
 Yes No Unknown
- h) Is the nearest boundary line of the application within 500 metres (1,640 feet) of the boundary line of an operational/non-operational public or private waste disposal site, landfill or dump?
 Yes No Unknown
- i) If there are existing or previously existing buildings on the subject lands, are there any building materials remaining on site which are potentially hazardous to public health (e.g., asbestos, PCB's)?
 Yes No Unknown
- j) Is there reason to believe the subject lands may have been contaminated by existing or former uses on the site or adjacent sites?*
- Yes No Unknown
- * Possible uses that can cause contamination include but are not limited to: operation of electrical transformer stations, disposal of waste minerals, raw material storage, and residues left in containers, maintenance activities and spills. Some commercial properties such as gasoline stations, automotive repair garages, and dry cleaning plants have similar potential. The longer a property is under industrial or similar use, the greater the potential for site contamination. Also, a series of different industrial or similar uses upon a site could potentially increase the number of chemicals that are present.*
- k) If current or previous use of the property is Industrial or Commercial, or if YES to any of a) to j) above, attach a previous use inventory showing all former uses of the subject land, or if applicable, the land(s) adjacent to the subject lands.

SCHEDULE E CONTINUES ON NEXT PAGE

ZONING BY-LAW AMENDMENT APPLICATION

SCHEDULE E - CONTINUED

Acknowledgement Clause

I hereby acknowledge that it is my responsibility to ensure that I am in compliance with all applicable laws, regulations, guidelines and the City's Official Plan policies pertaining to potentially contaminated sites, and to use all reasonable effort to identify the potential for contamination on the subject property.

I acknowledge that as a condition of approval of this application that the City may require me to file a Record of Site Condition signed by a qualified person in the provincial Environmental Site Registry, and provide verification to the City of Windsor of acknowledgement of this Record of Site Condition by the Ministry of Environment.

I acknowledge that the City may require the qualified person signing the Record of Site Condition to submit to the City a Declaration acknowledging that the City of Windsor may rely on the statements in the Record of Site Condition.

I acknowledge that the City of Windsor is not responsible for the identification and/or remediation of contaminated sites, and I agree, whether in, through, or as a result of any action or proceeding for environmental clean-up of any damage or otherwise, I will not sue or make claim whatsoever against the City of Windsor, its officers, officials, employees or agents for or in respect of any loss, damage, injury or costs.

Joseph Passa, Passa Architects

Name of Applicant (print)

Signature of Applicant

May 19, 2022

Date

Jackie Lassaline, Lassaline Planning Consultants

Name of Agent (print)

JM Lassaline
Signature of Agent

May 19, 2022

Date

END OF SCHEDULE E

ZONING BY-LAW AMENDMENT APPLICATION

DO NOT COMPLETE BELOW – STAFF USE ONLY

Receipt and Assignment of Application

Date Received Stamp

This application has been assigned to:

- | | |
|---|---|
| <input type="checkbox"/> Adam Szymczak (AS) | <input type="checkbox"/> Greg Atkinson (GA) |
| <input type="checkbox"/> Pablo Golob (GL) | <input type="checkbox"/> Jim Abbs (JA) |
| <input type="checkbox"/> Justina Nwaesei (JN) | <input type="checkbox"/> Kevin Alexandar (KA) |
| <input type="checkbox"/> Laura Diotte (LD) | <input type="checkbox"/> Melissa Gasic (MG) |
| <input type="checkbox"/> Simona Simion (SS) | <input type="checkbox"/> _____ |

Complete Application

This application is deemed complete on _____
Date

Signature of Delegated Authority

- | | | |
|---|---|--|
| <input type="checkbox"/> Neil Robertson, MCIP, RPP
Manager of Urban Design | <input type="checkbox"/> Michael Cooke, MCIP, RPP
Manager of Planning Policy | <input type="checkbox"/> Thom Hunt, MCIP, RPP
City Planner & Executive Director |
|---|---|--|

Internal Information

Fee Paid: \$ _____ Receipt No: _____ Date: _____

Payment Type: Cash Certified Cheque Credit Card Personal Cheque

NEW Zoning File No. ZNG/ _____ Z- _____

Previous Zoning File No. ZNG/ _____ Z- _____

Related OPA File No. OPA/ _____ OPA _____

Other File Numbers: _____

Notes: _____

THIS IS THE LAST PAGE OF THE APPLICATION FORM

OFFICIAL PLAN AMENDMENT APPLICATION

INSTRUCTIONS

Verify that you are using the most current application form.

- Section 1: Pre-Submission consultation with a staff Planner is mandatory per By-law 199-2007. If you do not have a valid Pre-Submission Letter, you must meet with a staff Planner who must sign and date this section.
- Section 2: During Pre-Submission consultation a staff Planner will indicate what supporting information must be submitted with the application.
- Section 3: Provide the full name, address, phone number, fax number and email address of the applicant, agent, and registered owner. If any of these are a corporation, provide the full corporate name. Include the full name of the contact person. If there is more than one person, corporation, or registered owner, use additional sheets.
- Section 4: Indicate if you are submitting other companion applications with this application.
- Section 5: Provide information about the subject land. This information is used to determine supporting information requirements and to assist in the review of the application.
- Section 6: Describe the amendment and answer all questions. If some of this information is in a Planning Rationale Report, check the box beside "See Planning Rationale Report". If the question is not applicable, check the box beside "Not Applicable".
- Section 7: Provide details about any other Planning Act applications by the applicant for the subject land or any land within 120 metres of it.
- Section 8: Provide information about water service and sanitary sewage disposal.
- Section 9: Check the appropriate box based on the pre-submission consultation with the Planner.
- Section 10: Explain your proposed strategy for consulting with the public with respect to the application.
- Section 11: Complete and sign in the presence of a Commissioner of Taking Affidavits.
- Schedules: Read and complete Schedule A in full and sign.
- Other: Complete Credit Card Authorization if paying by credit card

Submit application form, supporting information, and application fee / credit card authorization to the Senior Steno Clerk at Planning Division, Suite 210, 350 City Hall Square West, Windsor ON N9A 6S1 or planningdept@citywindsor.ca.

Any timelines noted in this application form are subject to change.

The application is reviewed to ensure all prescribed information and the required fee have been submitted. Within 30 days of the receipt of the application, the applicant will be notified in writing that the application is deemed complete. If deemed incomplete, the application and fee will be returned. If deemed complete, the application fee is not refundable.

The applicant, agent and all other interested parties will be notified by the City Clerk of the date, time, and location of the Development & Heritage Standing Committee (DHSC) meeting and the Council meeting.

An application will be terminated without notice after 60 days of inactivity.

DATE RECEIVED STAMP

CONTACT INFORMATION

Planning & Building Department – Planning Division
Suite 210
350 City Hall Square West
Windsor ON N9A 6S1

Telephone: 519-255-6543
Fax: 519-255-6544
Email: planningdept@citywindsor.ca
Web Site: www.citywindsor.ca

OFFICIAL PLAN AMENDMENT APPLICATION

1. PRE-SUBMISSION CONSULTATION

By-law 199-2007 requires pre-submission consultation with a staff Planner to determine what supporting information is required, to verify fee payable, and to review the process. This application is incomplete unless you have a valid Pre-Submission Letter or a staff Planner signs below.

Valid Pre-Submission Letter? NO YES File Number: PS- 022-21

Staff Use Only

Signature of Staff Planner	Date of Consultation
<input type="checkbox"/> Jim Abbs	<input type="checkbox"/> Greg Atkinson
<input type="checkbox"/> Justina Nwaesei	<input type="checkbox"/> Simona Simion
<input type="checkbox"/> _____	<input type="checkbox"/> Laura Diotte
	<input type="checkbox"/> Laura Strahl
	<input type="checkbox"/> Melissa Gasic
	<input type="checkbox"/> Adam Szymczak

2. REQUIRED SUPPORTING INFORMATION *(To be completed by a staff Planner)*

Unless you have a valid Pre-Submission Letter, a staff Planner will indicate below what supporting information must be submitted with the application during pre-submission consultation. The City of Windsor reserves the right to require additional supporting information during the processing of the application. All supporting information submitted is made available for public review.

For each document, provide one paper copy, and where possible, one digital copy on a CD or USB flash drive. All drawings or plans shall be in letter size (8.5 x 11 inches) in JPG and PDF format. All other documents shall be provided in Word and PDF format. All PDF documents shall be flattened with no layers.

If you are submitting a companion application submit only one set of documents.

<input checked="" type="checkbox"/> Deed or Offer to Purchase	<input type="checkbox"/> Corporation Profile Report	<input checked="" type="checkbox"/> Site Plan Conceptual	<input checked="" type="checkbox"/> Sketch of Subject Land
<input type="checkbox"/> Archaeological Assessment – Stage 1	<input type="checkbox"/> Built Heritage Impact Study	<input type="checkbox"/> Environmental Evaluation Report	<input type="checkbox"/> Environmental Site Assessment
<input type="checkbox"/> Floor Plan and Elevations	<input type="checkbox"/> Geotechnical Study	<input type="checkbox"/> Guideline Plan	<input type="checkbox"/> Lighting Study
<input type="checkbox"/> Market Impact Assessment	<input type="checkbox"/> Micro-Climate Study	<input type="checkbox"/> Noise Study	<input type="checkbox"/> Planning Rationale Report
<input type="checkbox"/> Record of Site Condition <i>(see Schedule E)</i>	<input type="checkbox"/> Sanitary Sewer Study	<input type="checkbox"/> Species at Risk Screening	<input type="checkbox"/> Storm Sewer Study
<input type="checkbox"/> Storm Water Retention Scheme	<input type="checkbox"/> Topographic Plan of Survey	<input type="checkbox"/> Transportation Impact Statement	<input type="checkbox"/> Transportation Impact Study
<input type="checkbox"/> Tree Preservation	<input type="checkbox"/> Tree Survey Study	<input type="checkbox"/> Urban Design Study	<input type="checkbox"/> Vibration Study
<input type="checkbox"/> Wetland Evaluation Study	Other Required Information: _____		

OFFICIAL PLAN AMENDMENT APPLICATION

3. APPLICANT, REGISTERED OWNER AND AGENT INFORMATION

Provide in full the name of the applicant, registered owner and agent, the name of the contact person, and address, postal code, phone number, fax number and email address.

If the applicant or registered owner is a numbered company, provide the name of the principals of the company. If there is more than one applicant or registered owner, copy this page, complete in full and submit with this application.

All communication is with the Agent authorized by the Owner to file the application. If there is no Agent, all communication is with the Applicant.

Applicant

Name: Passa Associates Architects Contact: Joseph Passa
Name of Contact Person

Address: _____

Address: _____ Postal Code: _____

Phone: 519-252-0775 Fax: _____

Email: joseph@passa.ca

Registered Owner Same as Applicant

Name: GUOQIANG SU Contact: Benny Su
Name of Contact Person

Address: 276 Willowgrove Lane

Address: Saskatoon, Saskatchewan Postal Code: S7W

Phone: _____ Fax: _____

Email: bennyincan@hotmail.com

Agent Authorized by the Owner to File the Application (Also complete Section A1 of Schedule A)

Name: Lassaline Planning Consultants Contact: Jackie Lassaline
Name of Contact Person

Address: P.O. Box 52, 1632 County Road 31, St. Joachim ON N0R 1S0

Address: _____ Postal Code: _____

Phone: 519-563-8814 Fax: _____

Email: jackie@lassalineplan.ca

4. COMPANION APPLICATIONS

Are you submitting a companion Rezoning application? NO YES

Are you submitting a companion Plan of Subdivision/Condominium application? NO YES

Are you submitting a companion Site Plan Control Application? NO YES

OFFICIAL PLAN AMENDMENT APPLICATION

5. SUBJECT LAND INFORMATION

Municipal Address 3821 King Street, Windsor

Legal Description Pt Blk A Plan 953 Town of Sandwich; Pt Pklt 1 S/S of Center Road Plan 40
Town of Sandwich as in R531380 Windsor

Assessment Roll Number PIN: 01258-0230 (LT)
ROLL: 050 180 09900 0000

Frontage (m) 40.8 m Depth (m) _____ Area (sq m) 4,720 m2

Current Official Plan Designation 'Light Industrial'

What land uses are permitted by the Official Plan Designation? light industrial uses

6. DESCRIPTION OF OFFICIAL PLAN AMENDMENT (OPA)

Name of Official Plan proposed to be amended: *The City of Windsor Official Plan*

Amendment to Official Plan from 'Light Industrial' to 'Residential'

Purpose of the proposed OPA: _____

To change the applicable policy framework for the subject lands from 'Light Industrial' to 'Residential'

What land uses will the proposed official plan amendment (OPA) authorize? Residential uses

Does the proposed OPA change, replace or delete a policy in the Official Plan? No Yes

If yes, the policy to be changed, replaced or deleted: _____

Does the proposed OPA add a policy to the Official Plan? No Yes

OFFICIAL PLAN AMENDMENT APPLICATION

6. DESCRIPTION OF OFFICIAL PLAN AMENDMENT (OPA) - Continued

Does the proposed OPA change or replace a designation in the Official Plan? No Yes

If yes, the designation to be changed or replaced: _____

If a policy is being changed, replaced or deleted or if a policy is being added, the text of the proposed OPA:

Not Applicable See Planning Rationale Report See Attached

If the proposed OPA changes or replaces a schedule in the Official Plan, the requested schedule and the text that accompanies it:

Not Applicable See Planning Rationale Report See Attached

If the proposed OPA alters all or any part of the boundary of an area of a settlement or establishes a new area of settlement, the current official policies, if any, dealing with the alteration or establishment of an area of settlement:

Not Applicable See Planning Rationale Report See Attached

If the proposed OPA removes the subject land from an area of employment, the current Official Plan policies, if any, dealing with the removal of land from an area of employment:

Not Applicable See Planning Rationale Report See Attached

Explain how the proposed OPA is consistent with the Provincial Policy Statement:

See Planning Rationale Report See Attached

OFFICIAL PLAN AMENDMENT APPLICATION

7. OTHER APPLICATION INFORMATION

Is the subject land or land within 120 metres the subject of an application by the applicant under the Planning Act for:

A Minor Variance or Consent? No Yes

File number: _____ Status: _____

Approval authority: _____

Affected lands: _____

Purpose of Minor Variance or Consent: _____

Effect on the proposed OPA: _____

An amendment to an Official Plan, a Zoning By-law or a Minister's Zoning Order? No Yes

File number: _____ Status: concurrent

Approval authority: _____

Affected lands: _____

Purpose of OP or ZBL amendment or Zoning Order: _____

Effect on the proposed OPA: _____

Approval of a plan of subdivision or a site plan? No Yes

File number: _____ Status: _____

Approval authority: _____

Affected lands: _____

Purpose of plan of subdivision or site plan: _____

Effect on the proposed OPA: _____

OFFICIAL PLAN AMENDMENT APPLICATION

8. WATER & SANITARY SEWAGE DISPOSAL

WATER – Indicate whether water will be provided to the subject land by:

- | | |
|--|--|
| <input checked="" type="checkbox"/> Publicly owned & operated piped water system
<input type="checkbox"/> Privately owned & operated individual well
<input type="checkbox"/> Privately owned & operated communal well | <input type="checkbox"/> A lake or other water body
<input type="checkbox"/> Other means: _____ |
|--|--|

SANITARY - Indicate whether sanitary sewage disposal will be provided to the subject land by:

- | | |
|--|---|
| <input checked="" type="checkbox"/> Publicly owned & operated sanitary sewage system
<input type="checkbox"/> Privately owned & operated individual septic system
<input type="checkbox"/> Privately owned & operated communal septic system | <input type="checkbox"/> A privy
<input type="checkbox"/> Other means: _____ |
|--|---|

If the application would permit development on privately owned and operated individual or communal septic systems, and more than 4500 litres of effluent would be produced per day as a result of the development being completed submit a Servicing Options Report and a Hydrogeological Report.

9. TYPE OF AMENDMENT, APPLICATION FEE & OTHER FEES

TYPE OF OFFICIAL PLAN AMENDMENT (OPA)

The type of amendment is determined by the City Planner or their designate.

Minor OPA: A minor revision to the text of the Official Plan or a Site Specific Policy direction.

Major OPA: A change from one land use designation to another land use designation, a change to any Schedule in the City of Windsor Official Plan, or any other amendment not described above.

APPLICATION FEE

Verify fees before submitting the application. Fees are subject to change and are not refundable when the application is deemed complete. Method of payment: Cash, Mastercard or Visa (complete Credit Card Authorization), or by Certified Cheque or Personal Cheque payable to The Corporation of the City of Windsor.

	Code	<input type="checkbox"/> Minor OPA	<input checked="" type="checkbox"/> Major OPA
Base Fee	63003	\$2,258.40	\$8,112.35
GIS Fee	63024	+ \$50.00	+ \$50.00
Essex Region Conservation Authority Fee	53023	+ <u>\$200.00</u>	+ <u>\$300.00</u>
Total Application Fee		= \$2,508.40	= \$8,462.35

OTHER FEES

Re-Notification/Deferral Fee 53016 \$2,258.40

Required when an applicant requests a deferral after notice of a public meeting has been given.

Ontario Land Tribunal (OLT) Appeal Fee \$1,100.00

An appeal is made through the Office of the City Clerk (519-255-6211). Fees, forms, and processes are subject to change. Visit <https://olt.gov.on.ca> for additional information.

OFFICIAL PLAN AMENDMENT APPLICATION

10. PROPOSED PUBLIC CONSULTATION STRATEGY

Select or describe your proposed strategy for consulting with the public with respect to the application:

- Required Public Consultation (Public Notice & Public Meeting as required per the Planning Act)
- Open House Website Other _____

11. SWORN DECLARATION OF APPLICANT

Complete in the presence of a Commissioner for Taking Affidavits. If the declaration is to be administered remotely, you must be able to see, hear and communicate with the Commissioner and show documentation that confirms your identity.

I, Jackie Lassaline, Lassaline Planning Consultants, solemnly declare that the information required under Schedule 1 to Ontario Regulation 543/06 and provided by the applicant is accurate and that the information contained in the documents that accompany this application is accurate, that if this declaration was administered remotely that it was in accordance with Ontario Regulation 431/20, and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath.

Jackie Lassaline
Signature of Applicant

*Sign in the presence of a Commissioner
For Taking Affidavits*

Village of St. Joachim, Municipality of Lakeshore

Location of Applicant at time of declaration

- This declaration was administered remotely in accordance with Ontario Regulation 431/20

Declared before me _____ at the _____
Signature of Commissioner *Location of Commissioner*

this _____ day of _____, 20____
day month year

PLACE AN IMPRINT OF YOUR STAMP BELOW

READ & COMPLETE SCHEDULE A IN FULL & SIGN

OFFICIAL PLAN AMENDMENT APPLICATION

SCHEDULE A – Authorizations & Acknowledgement

A1. Authorization of Registered Owner for Agent to Make the Application

If the applicant is not the registered owner of the land that is the subject of this application, the written authorization of the registered owner that the agent is authorized to make the application must be included with this application form or the authorization below must be completed.

I, GUOQIANG SU, am the registered owner of the land that is
name of registered owner

subject of this application for an amendment to the City of Windsor Official Plan and I authorize

Jackie Lassaline, Lassaline Planning Consultants to make this application on my behalf.
name of agent



May 19, 2022

Signature of Registered Owner

Date

If Corporation - I have authority to bind the corporation

A2. Authorization to Enter Upon the Subject Lands and Premises

I, GUOQIANG SU, hereby authorize the Development and Heritage Standing Committee, City Council, and staff of The Corporation of the City of Windsor to enter upon the subject lands and premises described in Section 5 of the application form for the purpose of evaluating the merits of this application and subsequently to conduct any inspections on the subject lands that may be required as condition of approval. This is their authority for doing so.



May 19, 2022

Signature of Registered Owner

Date

If Corporation – I have authority to bind the corporation

SCHEDULE A CONTINUES ON NEXT PAGE

OFFICIAL PLAN AMENDMENT APPLICATION

SCHEDULE A – Authorizations & Acknowledgements - Continued

A3. Acknowledgements

Receipt, Fees, Additional Information, Termination, and Freedom of Information

I acknowledge that receipt of this application by the City of Windsor does not guarantee it to be a complete application, that further review of the application will occur, and I may be contacted to provide additional information and/or resolve any discrepancies or issues with the application as submitted.

I further acknowledge that once the application is deemed complete, fees are not refundable, additional information may be requested, and that after 60 days of inactivity the City of Windsor may terminate the application without notice.

I further acknowledge that pursuant to the provisions of the Planning Act and the Municipal Freedom of Information and Protection of Privacy Act, this application and all material and information provided with this application are made available to the public.

Species at Risk

Ontario's *Endangered Species Act* protects endangered and threatened species — animals and plants in decline and at risk of disappearing from the province by restricting activities that may affect these plants, animals or their habitats.

I acknowledge that it is my sole responsibility as the Applicant to comply with the provisions of the *Endangered Species Act, 2007, S. O. c.6*. This could require me to register an activity, get a permit or other authorization from the Ministry of the Environment, Conservation and Parks (MECP) prior to conducting an activity that could impact an endangered or threatened plant or animal or its habitat. I further acknowledge that any *Planning Act, R.S.O. 1990, c.P.13* approval given by the City of Windsor does not constitute an approval under the *Endangered Species Act*, nor does it absolve me from seeking the necessary authorization, approvals or permits from the MECP prior to conducting any activity that may affect endangered or threatened plant or animal or its habitat.

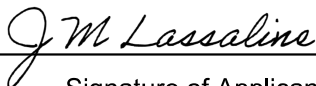
Additional information can be found at:

<https://www.ontario.ca/page/development-and-infrastructure-projects-and-endangered-or-threatened-species>

or by contacting MECP at SAROntario@ontario.ca

Acknowledgement

I acknowledge that I have read and understand the above statements:



Signature of Applicant or Agent

May 19, 2022

Date

END OF SCHEDULE A

OFFICIAL PLAN AMENDMENT APPLICATION

DO NOT COMPLETE BELOW – STAFF USE ONLY

Receipt and Assignment of Application

Date Received Stamp

This application has been assigned to:

- | | |
|---|---|
| <input type="checkbox"/> Adam Szymczak (AS) | <input type="checkbox"/> Greg Atkinson (GA) |
| <input type="checkbox"/> George Robinson (GR) | <input type="checkbox"/> Jim Abbs (JA) |
| <input type="checkbox"/> Justina Nwaesei (JN) | <input type="checkbox"/> Kevin Alexandar (KA) |
| <input type="checkbox"/> Laura Diotte (LD) | <input type="checkbox"/> Melissa Gasic (MG) |
| <input type="checkbox"/> Simona Simion (SS) | <input type="checkbox"/> _____ |

Complete Application

This application is deemed complete on _____
Date

Signature of Delegated Authority

- | | | |
|---|---|--|
| <input type="checkbox"/> Neil Robertson, MCIP, RPP
Manager of Urban Design | <input type="checkbox"/> Michael Cooke, MCIP, RPP
Manager of Planning Policy | <input type="checkbox"/> Thom Hunt, MCIP, RPP
City Planner & Executive Director |
|---|---|--|

Internal Information

Fee Paid: \$ _____ Receipt No: _____ Date: _____

Payment Type: Cash Certified Cheque Credit Card Personal Cheque

NEW File No. OPA/ _____

Previous OPA File No. OPA/ _____

Related Zoning File No. ZNG/ _____

Other File Numbers: _____

Notes: _____

THIS IS THE LAST PAGE OF THE APPLICATION FORM



PLANNING DEPARTMENT – DEVELOPMENT DIVISION

Memo

To: City Clerk
From: City Planner/Executive Director
Date: July 4, 2022
Subject: TRANSMITTAL OF NEW FILE **Our File Number: Z-021/22 [ZNG/6784]**
RE: Application For: Zoning Amendment Official Plan Amendment
 Part Lot Control Draft Plan of Subdivision/Condominium

Applicant: HD DEVELOPMENT GROUP
Location: 1850 NORTH SERVICE RD
Description: Application to amend Zoning By-law 8600 to allow a site specific RD3.3 zoning for 5 6-storey buildings with 387 residential condominium units.

The ZONING AMENDMENT application submitted by HD Development Group for 1850 North Service Rd has been deemed as complete on June 24, 2022.

Enclosures:

- 1 copy of Application Form
- 1 copy of Drawings
- 1 copy of Site Plan

Thom Hunt, MCIP, RPP
City Planner, Executive Director

/ms

June 24, 2022

Lassaline Planning Consultants
ATTN: Jackie Lassaline
PO Box 52, 1632 County Road 31
St Joachim ON N0R 1S0

Dear Ms Lassaline:

Re: REZONING APPLICATION
APPLICANT: HD DEVELOPMENT GROUP
LOCATION: 1850 NORTH SERVICE RD
FILE NO.: Z-021/22 [ZNG/6784]

This is to acknowledge receipt of the application for rezoning, which has been assigned the above-referenced file number. In accordance with the delegation authority as prescribed by By-Law 139-2013, the information and material required has been provided; therefore, the application was deemed COMPLETE on June 24, 2022 and processing has begun.

You will be advised prior to the Development & Heritage Standing Committee and Council meetings of the position of the Planning Department on the application and the dates of the public meetings.

Please email me at aszymczak@citywindsor.ca , if you have any questions.

Yours truly,



Adam Szymczak, MCIP RPP
Planner III - Zoning

AS/ms

This page is intentionally left blank.

This page is intentionally left blank.

ZONING BY-LAW AMENDMENT APPLICATION

1. PRE-SUBMISSION CONSULTATION

By-law 199-2007 requires pre-submission consultation with a staff Planner to determine what supporting information is required, to verify fee payable, and to review the process. This application is incomplete unless you have a valid Pre-Submission Letter or a staff Planner signs below.

Valid Pre-Submission Letter? NO YES File Number: PS- 097-21

Staff Use Only

Signature of Staff Planner	Date of Consultation
<input type="checkbox"/> Jim Abbs <input type="checkbox"/> Melissa Gasic <input type="checkbox"/> _____	<input type="checkbox"/> Kevin Alexander <input type="checkbox"/> Justina Nwaesei <input type="checkbox"/> Greg Atkinson <input type="checkbox"/> Simona Simion <input type="checkbox"/> Laura Diotte <input type="checkbox"/> Adam Szymczak

2. REQUIRED SUPPORTING INFORMATION *(To be completed by a staff Planner)*

Unless you have a valid Pre-Submission Letter, a staff Planner will indicate below what supporting information must be submitted with the application during pre-submission consultation. The City of Windsor reserves the right to require additional supporting information during the processing of the application. All supporting information submitted is made available for public review.

For each document, provide one paper copy, and where possible, one digital copy on a CD or USB flash drive. All drawings or plans shall be in letter size (8.5 x 11 inches) in JPG and PDF format. All other document shall be provided in Word and PDF format. **All PDF documents shall be flattened with no layers.**

If you are submitting a companion application submit only one set of documents.

<input checked="" type="checkbox"/> Deed or Offer to Purchase	<input type="checkbox"/> Corporation Profile Report	<input checked="" type="checkbox"/> Site Plan Conceptual <i>(see Section 8)</i>	<input checked="" type="checkbox"/> Sketch of Subject Land <i>(see Section 11)</i>
<input type="checkbox"/> Archaeological Assessment – Stage 1	<input type="checkbox"/> Built Heritage Impact Study	<input type="checkbox"/> Environmental Evaluation Report	<input type="checkbox"/> Environmental Site Assessment
<input type="checkbox"/> Floor Plan and Elevations	<input type="checkbox"/> Geotechnical Study	<input type="checkbox"/> Guideline Plan	<input type="checkbox"/> Lighting Study
<input type="checkbox"/> Market Impact Assessment	<input type="checkbox"/> Micro-Climate Study	<input type="checkbox"/> Noise Study	<input type="checkbox"/> Planning Rationale Report
<input type="checkbox"/> Record of Site Condition <i>(see Schedule E)</i>	<input type="checkbox"/> Sanitary Sewer Study	<input type="checkbox"/> Species at Risk Screening	<input type="checkbox"/> Storm Sewer Study
<input type="checkbox"/> Storm Water Retention Scheme	<input type="checkbox"/> Topographic Plan of Survey	<input type="checkbox"/> Transportation Impact Statement	<input type="checkbox"/> Transportation Impact Study
<input type="checkbox"/> Tree Preservation	<input type="checkbox"/> Tree Survey Study	<input type="checkbox"/> Urban Design Study	<input type="checkbox"/> Vibration Study
<input type="checkbox"/> Wetland Evaluation Study	Other Required Information: _____		

ZONING BY-LAW AMENDMENT APPLICATION

3. APPLICANT, REGISTERED OWNER, AND AGENT INFORMATION

Provide in full the name of the applicant, registered owner, and agent, the name of the contact person, and address, postal code, phone number, fax number and email address.

If the applicant or registered owner is a numbered company, provide the name of the principals of the company. If there is more than one applicant or registered owner, copy this page, complete in full and submit with this application.

All communication is with the Agent authorized by the Owner to file the application. If there is no Agent, all communication is with the Applicant.

Applicant

Name: HD Development Group Contact: Steve Habib and Haider Habib
Name of Contact Person

Address: 5335 Outer Drive, Oldcastle, ON

Address: _____ Postal Code: N9G 0C4

Phone: 519-808-2199 (Steve Habib cell) Fax: _____

Email: steve@hddevelopmentgroup.com
haider@hddevelopmentgroup.com

Registered Owner Same as Applicant

Name: _____ Contact: _____
Name of Contact Person

Address: _____

Address: _____ Postal Code: _____

Phone: _____ Fax: _____

Email: _____

Agent Authorized by the Owner to File the Application (Also complete Section A1 in Schedule A)

Name: Lassaline Planning Consultants Contact: Jackie Lassaline
Name of Contact Person

Address: P.O. Box 52, 1632 County Road 31, St. Joachim ON N0R 1S0

Address: _____ Postal Code: _____

Phone: 519-563-8814 Fax: _____

Email: jackie@lassalineplan.ca

4. COMPANION APPLICATIONS

Are you submitting a companion Official Plan Amendment application? NO YES

Are you submitting a companion Plan of Subdivision/Condominium application? NO YES

Are you submitting a companion Site Plan Control application? NO YES

ZONING BY-LAW AMENDMENT APPLICATION

5. SUBJECT LAND INFORMATION

Municipal Address 1850 North Service Road, Windsor

Legal Description Pt Lot 95 Con 2 (McNiff's Survey) Sandwich East Pts 1 and 2, 12R28716; S/T R786174E, S/T SE8811; S/T an easement and right of way in favour of Pts 3 and 4, 12R28716 for pedestrian and vehicular

Assessment Roll Number access, servicing and supply of utilities as set out in CE1040237 Windsor

If known, the date the subject land was acquired by the current owner: _____

Frontage (m) 143.87 m Depth (m) _____ Area (sq m) 4.04 ha

Official Plan Designation Residential (Schedule D: Land Use)

Current Zoning 'Green District 1.2 (GD1.2)'

Existing Uses vacant playing fields associated with Foglar Furlon Italian Club

If known, the lengths of time that the existing uses have continued: _____

Previous Uses _____

List the names and addresses of the holders of any mortgages, charges, or other encumbrances in respect of the subject land:

Are there any easements or restrictive covenants affecting the subject lands? NO YES

If yes, describe the easement or restrictive covenant and its effect:

servicing and supply of utilities easement (storm sewer)

If known, has the subject land ever been subject of: (leave blank if unknown)

An application for a Plan of Subdivision or Consent: NO YES File: _____

An application for an amendment to a Zoning By-law: NO YES File: _____

An application for approval of a Site Plan: NO YES SPC- _____

A Minister's Zoning Order (Ontario Regulation): NO YES OR#: _____

ZONING BY-LAW AMENDMENT APPLICATION

6. DESCRIPTION OF AMENDMENT

Amendment to Zoning By-law from: 'Green District 1.2 (GD1.2)'

to: a site specific 'Residential District 3.3 Exception # (RD3.3 - #)

Proposed uses of subject land: medium density residential condo development

5 buildings at 6 storeys with 387 residential condos in total

Describe the nature and extent of the amendment(s) being requested:

To change the present green district zoning to residential to accomodate the proposed medium profile residential development.

Why is this amendment or these amendments being requested?

To apply a site specific residential regulatory framework to the subject lands to authorize the proposed residential condominium development

Explain how the amendment to the Zoning By-law is consistent with the Provincial Policy Statement:

See Planning Rationale Report _____

Explain how the application conforms to the City of Windsor Official Plan:

See Planning Rationale Report _____

If this application is to remove land from an area of employment, details of the official plan or official plan amendment that deals with this matter:

See Planning Rationale Report See Official Plan Amendment

ZONING BY-LAW AMENDMENT APPLICATION

7. EXISTING BUILDINGS / STRUCTURES ON SUBJECT LAND

Are there any buildings or structures on the subject land?

- NO Continue to Section 8
- YES Indicate the type of building or structure, the date of construction (if known), and, in metric units, the setback from the front lot line, rear lot line and side lot lines, the height of the building or structure and its dimensions or floor area.
 - See attached Existing Plan or Sketch of Subject Land

8. PROPOSED BUILDINGS / STRUCTURES ON SUBJECT LAND

Do you propose to build any buildings or structures on the subject land?

- NO Continue to Section 9
- YES Indicate the type of building or structure and, in metric units, the setback from the front lot line, rear lot line and side lot lines, the height of the building or structure, and its dimensions or floor area.
 - See attached Site Plan Conceptual

ZONING BY-LAW AMENDMENT APPLICATION

9. ACCESS TO SUBJECT LAND

Indicate if access to subject land is by: *(check all that apply)*

- Municipal Road Provincial Highway Another public road or a right-of-way
- Water - If access to the subject land is by water only, describe the parking and docking facilities used or to be used and provide the approximate distance in metric of these facilities from the subject land and the nearest public road:

10. WATER, SANITARY SEWAGE AND STORM DRAINAGE

WATER – Indicate whether water will be provided to the subject land by:

- Publicly owned & operated piped water system
- Privately owned & operated individual well
- Privately owned & operated communal well
- Other _____

SANITARY - Indicate whether sewage disposal will be provided to the subject land by:

- Publicly owned & operated sanitary sewage system
- Privately owned & operated individual septic system - See Note below
- Privately owned & operated communal septic system - See Note below
- Other _____

Note: If the application would permit development on privately owned and operated individual or communal septic systems, and more than 4,500 litres of effluent would be produced per day as a result of the development being completed, you must submit a Servicing Options Report and a Hydrogeological Report.

STORM DRAINAGE - Indicate whether storm drainage will be provided by:

- Sewers Ditches Swales Other Storm Water Management scheme
to be designed by JP Aleo, P.Eng

ZONING BY-LAW AMENDMENT APPLICATION

11. SKETCH OF SUBJECT LAND

Provide a sketch showing, in metric units,

- a) the boundaries and dimensions of the subject land;
- b) the location, size, and type of all existing and proposed buildings and structures on the subject land, including their distance from the front lot line, rear lot line, and side lines;
- c) the approximate location of all natural and artificial features (for example, buildings, railways, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks) that are located on the subject land and on land that is adjacent to it, and in the applicant's opinion, may affect the application;
- d) the current uses of all land that is adjacent to the subject land;
- e) the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road, or a right of way;
- f) if access to the subject land will be water only, the location of the parking and docking facilities to be used; and
- g) the location and nature of any easement affecting the subject land.

12. APPLICATION FEE & OTHER FEES

The amendment type is determined by the City Planner or their designate.

Verify fees before submitting the application. Fees are subject to change and are not refundable when the application is deemed complete. Method of payment: Cash, Mastercard or Visa (complete Credit Card Authorization on page 15), or by Certified Cheque or Personal Cheque payable to The Corporation of the City of Windsor.

APPLICATION FEE

Amendment Type	Code	<input type="checkbox"/> Minor Rezoning	<input checked="" type="checkbox"/> Major Rezoning
Base Fee	53001	\$4,347.00	\$5,837.40
GIS Fee	63024	+ \$50.00	+ \$50.00
Essex Region Conservation Authority Fee	53023	+ \$200.00	+ \$300.00
Total Application Fee		= \$4,597.00	= \$6,187.40

OTHER FEES

- Re-Notification/Deferral Fee** Code 53016 \$2,258.40
 Required when an applicant requests a deferral after notice of a public meeting has been given.
- Legal Fee - Servicing Agreement** Code 63002 \$597.64 plus \$50 per unit, lot, or block
 Required when the preparation of a servicing agreement is a condition of approval.
- Removal of the Holding Symbol Application** Code 53001 \$1,536.00
 It is the responsibility of the property owner to satisfy the conditions to remove the holding symbol and to apply and fee to remove the holding symbol.
- Ontario Land Tribunal (OLT) Appeal Fee** \$1,100.00
 An appeal is made through the Office of the City Clerk (519-255-6211). Fees, forms, and processes are subject to change. Visit <https://olt.gov.on.ca> for additional information

ZONING BY-LAW AMENDMENT APPLICATION

13. PROPOSED PUBLIC CONSULTATION STRATEGY

Select or describe your proposed strategy for consulting with the public with respect to the application:

Required Public Consultation (Public Notice & Public Meeting as required per the Planning Act)

Open House

Website

Other _____

Open House was held May 10, 2022 - see Open House information

14. SWORN DECLARATION OF APPLICANT

Complete in the presence of a Commissioner for Taking Affidavits. If the declaration is to be administered remotely, you must be able to see, hear and communicate with the Commissioner and show documentation that confirms your identity.

I, Jackie Lassaline, Lassaline Planning Consultants, solemnly declare that the information required under Schedule 1 to Ontario Regulation 545/06 and provided by the applicant is accurate and that the information contained in the documents that accompany this application is accurate, that if this declaration was administered remotely that it was in accordance with Ontario Regulation 431/20, and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath.

J.M. Lassaline

Signature of Applicant

Sign in the presence of a Commissioner
For Taking Affidavits

1632 County Road 3, St Joachim ON

Location of Applicant at time of declaration

This declaration was administered remotely in accordance with Ontario Regulation 431/20

Declared before me

William Good
Signature of Commissioner

at the

Municipality of Lakeshore

Location of Commissioner

this

26th

day of

May

day

month

2022

year

PLACE AN IMPRINT OF YOUR STAMP BELOW

READ & COMPLETE SCHEDULES A & E IN FULL & SIGN

ZONING BY-LAW AMENDMENT APPLICATION

SCHEDULE A – Authorizations & Acknowledgements

A1. Authorization of Registered Owner for Agent to Make the Application

If the applicant is not the registered owner of the land that is the subject of this application, the written authorization of the registered owner that the agent is authorized to make the application must be included with this application form or the authorization below must be completed.

I, HD Development Group (c/o Haider Habib), am the registered owner of the land that is
Name of Registered Owner

subject of this application for an amendment to the City of Windsor Zoning By-law and I authorize

Jackie Lassaline, Lassaline Planning Consultants to make this application on my behalf.
Name of Agent



May 25, 2022

Signature of Registered Owner

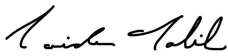
Date

If Corporation - I have authority to bind the corporation

A2. Authorization to Enter Upon the Subject Lands and Premises

I, HD Development Group (c/o Haider Habib),
Name of Registered Owner

hereby authorize the Development and Heritage Standing Committee or their successor, City Council, and staff of The Corporation of the City of Windsor to enter upon the subject lands and premises described in Section 5 of the application form for the purpose of evaluating the merits of this application and subsequently to conduct any inspections on the subject lands that may be required as a condition of approval. This is their authority for doing so.



May 25, 2022

Signature of Registered Owner

Date

If Corporation – I have authority to bind the corporation

SCHEDULE A CONTINUES ON NEXT PAGE

ZONING BY-LAW AMENDMENT APPLICATION

SCHEDULE A – Authorizations & Acknowledgements - *Continued*

A3. Acknowledgements

Receipt, Fees, Additional Information, Termination, and Freedom of Information

I acknowledge that receipt of this application by the City of Windsor does not guarantee it to be a complete application, that further review of the application will occur, and that I may be contacted to provide additional information and/or resolve any discrepancies or issues with the application as submitted.

I further acknowledge that after the application is deemed complete, fees are not refundable, additional information may be requested, and that after 60 days of inactivity the City of Windsor may terminate the application without notice.

I further acknowledge that pursuant to the provisions of the Planning Act and the Municipal Freedom of Information and Protection of Privacy Act, this application and all material and information provided with this application are made available to the public.

Species at Risk

Ontario's *Endangered Species Act* protects endangered and threatened species — animals and plants in decline and at risk of disappearing from the province by restricting activities that may affect these plants, animals or their habitats.

I acknowledge that it is my sole responsibility as the Applicant to comply with the provisions of the *Endangered Species Act, 2007, S. O. c.6*. This could require me to register an activity, get a permit or other authorization from the Ministry of the Environment, Conservation and Parks (MECP) prior to conducting an activity that could impact an endangered or threatened plant or animal or its habitat. I further acknowledge that any *Planning Act, R.S.O. 1990, c.P.13* approval given by the City of Windsor does not constitute an approval under the *Endangered Species Act*, nor does it absolve me from seeking the necessary authorization, approvals or permits from the MECP prior to conducting any activity that may affect endangered or threatened plant or animal or its habitat.


Additional information can be found at:

<https://www.ontario.ca/page/development-and-infrastructure-projects-and-endangered-or-threatened-species>

or by contacting MECP at SAROntario@ontario.ca

Acknowledgement

I acknowledge that I have read and understand the above statements:



Signature of Applicant or Agent

May 25, 2022

Date

**END OF SCHEDULE A
COMPLETE SCHEDULE E ON NEXT PAGE**

ZONING BY-LAW AMENDMENT APPLICATION

SCHEDULE E – Environmental Site Screening Questionnaire

Previous Use of Property

- | | | | |
|---------------------------------------|--|-------------------------------------|--|
| <input type="checkbox"/> Residential | <input type="checkbox"/> Industrial | <input type="checkbox"/> Commercial | <input type="checkbox"/> Institutional |
| <input type="checkbox"/> Agricultural | <input checked="" type="checkbox"/> Parkland | <input type="checkbox"/> Vacant | <input type="checkbox"/> Other _____ |

a) If previous use of the property is Industrial or Commercial, specify use:

b) Has the grading of the subject land been changed by adding earth or material? Has filling occurred on the subject land?

- Yes No Unknown

c) Has a gasoline station and/or automobile service station been located on the subject land or adjacent lands at any time?

- Yes No Unknown

d) Has there been petroleum or other fuel stored on the subject land or adjacent lands?

- Yes No Unknown

e) Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?

- Yes No Unknown

f) Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been applied as pesticides and/or sewage sludge applied to the lands?

- Yes No Unknown

g) Have the lands or adjacent lands ever been used as a weapons firing range?

- Yes No Unknown

h) Is the nearest boundary line of the application within 500 metres (1,640 feet) of the boundary line of an operational/non-operational public or private waste disposal site, landfill or dump?

- Yes No Unknown

i) If there are existing or previously existing buildings on the subject lands, are there any building materials remaining on site which are potentially hazardous to public health (e.g., asbestos, PCB's)?

- Yes No Unknown

j) Is there reason to believe the subject lands may have been contaminated by existing or former uses on the site or adjacent sites?*

- Yes No Unknown

** Possible uses that can cause contamination include but are not limited to: operation of electrical transformer stations, disposal of waste minerals, raw material storage, and residues left in containers, maintenance activities and spills. Some commercial properties such as gasoline stations, automotive repair garages, and dry cleaning plants have similar potential. The longer a property is under industrial or similar use, the greater the potential for site contamination. Also, a series of different industrial or similar uses upon a site could potentially increase the number of chemicals that are present.*

k) If current or previous use of the property is Industrial or Commercial, or if YES to any of a) to j) above, attach a previous use inventory showing all former uses of the subject land, or if applicable, the land(s) adjacent to the subject lands.

SCHEDULE E CONTINUES ON NEXT PAGE

ZONING BY-LAW AMENDMENT APPLICATION

SCHEDULE E - CONTINUED

Acknowledgement Clause

I hereby acknowledge that it is my responsibility to ensure that I am in compliance with all applicable laws, regulations, guidelines and the City's Official Plan policies pertaining to potentially contaminated sites, and to use all reasonable effort to identify the potential for contamination on the subject property.

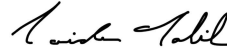
I acknowledge that as a condition of approval of this application that the City may require me to file a Record of Site Condition signed by a qualified person in the provincial Environmental Site Registry, and provide verification to the City of Windsor of acknowledgement of this Record of Site Condition by the Ministry of Environment.

I acknowledge that the City may require the qualified person signing the Record of Site Condition to submit to the City a Declaration acknowledging that the City of Windsor may rely on the statements in the Record of Site Condition.

I acknowledge that the City of Windsor is not responsible for the identification and/or remediation of contaminated sites, and I agree, whether in, through, or as a result of any action or proceeding for environmental clean-up of any damage or otherwise, I will not sue or make claim whatsoever against the City of Windsor, its officers, officials, employees or agents for or in respect of any loss, damage, injury or costs.

Haider Habib, HD Development Group

Name of Applicant (print)



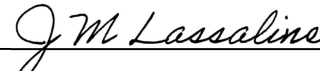
Signature of Applicant

May 25, 2022

Date

Jackie Lassaline, Lassaline Planning Consultants

Name of Agent (print)



Signature of Agent

May 25, 2022

Date

END OF SCHEDULE E

ZONING BY-LAW AMENDMENT APPLICATION

DO NOT COMPLETE BELOW – STAFF USE ONLY

Receipt and Assignment of Application

Date Received Stamp

This application has been assigned to:

- | | |
|---|---|
| <input type="checkbox"/> Adam Szymczak (AS) | <input type="checkbox"/> Greg Atkinson (GA) |
| <input type="checkbox"/> Pablo Golob (GL) | <input type="checkbox"/> Jim Abbs (JA) |
| <input type="checkbox"/> Justina Nwaesei (JN) | <input type="checkbox"/> Kevin Alexandar (KA) |
| <input type="checkbox"/> Laura Diotte (LD) | <input type="checkbox"/> Melissa Gasic (MG) |
| <input type="checkbox"/> Simona Simion (SS) | <input type="checkbox"/> _____ |

Complete Application

This application is deemed complete on _____
Date

Signature of Delegated Authority

- | | | |
|---|---|--|
| <input type="checkbox"/> Neil Robertson, MCIP, RPP
Manager of Urban Design | <input type="checkbox"/> Michael Cooke, MCIP, RPP
Manager of Planning Policy | <input type="checkbox"/> Thom Hunt, MCIP, RPP
City Planner & Executive Director |
|---|---|--|

Internal Information

Fee Paid: \$ _____ Receipt No: _____ Date: _____

Payment Type: Cash Certified Cheque Credit Card Personal Cheque

NEW Zoning File No. ZNG/ _____ Z- _____

Previous Zoning File No. ZNG/ _____ Z- _____

Related OPA File No. OPA/ _____ OPA _____

Other File Numbers: _____

Notes: _____

THIS IS THE LAST PAGE OF THE APPLICATION FORM



THE CORPORATION OF THE CITY OF WINDSOR
PLANNING AND BUILDING DEPARTMENT
PLANNING DIVISION

Thom Hunt, MCIP, RPP
City Planner/Executive Director

MEMORANDUM

DATE: June 27, 2022
TO: City Clerk
FROM: Manager of Urban Design
RE: Recent Site Plan Control Applications

The following is a list of recent Site Plan Control (SPC) applications that have been received by the Planning Division. Administration will review and approve the site plan application once the development meets the applicable municipal policies, standards and regulations.

Applicant: J.P. Thomson Architects Ltd (Adam Wakulchik)
Location: 3064 Devon
Ward: Ward 9
File No: SPC-2022-1
Contact: George Robinson
Deemed Complete: March 29, 2022
Project Description: Warehouse Addition

Applicant: 4C Project Management (Randy Saccucci)
Location: 3063 Walker
Ward: Ward 10
File No: SPC-2022-2
Contact: Jason Campigotto
Deemed Complete: April 14, 2022
Project Description: Second Floor Expansion to Existing Business Office

Applicant: Adrian Lai
Location: 1153-1159 Riverside e
Ward: Ward 4
File No: SPC-2022-3
Contact: George Robinson
Deemed Complete: April 19, 2022
Project Description: Residential Development - 8 Unit Multiple Dwelling Building

Applicant: BairdAE/Farhi Holdings Corporation
Location: 1530-1624 Lauzon Road
Ward: Ward 6
File No: SPC-2022-4
Contact: George Robinson
Deemed Complete: April 20, 2022
Project Description: Two Multiple Dwelling Buildings - Total of 302 Dwelling Units

Applicant: Corporation of the City of Windsor
Location: 1100 Riverside W
Ward: Ward 3
File No: SPC-2022-5
Contact: Jason Campigotto
Deemed Complete: April 27, 2022
Project Description: New Building (Legacy Beacon)

Applicant: Europro Real Estate (Jesse Nathanson)
Location: 7446 - 7780 Tecumseh Road E
Ward: Ward 8
File No: AMT-2022-1
Contact: Jason Campigotto
Deemed Complete: May 3, 2022
Project Description: Windsor Family Credit Union Banking Branch

Applicant: Vijay Vasantgadkar
Location: 1320 Tecumseh E
Ward: Ward 4
File No: SPC-2022-6
Contact: George Robinson
Deemed Complete: May 9, 2022
Project Description: Exterior and Interior Alterations and Change of Use from Auto Repair to Health Studio in an Existing Commercial Building.

Applicant: Eddie Kadri
Location: 1567 Ouellette
Ward: Ward 3
File No: SPC-2022-7
Contact: Jason Campigotto
Deemed Complete: May 11, 2022
Project Description: New Commercial Building (Law Office)

Applicant: Architectural Design/ BBPS Properties (Vincent Lip)
Location: 3260 Jefferson
Ward: Ward 8
File No: SPC-2022-8
Contact: George Robinson
Deemed Complete: May 19, 2022
Project Description: Expansion of the Parking Area for an Existing Warehouse

Applicant: TILCAP RESIDENCE I INC. (Michael Kaye)
Location: 727 Sunset & 0 Patricia
Ward: Ward 2
File No: SPC-2022-9
Contact: Jason Campigotto
Deemed Complete: May 30, 2022
Project Description: 6-Storey Student Residence consisting of 452 Suites and Dining Hall

Applicant: Corbett Land Strategies Inc. (Candice Hood) & Hind Barnieh
Location: 4381 7th Concession
Ward: Ward 9
File No: AMT-2022-2
Contact: George Robinson
Deemed Complete: June 3, 2022
Project Description: Addition to Existing Self-Storage Building and Construction of New Self Storage Building

Enclosures:

(X) 1 copy of Map

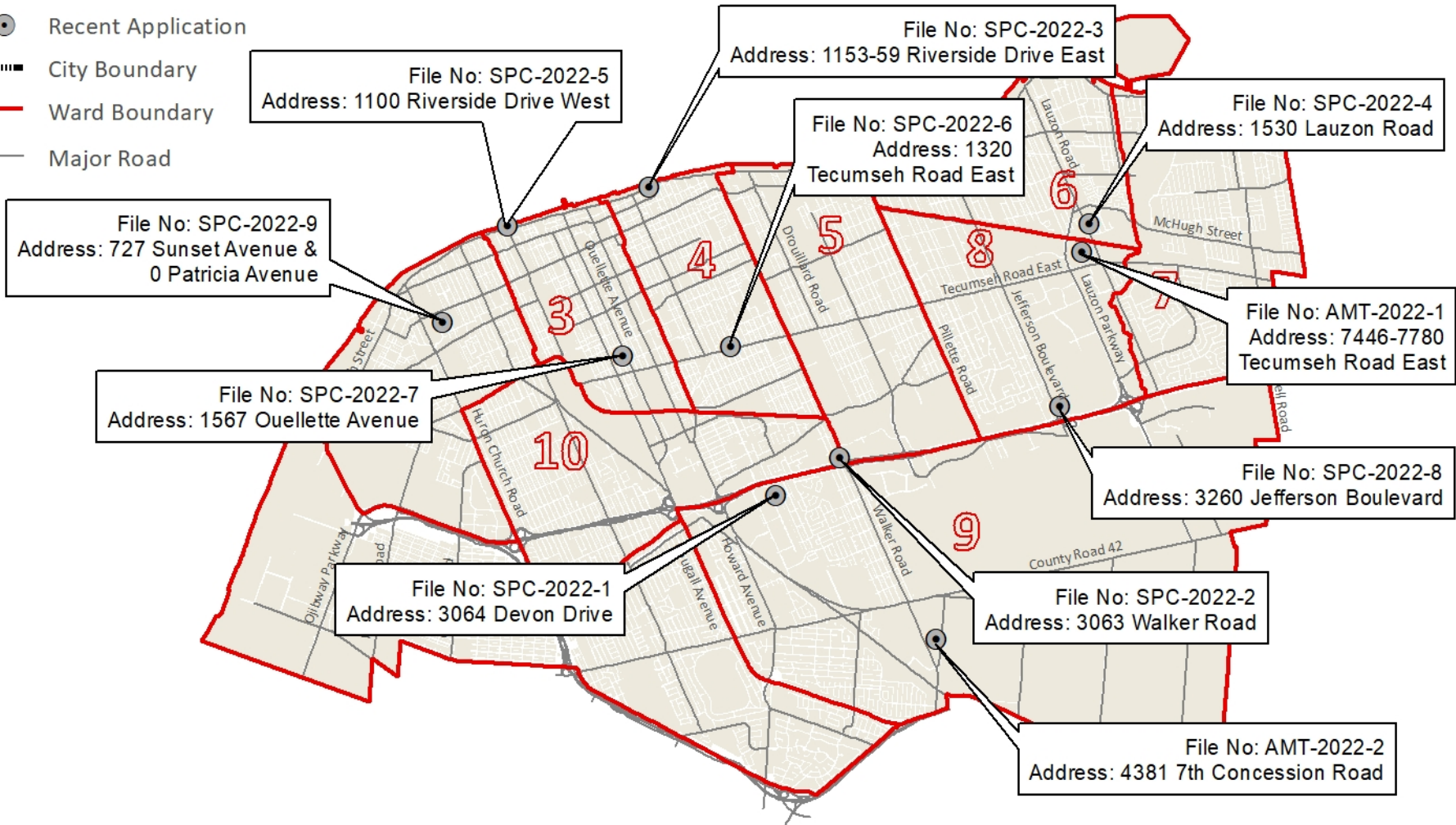


Neil Robertson, MCIP, RPP
Manager of Urban Design

NR/jc
Enclosures

Recent Site Plan Control Applications

- Recent Application
- ▬ City Boundary
- Ward Boundary
- Major Road





Additional Information: AI 10/2022

Subject: Additional Information Memo to S67/2022 - Fleet Documentation- City Wide

Reference:

Date to Council: July 11, 2022
Author: Angela Marazita, Fleet Manager
519-255-6560 x4244
amarazita@citywindsor.ca

Public Works - Operations
Report Date: July 6, 2022
Clerk's File #: SW2022

To: Mayor and Members of City Council

Additional Information:

This report is to inform Council of minor revisions made to the Fleet Use Policy.

Background:

At the meeting of the Environment, Transportation and Public Safety Standing Committee meeting held on June 22, 2022, the Committee approved the Fleet Documentation report including the Fleet Mandate, Fleet Review Committee Charter and Fleet Use Policy. Minor revisions were made to the Fleet Use Policy and are included with this additional memo.

Discussion:

Minor revisions were identified following approval of the Fleet Use Policy at the Environment, Transportation and Public Safety Standing Committee meeting held on June 22, 2022. Revisions include the level of approval required for taking vehicles home and charging of electric vehicles.

Conclusion:

Administration recommends approving the revised Fleet Use Policy as attached in Appendix A.

Approvals:

Name	Title
Cindy Becker	Financial Planning Administrator – Public Works Operations

Name	Title
Shawna Boakes	Executive Director of Operations
Chris Nepszy	Commissioner, Infrastructure Services
Alex Vucinic	Purchasing Manager
Dan Seguin	On behalf of Commissioner, Corporate Services CFO/City Treasurer
Onorio Colucci	Chief Administrative Officer

Appendices:

Fleet Use Policy

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

Service Area:	Public Works	Policy No.:	Fleet – General – M246-2013
Department:	Operations	Approval Date:	
Division:	Fleet Division	Approved By:	City Council
		Effective Date:	
Subject:	Fleet Use Policy - DRAFT	Procedure Ref.:	
		<i>Pages:</i>	Replaces: Fleet-General-M246-2013
Prepared By:			Date: June 17, 2013

1. POLICY

1.1 To provide effective and efficient delivery of the City of Windsor fleet services through the delivery of safe, reliable, economical and environmentally sound transportation and related support services that are responsive to the needs of stakeholder divisions, while conserving vehicle value and equipment investment.

2. PURPOSE

2.1 Communicate responsibilities of all employees in the use and safe-guarding of City vehicles and equipment including:

- How vehicles are assigned
- Who can drive a City Vehicle
- Responsibilities and obligations of employees driving City Vehicles.

3. SCOPE

3.1 This Policy covers the use of all City of Windsor supplied vehicles managed by the Operations Department – Fleet Division and used by Divisions with a direct reporting relationship to the Chief Administrative Officer.

4. RESPONSIBILITY

4.1 Chief Administrative Officer and Corporate Leadership Team are responsible to:

- 4.1.1** Support this policy and ensure compliance and adherence by the City Departments.
- 4.1.2** Assign City Vehicles to positions based on specific criteria described in this policy.
- 4.1.3** Review mileage and related financial information provided by Finance yearly and determine continued eligibility for vehicles assigned to a position.
- 4.1.4** Approve locations where City Vehicles may be parked.

4.2 The Executive Director of Operations (in the role of Chair of the Fleet Review Committee) or designate is responsible to:

- 4.2.1** Ensure the communication, distribution and availability of this Policy to all City employees.

- 4.2.2 Review the policy content, effectiveness, and scope periodically and initiate required revisions as legislation changes with a review every 5 years.
- 4.2.3 Represent the City of Windsor as the Director for the Commercial Vehicle Operator Registration #062-452-600 with the Ministry of Transportation.

4.3 The Fleet Manager is responsible to:

- 4.3.1 Coordinate and integrate fleet policy and procedures that impact on and support the goals of the Fleet Use Policy.
- 4.3.2 Control the assignment of City Vehicles and equipment to authorized departments/divisions; (See 'City Vehicle Assignment' attachment to this policy).
- 4.3.3 Control the recovery of vehicle and equipment charges to user Departments.
- 4.3.4 Monitor the usage and the rotation of vehicles to maximize vehicle life.
- 4.3.5 Complete monthly Commercial Vehicle Operator Registration (CVOR) Abstract searches to monitor the City of Windsor's CVOR.
- 4.3.6 Ensure compliance with the CVOR legislative requirements.
- 4.3.7 Provide current vehicle listings to Risk Management for the purposes of insuring the corporate fleet.

4.4 The Fleet Division is responsible for:

- 4.4.1 The acquisition, maintenance, repair, disposal and management of corporate vehicles in a timely, effective and fiscally responsible manner including consideration for alternative service delivery.
- 4.4.2 Placing appropriate documents in the glove compartment (e.g. ownership, insurance slip, CVOR certificate, etc.)
- 4.4.3 Ensuring a supply of fuel is available for use at corporate fuel sites with contingency fuelling locations to ensure business continuity.
- 4.4.4 Prepare information packages to be placed in each vehicle.

4.5 The Executive Directors and their Subordinates are responsible to:

- 4.5.1 Provide and communicate applicable policy, procedure and protocol pertaining to the use of City Vehicles and equipment to the employees whom they supervise.
- 4.5.2 Ensure that employees receive appropriate training in the safe use of vehicles and equipment where required and ensure compliance with retraining requirements.
- 4.5.3 Regularly monitor use of City Vehicles to ensure proper and safe usage.
- 4.5.4 Issue discipline for misuse of a City Vehicle or for violations of the rules, regulations or conditions of its use.
- 4.5.5 Advise all staff of the appropriate contacts in the event of an accident.
- 4.5.6 Complete and submit to Human Resources, Health and Safety and Risk Management all accident/incident reports within 48 hours and comply with all requirements set out in the Accident/Incident Procedure.
- 4.5.7 Contact the Fleet Division for service in the event of a vehicle/equipment failure.
- 4.5.8 Budget for pool and seasonal vehicle usage as well as actual cost vehicle billings and damage repairs to external rental vehicles.

- 4.5.9 Ensure that preventable accidents are addressed with the responsible employee, and that the employee receives retraining where appropriate.
 - 4.5.10 Return both sets of keys and fuel fob with vehicle when vehicle replacements are picked up.
- 4.6 City of Windsor Employees must:
- 4.6.1 Abide by all required legislation in relation to the Highway Traffic Act, Commercial Vehicle Operator's Registration (CVOR) regulations, the Income Tax Act and related City of Windsor by-laws, policies and procedures as they relate to the use of City Vehicles.
 - 4.6.2 Employees driving City Vehicles must possess and maintain an appropriate driver's license for the class of vehicle being operated.
 - 4.6.3 Comply with training and retraining requirements as determined by Corporate Health & Safety.
 - 4.6.4 Comply with the Personal Use of City Vehicle - Taxable Benefit Procedure.
- 4.7 The Human Resources department is responsible to:
- 4.7.1 Adhere to the Driver's Licence and Abstract procedure to obtain a copy of valid driver's licenses and driver's abstracts, including a CVOR abstract when applicable, of prospective drivers upon hire or transfer to a job that requires a driver's licence for the purpose of completing a Driver's Abstract Report.
 - 4.7.2 Complete quarterly Driver's Abstract searches on all active City drivers to ensure the validity of driver licenses (Corporate Health and Safety division).
 - 4.7.3 Provide commercial and non-commercial defensive driving courses to facilitate compliance with Section 25(2)(h) of the Occupational Health & Safety Act (Corporate Health and Safety Division).
 - 4.7.4 Provide other training courses including driving evaluations relating to the use of City Vehicles to facilitate compliance with legislative requirements.
 - 4.7.5 Update the Corporate Driver Management Program to ensure training programs meet legislative and operational requirements.
- 4.8 The Risk Management department is responsible to:
- 4.8.1 Ensure that all vehicles and equipment used in the undertaking of City business activity are appropriately insured.
 - 4.8.2 Investigate and assess all vehicle accidents/incidents as necessary.
 - 4.8.3 Facilitate communication with insurance companies in case of injury and/or property damage and obtain appropriate recoveries.
 - 4.8.4 Respond to staff inquires as they pertain to insurance coverage of City owned/leased vehicles and equipment.
 - 4.8.5 Obtain liability slips from the City's insurance company for all City owned/leased vehicles and equipment and provide to the Fleet Division.
 - 4.8.6 Distribute certificates of insurance as required to third parties for rental of vehicles and equipment.

4.9 The Finance department is responsible to:

- 4.9.1** Calculate taxable benefits and mileage reimbursements based on information received from user departments and the individual employee.
- 4.9.2** Annually review the mileage reimbursement of employees and reporting the amount annually to the Chief Administrative Officer.

4.10 The Collision Review Committee is responsible to:

- 4.10.1** Adhere to the Collision Review Committee Terms of Reference.
- 4.10.2** Use Defensive Driving guidelines to review vehicle collisions to determine cause, preventability and make recommendations for avoidance of future incidents.

5. GOVERNING RULES, STATUTES AND REGULATIONS

5.1 This policy is in accordance with the *Highway Traffic Act, Occupational Health and Safety Act, Insurance Act, Income Tax Act, Provincial Offences Act, Fuel Tax Act* and any other applicable legislative requirements including Regulations under the applicable Acts, City of Windsor By-laws, policies and procedures.

5.1.1 Employees will be personally responsible for any and all traffic/parking violations or other fines incurred while using a City Vehicle. This requirement applies regardless of whether the charge or fine is imposed upon the City or the Employee. In circumstances where the City is charged or fined as a result of an Employee using a City Vehicle, the City will comply with all legislative requirements pertaining thereto, but will seek reimbursement for its costs from the Employee.

5.2 Accident/Incident Reporting Policy;

5.3 Driver's License and Driver's Abstract Procedure.

5.4 Assignment of a City Vehicle to a Department

5.4.1 Assignment of City Vehicles is subject to review by the corporate Fleet Review Committee and the budgetary process. In the event a department exceeds 5 preventable accidents per year, it will need to bring forward to the Fleet Review Committee a proposal to address accident prevention, and this will be considered prior to City Vehicle assignment.

5.4.2 As part of the annual review of fleet requirements, departments shall rationalize their assigned vehicles for possible consolidation or elimination.

5.4.3 Any changes or upgrades being requested for existing vehicles being considered for replacement MUST be submitted to the Fleet Review Committee for consideration and approval.

5.4.4 The Fleet Division maintains a pool of marked City Vehicles to supplement departments' fleet needs and meet short-term requirements on a seasonal basis. If a vehicle is not available in the pool, the Fleet Division will rent

seasonal units from a third party. The user department will be billed for the full cost of damages that must be repaired prior to returning external rentals.

5.5 City Vehicle Use

- 5.5.1** City Vehicles are for municipal business during working hours.
- 5.5.2** Only City employees who have completed required training are authorized to operate City Vehicles unless approval is received from Risk Management and Fleet.
- 5.5.3** City Vehicles are not permitted outside the limits of the City of Windsor without prior authorization from the employee's immediate supervisor or council approved service level or initiative as applicable.
- 5.5.4** City Vehicles are not to be used for personal matters.
- 5.5.5** Under normal circumstances, the City Vehicle shall not be used for the transportation of any persons other than City of Windsor employees or persons engaged in City of Windsor business without prior authorization from the employee's Executive Director or designate. Only in exceptional or emergency situations will passage in a City Vehicle by non-employees be permitted.
- 5.5.6** City Vehicles should contain only those items for which the vehicle is designed.
- 5.5.7** Employees are to keep the interior of City Vehicles clean and ensure projectile items are secured.
- 5.5.8** Employees shall report any malfunction or damage to their supervisor immediately.
- 5.5.9** All Employees must wear seatbelts during the operation of the City Vehicle, whether a driver or a passenger.
- 5.5.10** Employees must not, under any circumstance, operate City Vehicles under the influence of alcohol, illegal or recreational drugs, or prescription drugs or medications which may interfere with effective and safe operation.
- 5.5.11** Employees using a City Vehicle must ensure that any materials or equipment being transported in a City Vehicle is secure at all times. Employees can request covers, ties or other restraining devices from their supervisor as required.
- 5.5.12** Employees using a City Vehicle are responsible to remove ice and snow build-up that may fly from the top of a City Vehicle prior to its use to ensure the safety of other motorists and the general public.
- 5.5.13** Employees are to adhere to the Defensive Driving Standards as outlined in Schedule D to ensure they take every precaution to avoid a collision when driving a City Vehicle.
- 5.5.14** Employees must ensure the City vehicle is left in a safe position and secured to avoid damages or theft.
- 5.5.15** Employees driving City Vehicles shall obey all applicable traffic and parking regulations, ordinances and laws.
- 5.5.16** Employees shall not idle City Vehicles in contravention of the City of Windsor Anti-idling by-law.
- 5.5.17** Employees will be personally responsible for any and all traffic/parking violations or other fines incurred while using a City Vehicle. This requirement applies regardless of whether the charge or fine is imposed upon the City or the Employee. In circumstances where the City is charged

or fined as a result of an Employee using a City Vehicle, the City will comply with all legislative requirements pertaining thereto, but will seek reimbursement for its costs from the Employee.

- 5.5.18** In addition to the foregoing, if a suspension of an employee's driver's license occurs while driving a City Vehicle, and if the City Vehicle is impounded or towed, any costs incurred to obtain the release of the City Vehicle and any associated legal costs are the responsibility of the employee.
- 5.5.19** Employees who are issued citations for any offence while using a City Vehicle must notify their supervisor immediately if practical, otherwise within 24 hours at the maximum.
- 5.5.20** Smoking is not allowed in City Vehicles pursuant to the Smoking in the Workplace By-law.
- 5.5.21** No modifications are permitted to a City Vehicle without the approval of the Fleet Review Committee.
- 5.5.22** Keys are not to be left in City Vehicles when unattended and not in a secure municipal yard.
- 5.5.23** City Vehicles may be equipped by the Fleet Division with Global Positioning System/Automatic Vehicle Locating devices as approved by operating departments.

5.6 Accidents

- 5.6.1** The Ontario Highway Traffic Act (HTA) sets out criteria for motor vehicle collision reporting in Ontario. Accidents must be reported to the nearest police officer if the accident results in personal injuries or in damage to property apparently exceeding \$2,000.
- 5.6.2** If directed by an officer to report the accident at a specified location, employees must attend the specified location (e.g. Collision Reporting Centre) and report the accident there.
- 5.6.3** In the event of an accident involving a City Vehicle, all employees are responsible to adhere to the City's Accident/Incident Reporting Procedure.
- 5.6.4** Departments are responsible to have vehicle assessed by the Fleet Division to ensure vehicle is safe for continued use.
- 5.6.5** Departments may be responsible for damages not covered by the rental rate.

5.7 Commercial Motor Vehicles

- 5.7.1** All commercial motor vehicles are equipped with a first aid kit and fire extinguisher. Employees shall ensure supplies are replenished from the Fleet Division stockroom as they are used.
- 5.7.2** All drivers of commercial motor vehicles must comply with the Commercial Vehicle Pre-Trip Inspection Procedure.
- 5.7.3** All drivers of commercial motor vehicles must comply with the Hours of Service Procedure.
- 5.7.4** Employees may place a request through their supervisor to use a City Vehicle for the purposes of upgrading their driver's license to drive a commercial motor vehicle if required for their current position.

5.8 Vehicles for Out of Town Use

- 5.8.1** Marked City Vehicles may be used for business purposes out of town.
- 5.8.2** In addition to City Vehicles, a contract exists to utilize a third party for vehicle rental purposes on an as-needed basis.
- 5.8.3** Use of City Vehicles for out of town business travel is strongly encouraged as the first choice to avoid third party costs including mileage reimbursement to staff, while cars are available and unused. Use of alternative means of transportation must be justified within the travel and expense advance approval form, giving regard to the most economical means of transportation.

5.9 Parking of City Vehicles

- 5.9.1** When finished with the City Vehicle, it must be returned to the appropriate and safe location as approved by the Commissioner of the department. Vehicles must be locked and keys are not to be left in the vehicle.

5.10 Take Home Privileges

- 5.10.1** Vehicles are not to be taken home without the permission of the Executive Director. Permission shall only be granted for urgent circumstances or for employees on call.
- 5.10.2** After working hours, City Vehicles shall be used only to respond to situations within the scope of the employee's duties and for no other purpose.
- 5.10.3** City Vehicles are not to be used for personal matters. The personal driving of a City of Windsor vehicle for purposes not related to his or her employment is a taxable benefit for the employee. This includes personal use during an employee's vacation, driving to conduct personal activities and travel between home and work (even if the employee is directed to drive the vehicle home). Travel from home to a point of call (such as responding to a call after hours) is not considered personal driving. The taxable benefit shall be calculated as outlined by the Canadian Revenue Agency (CRA) subject to amendment by CRA from time to time.

5.11 Car Allowance

- 5.11.1** For employees entitled to a car allowance (whether paid monthly, quarterly, annually, or on any other basis) this is a taxable benefit as per the Income Tax Act and included as remuneration.

5.12 Fuelling of City Vehicles and Equipment (Unleaded, Premium, Diesel, Coloured Diesel)

- 5.12.1** Employees who use a City Vehicle are responsible for ensuring that the vehicle has an adequate supply of fuel.
- 5.12.2** Employees are to fuel City Vehicles at one of the City's fuel sites operated by the Fleet Division except in extraordinary and/or emergency situations. In the event of an emergency, employees may contact their supervisor for

direction. Fuel may be purchased from one of the local service stations approved by the Fleet Division.

- 5.12.3 Employees are to follow the fuelling procedures posted at the fuel site.
- 5.12.4 Employees who use a City Vehicle must complete a one-time fuel training session administered by Corporate Health & Safety and a fuel refresher training session every 5 years.
- 5.12.5 Employees who have not completed the appropriate fuel training session will not have access to dispense fuel at a city fuel site.
- 5.12.6 Employees must provide the correct vehicle mileage or number of equipment hours at the time of fuelling. Entering incorrect or inaccurate meter readings may result in discipline up to and including dismissal.
- 5.12.7 Employee and vehicle HID cards are required for fuelling a City Vehicle at a city fuel site operated by the Fleet Division.
- 5.12.8 Employees must notify their supervisor immediately if an HID employee/vehicle card is lost or stolen. New or replacement cards are subject to a fee.
- 5.12.9 Propane equipment must be refuelled externally.
- 5.12.10 Employees fuelling at an authorized external site must provide unit number, employee name (printed and signed), employee id and mileage on the fuel slip.
- 5.12.11 Coloured fuel is available for off road equipment only. The use of coloured fuel in a licensed motor vehicle is prohibited and the driver may be liable to penalties and fines under the Provincial Offences Act or the Fuel Tax Act.

5.13 Electric Vehicles

- 5.13.1 Corporate charging stations will be provided and assigned to charge City Vehicles.
- 5.13.2 Corporate charging stations are for City Vehicles only.
- 5.13.3 Charging stations are keyed alike for shared use among employees.
- 5.13.4 City Vehicles are not to be charged at public charging sites during daily operational use except for out of town business travel.
- 5.13.5 Electric vehicles are licensed with a green license plate.

6. **RECORDS, FORMS AND ATTACHMENTS**

- 6.1 Schedule A - City Vehicle Assignment Methods
- 6.2 Schedule B - Definitions
- 6.3 Schedule C - Break Even Point for Assignment of a City Vehicle
- 6.4 Schedule D – Defensive Driving Standards
- 6.5 Schedule E – Regulations for and Authorization for Replacement Vehicle ID Card

City Vehicles are assigned in one of three ways:

- 1) Dedicated
- 2) Assignment of a Pool Vehicle (Infrequent Use)

1) Dedicated Vehicle

Dedicated vehicles are assigned to a department on an annual basis. They are assigned on a day-to-day basis by the immediate supervisor based upon job description and will be consistent with departmental workload and employee function.

2) Assignment of a Pool Vehicle

Pool vehicles are vehicles assigned for use on a request basis as needed. The Fleet Division maintains a pool of vehicles to supplement dedicated vehicles on a seasonal basis, for casual use when vehicles are in for service or on an as-needed basis.

A pool vehicle is also assigned to City Hall and is available through the City Engineer's office at City Hall.

Seasonal

- User departments provide their seasonal requirements in advance and in writing to the Fleet Division.
- Fleet Division will assign vehicles from the pool and charge a monthly rental rate to the user department.
- If there is not a seasonal unit available, the Fleet Division will make arrangements for an external rental. The monthly rental cost will be charged to the user department.

Casual Use

- User requests a pool vehicle prior to or when required from the Fleet Division or the City Engineer's office.
- For the Fleet Division's pool vehicles, the user provides the Fleet Division with a chart field for billing of vehicle usage based on hours of use. The user will be charged the hourly rental rate associated with that class of vehicle until it is returned by the user.
- If available, loaner vehicles are provided free of charge to users who require replacements for vehicles brought in for service.
- For the City Hall Pool vehicle, the user departments cost share the annual rental rate associated with the class of vehicle.

“Accident” –an incident whereby a City owned vehicle/equipment has come into contact with another vehicle/equipment, person or object regardless of damage or injury, or an incident with or without contact that results in injury to a person, property, vehicle or equipment.

“Actual Cost Billing” – a billing method whereby the user department is charged by the Fleet Division for the actual costs incurred to maintain non-dedicated equipment.

“City Vehicle” – any licensed or unlicensed automobiles, trucks, vans, or other self-propelled equipment owned, rented, or leased by the City of Windsor.

“Car Allowance” – payment that employees receive from an employer for using their own vehicle in connection with or in the course of their office or employment without having to account for its use. An allowance is a taxable benefit unless it is based on a reasonable per-kilometre rate.

“Commercial Motor Vehicle” – a commercial motor vehicle includes:

- Trucks that have a registered gross weight of over 4,500 kilograms
- Buses that can carry ten or more passengers
- Trailers that have a registered gross weight greater than 2,800 kilograms, when pulled by a truck that is less than 4,500 kilograms and the overall weight is greater than 4,500 kilograms.

A commercial motor vehicle does not include fire apparatus.

“Commercial Vehicle Operator Registration” – registration system for operators of commercial motor vehicles (trucks, trailers and buses) as per the Highway Traffic Act.

“Corporate Driver Management Program” – program maintained by Human Resources Health and Safety Division that outlines all driver related policies and training programs.

“Dedicated Vehicle” – a vehicle assigned to a department or division on an annual basis. Dedicated vehicles are included on the corporate fleet replacement plan.

“Distracted Driving” – Drivers in Ontario are prohibited from using hand-held cell phones and other hand-held electronic entertainment or communications devices while driving. The use of hands-free devices is permitted. Emergency calls, such as calls to 911, are not affected.

“Licensed motor vehicle” – any motor vehicle to which a number plate is attached as required under the Highway Traffic Act.

“Pool Vehicle” – a general purpose City Vehicle supplied by the City of Windsor which can be used on a request basis as needed. Pool vehicles are not included on the corporate fleet replacement plan.

“Preventable Collision” – a collision that could have been prevented, regardless of whether the employee is at fault in accordance with fault determination rules, and as determined by the immediate supervisor following an accident/incident or by the Collision Review Committee.

“Valid Driver’s License” – (a) appropriate to the vehicles being driven; or (b) specified by the department.

Schedule 'C'

Break Even Point for Assignment of a City Vehicle

Individual mileage claims will be reported on to the Chief Administration Officer on an annual basis by the Finance Department.

Once an individual's annual reimbursement exceeds the annual charge out rate for a rental vehicle (based on the Class of vehicle used), an assessment of whether or not a dedicated vehicle should be provided to the employee will take place.

Consideration will also be given to other individuals in the department to see if vehicles can be rationalized and shared amongst employees/positions.

The analysis will involve comparing annual mileage paid at the current Corporate Travel Policy rate (based on CRA guidelines) against the annual vehicle rental rate charged by the Fleet Division for the Class of vehicle being used on a 'cost per km' basis.

If the cost of providing a dedicated unit is lower than payment of individual mileage over the course of a year, the individual's Manager, will bring forward a Fleet Addition request through the Fleet Manager to the Fleet Review Committee for inclusion in the annual Fleet Additions and Upgrades capital budget. Furthermore, the individual's Manager will submit an operating budget request for the addition of a dedicated fleet unit.

Schedule 'D' Defensive Driving Standards

Drive to avoid collisions in spite of the incorrect actions of others and adverse driving conditions.

Make allowances for the lack of skill or improper driving practices of the other driver.

Adjust driving to compensate for unusual weather, road and traffic conditions and is not involved in a collision due to the unsafe actions of pedestrians and other drivers.

Be alert to collision inducing situations to recognize the need for preventable action in advance and take the necessary precaution to prevent a collision.

Know when it is necessary to slow down, stop or yield the right of way to avoid a collision.

Conduct circle checks thoroughly and notify supervisors if any anomalies occur while operating a motor vehicle.

Use a guide to help back out of a difficult area and survey your exit plan before entering the vehicle.

Avoid parking spaces near driveways or other areas that are susceptible to collisions.

Leave room to account for stopping distances between their vehicle and the one in front. Leave more space if visibility or speed of the vehicle is an issue.

Be mindful of vehicles tailgating you and change lanes to let them pass.

Always give advanced warning of your driving intentions.

Remove distractions and always be mindful of surroundings and traffic.

Obey all traffic signs.

Enter traffic in a way that will avoid obstructing the flow of traffic.

Always be attentive and prepared to stop in the event a pedestrian/cyclist crosses your path.

Drive in a safe manner that would never endanger the safety of a passenger.

Use appropriate load securement procedures to secure cargo.

Do not utilize hand-held devices while driving as per the Corporate Cell Phone/Wireless Device Safe Use Policy.

Be aware of the safe use of your vehicle and/or related equipment.

**The Corporation of the City of Windsor
Regulations for and Authorization for Replacement Vehicle ID Card**
(Please read carefully and complete all applicable areas.)

1. VEHICLE INFORMATION
Unit #:

2. EMPLOYEE INFORMATION			
Last Name:		First Name:	Middle Name:
Emp. #	Position Title:	Service Area/Division:	Date of Notification of New/Lost Card:

3. REGULATIONS	
1.	This vehicle ID card is the property of the City of Windsor and must be available for fuelling at a fuel site operated by the Fleet Division.
2.	If this card is lost or stolen, I will notify my supervisor immediately.
3.	I understand that there is replacement cost for Vehicle ID Cards.
4.	I understand that this vehicle ID card is for Corporate and fuel use only.
5.	This vehicle ID card must be kept on the vehicle key chain or secured by the department if multiple employees are utilizing the same vehicle.

4. ACKNOWLEDGEMENT OF REGULATIONS AND AUTHORIZATION	
Consistent with the Fleet Use Policy and Procedures and the Vehicle ID Card Regulations form (both available on Dashboard), and as authorized by City Council, replacement cards are subject to a \$10.00 fee. The fee is to be paid by the department. This form authorizes the Fleet Division to charge for the replacement card(s).	
Number of Replacement Cards requested:	_____ x \$10.00
Total Charge:	\$ _____
Chartfield:	_____
Department Signature:	Date:
Fleet Representatives Signature:	Date:

The following section is for use by Fleet Division only.		
Distribution	Initials of Processor	Date
Fleet Card File		
Journal ID		

BY-LAW NUMBER 98-2022

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

Passed the 11th day of July, 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	14	Part Alley, Registered Plan 1142, further described as Parts 3 & 4, Plan 12R-25749, and Lots 26 to 31, Registered Plan 1142 (situated at the southwest corner of Wyandotte Street East and Elinor Street; known municipally as 817 Elinor Street and 0 Elinor Street; Roll No: 060-450-13120 & 060-450-13130)	--	DRD1.1 RD1.2	RD2.5

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

442. SOUTHWEST CORNER OF WYANDOTTE STREET EAST AND ELINOR STREET

For the lands comprising of Part Alley, Registered Plan 1142, further described as Parts 3 & 4, Plan 12R-25749, and Lots 26 to 31, Registered Plan 1142, a *multiple dwelling* with five or more *dwelling units* shall be subject to the following additional provisions:

- a) Lot Area – per *dwelling unit* - minimum 130.0 m²
- b) That the required *front yard depth*, required *rear yard depth*, and *required side yard* width shall not apply.
- c) Building Setback – minimum
from the lot line adjacent to Wyandotte Street East
(including the corner cut-off) 1.20 m

from the lot line adjacent to Elinor Street 2.50 m
 from an *interior lot line* 2.50 m

- d) Notwithstanding Section 25.5.20.1.6, the minimum separation of a *parking area* from a building wall containing a *habitable room window* or containing both a main pedestrian entrance and a *habitable room window* facing the *parking area* where the *building* is located on the same *lot* as the *parking area* shall be 3.50 m
- e) Notwithstanding Section 24.40, a *loading space* is not required.
- f) An *access area* or direct vehicular access to Wyandotte Street East is prohibited.

[ZDM 14; ZNG/6657]

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

1. Item Number	2. Zoning District Map Part	3. Lands Affected	4. Official Plan Amendme nt Number	5. Zoning Symbol
1	14	Part Alley, Registered Plan 1142, further described as Parts 3 & 4, Plan 12R-25749, and Lots 26 to 31, Registered Plan 1142 (situated at the southwest corner of Wyandotte Street East and Elinor Street; known municipally as 817 Elinor Street and 0 Elinor Street; Roll No: 060-450-13120 & 060-450-13130)	--	S.20(1)442

DREW DILKENS, MAYOR

CITY CLERK

First Reading - July 11, 2022
 Second Reading - July 11, 2022
 Third Reading - July 11, 2022

BY-LAW NUMBER 99-2022

A BY-LAW TO AMEND BY-LAW NUMBER 139-2013, BEING A BY-LAW TO DELEGATE AUTHORITY TO THE CITY PLANNER TO APPROVE AND PROCESS CERTAIN APPLICATIONS UNDER THE PLANNING ACT AND PERMITS UNDER THE ONTARIO HERITAGE ACT

Passed the 11th day of July, 2022.

WHEREAS By-law Number 139-2013 was passed by the Council of The Corporation of the City of Windsor on August 26, 2013;

AND WHEREAS it is deemed expedient to further amend said By-law Number 139-2013 of The Corporation of the City of Windsor;

AND WHEREAS it is deemed expedient to repeal By-law Number 11275 of The Corporation of the City of Windsor;

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

1. That Section 1, of By-law Number 139-2013, is amended by adding the following thereto:

“applicant” shall mean:

- (iv) a person or public body requesting approval of Site Plan Control plans or drawings under section 41 of the Act;

“application” shall mean:

- (iv) A request for approval of Site Plan Control plans or drawings under section 41 of the Act;

“Cloudpermit” shall mean:

The web-based software solution used by the City of Windsor that allows for Planning Act applications to be submitted, reviewed and approved digitally.

2. That Section 1, of By-law Number 139-2013, is amended by deleting the following thereto:

“Manager of Development Applications” shall mean the person who holds the position of Manager of Development Applications for The Corporation of the City of Windsor.

3. That Section 3.1, of By-law Number 139-2013, be deleted and substituted with the following paragraph:

3.1 When the City Planner is absent or his office is vacant, then anyone of the Manager of Planning Policy, or the Manager of Urban Design shall act in the place and stead of the City Planner under this by-law.

4. That Schedule “A” of By-law 139-2013 be deleted and the attached Schedule “A” be substituted therefore.

5. That By-law Number 11275 be hereby repealed.

6. This by-law shall come into force and take effect on the day of the final passing thereof.

DREW DILKENS, MAYOR

CITY CLERK

First Reading - July 11, 2022
Second Reading - July 11, 2022
Third Reading - July 11, 2022

SCHEDULE “A”

Council hereby delegates to the City Planner the authority:

Complete Application

- 1.1 a) To determine whether an application submitted to Council pursuant to sections 22, 34, 41 and 51 of the Act is complete or incomplete in accordance with the provisions of the Act and the Official Plan for the City of Windsor.
 - b) To notify an applicant as to the completeness or incompleteness of an application.
 - c) To notify the applicant within 30 days of receipt of the processing fee for a planning application, whether the application is complete or incomplete. An incomplete application notification shall identify the missing or deficient information and material necessary to complete the application.
- 1.2 The provisions of subsection 1.1 apply, with necessary modifications, to each subsequent remedial submission provided to complete the application.
- 1.3 Within 15 days after the City Planner gives notice to the applicant that the application is complete, to:
- (i) give the prescribed persons and public bodies, in the prescribed manner, notice of the application under section 22, 34, 41 or 51 of the Act, accompanied by the prescribed information; and
 - (ii) make the information and material provided by the applicant available to the public.
- 1.4 Any notice required under this section shall be given to the applicant in writing by regular letter mail, email or using Cloudpermit. Notice by regular letter mail shall be deemed to be received within 7 business days of the date of the notice. Notice by email or using Cloudpermit shall be deemed to be received on the date it is sent, if sent during business hours of the City of Windsor. If sent after business hours of the City of Windsor, then it shall be deemed to be received on the next following business day.

Exemption from Part Lot Control

- 2.1 To approve applications for exemption from part lot control under s. 50(7) of the Act.

Extension of Condominium and Subdivision Approval

- 3.1 To approve applications to extend the draft approval pursuant to s.51 (33) of the Act, for 3 years, and further extend the draft approval for another 3 years, of the draft subdivision/condominium or condominium conversion approval as the case may be, provided such approval is given before the draft approval lapses.

Sandwich Heritage Conservation District Plan –Heritage Alteration Permit

- 4.1 To process applications for and issue permits for alterations pursuant to s. 42 (1) of the Ontario Heritage Act for the following works:
- (i) Window or door removal without replacement,
 - (ii) Additions of a window or door in a new or altered opening,
 - (iii) Shutter removal (if original),
 - (iv) Addition or removal of front and side fencing,
 - (v) Decorative trim and bracket removal or replacement,
 - (vi) Removal of chimneys, if significant visual feature,
 - (vii) Removal or installation of cladding and siding,
 - (viii) Painting of previously unpainted brick or stone,
 - (ix) Re-roofing with different materials,
 - (x) Window removal where window is a significant feature from street,
 - (xi) Removal of brick or stone piers (if original), and
 - (xii) Wall mounted signage.

Neighbourhood Residential Rehabilitation Grant Program

- 5.1 To approve applications for *Neighbourhood Residential Rehabilitation Grant Program* projects to a maximum of \$15,000.00 and where sufficient budget funding is available.

Municipal Development Fees Grant Program

- 6.1 To approve applications for *Municipal Development Fees Grant Program* when it is requested as part of the *Neighbourhood Residential Rehabilitation Grant* **only**, to a maximum of \$2,000.00 and where sufficient budget funding is available.

Building Facade Improvements

- 7.1 Along with the Chief Financial Officer/City Treasurer, to approve beautification projects under \$5,000.00 identified in Category A-Beautification under the City of Windsor Building Facade Improvement Program and Urban Design Guidelines for Main Street.

Site Plan Control Approval

- 8.1 To approve Site Plan Control plans and drawings as set out in Subsections 41(4) and (5) of the Act, and to impose conditions to such approval as set out in Subsection 41 (7) of the Planning Act.

Execute and Cause to be Registered Site Plan Agreements

- 8.2 To approve and execute the Site Plan Agreement(s) and cause them to be registered against the land in accordance with Subsection 41 (10) of the Act.

Removal of Site Plan Control Agreements from Title

- 8.3 To terminate an agreement entered into by the Corporation as provided for in Section 8.2 when the development provided for in the said agreement has not commenced or an alternate development has been approved in accordance with Section 8.1.

Community Improvement Plan Grant Assignment Agreements

- 9.1 To approve and execute the Community Improvement Grant Assignment Agreements for existing Community Improvement Grant Agreements, satisfactory in form and content to the City Solicitor, and in financial content to the City Treasurer.

BY-LAW NUMBER 100-2022

A BY-LAW TO ADOPT AMENDMENT NO. 159
TO THE OFFICIAL PLAN OF THE CITY OF
WINDSOR

Passed the 11th day of July, 2022.

WHEREAS pursuant to the provisions of Section 17(1) of the *Planning Act*, R.S.O. 1990, c. P.13 as amended, the Minister of Municipal Affairs and Housing (Minister) is the approval authority in respect of the approval of a plan as an official plan.

AND WHEREAS Section 17(9) of the said *Planning Act* provides that the Minister may by order exempt a proposed official plan amendment from his approval under Section 17(1) of the said Act.

AND WHEREAS pursuant to the provisions of Ontario Regulation 525/97 all amendments to the official plan of the City of Windsor commenced after January 19, 1998 are exempt from the approval of the said Minister.

THEREFORE the Council of the Corporation of the City of Windsor in accordance with the provisions of the said *Planning Act* hereby enacts as follows:

1. That Amendment No. **159** to the Official Plan of the City of Windsor, attached hereto, is hereby adopted.

DREW DILKENS, MAYOR

CITY CLERK

First Reading - July 11, 2022
Second Reading - July 11, 2022
Third Reading - July 11, 2022

AMENDMENT NO. 159
TO THE
OFFICIAL PLAN
CITY OF WINDSOR

Part B (The Amendment) of the following text, and attached map of the City of Windsor Official Plan constitute Amendment No. 159.

Also included, but not constituting part of the Amendment, are Part A – Basis (explanations of Purpose, Location, and Background), Part C - Implementation, and Schedule I (Results of Public Involvement)

This Official Plan Amendment contains the following Parts:

Part A – Basis

Part B – The Amendment

Part C – Implementation

PART A - BASIS

1.0 PURPOSE

The purpose of this amendment is to implement policies that will encourage the production of affordable and attainable housing within the City of Windsor. The Amendment will direct intensification to areas within the City where present and future residents will be in proximity to goods and services, public transportation and employment areas. It will build stronger, more complete neighbourhoods within the City while ensuring that the character of existing neighbourhoods is preserved.

2.0 LOCATION AND DESCRIPTION OF STUDY AREA

The study area includes all of the lands within the City currently designated Residential, Commercial Centres, Commercial Corridors and Mixed Use areas.

3.0 BACKGROUND

The City of Windsor passed Interim Control By-law 103-2020 on July 13, 2020 to prohibit the use on all lands, buildings, and structures for a Group Home, Shelter, Lodging House, and a Dwelling with five or more dwelling units, other than those excepted by the Interim Control By-law, in order to allow the municipality to review and, if deemed appropriate, implement the findings of the review.

There is a desire across Ontario to see existing communities intensify over time because, in accordance with Provincial Policy, intensification delivers on a number of key planning principles, including:

- A more efficient use of land and investments in municipal infrastructure, typically based on an urban structure of higher density centres and corridors;
- The establishment of transit supportive forms of development that will support transit system investment and promote more mobility options within the City; and,
- The delivery of a broader mix of housing types, including housing that is more affordable than the traditional housing stock.

However, there is concern that uncontrolled intensification can adversely impact the character of existing residential neighbourhoods within the City. The current Official Plan does not provide sufficient direction in this regard.

The City retained the services of a consulting team comprised on Municipal Planning Consultants, The Planning Partnership and Altus Consulting to assist in

understanding the issues and opportunities related to intensification within the City. The consulting team prepared three background reports including:

1. **MRICBL Planning Report** – Municipal Planning Consultants and The Planning Partnership - March 2022
2. **MRICBL Demographic and Economic** - Analysis Altus Group Economic Consulting - March 2022
3. **City of Windsor Infill and Intensification Design Guidelines** – The Planning Partnership – April 2022.

Key findings of those reports include:

- Population growth with the City will continue to strong over the next decade, placing the City within the top 10 fasters growing Cities in Canada. The population grew by 4,500 people per year between 2017 and 2020:
- Between 2021 and 2041 there will be demand for approximately 22,000 housing units in the City.
- This growth will result in higher demand for many forms of housing, especially rental apartments.
- The growth of the non-resident population, including short-term workers and students, will continue to be strong, placing higher demand on rental housing.
- There are significant opportunities to accommodate multiple residential buildings within the City's corridors and nodes.
- Changes in the retail sector have resulted in lower demand for some forms of retail uses and lands. These lands are ideally located in areas with full municipal services, including transit and can accommodate higher profile residential buildings without impacting the character of the area while supporting the commercial uses in proximity.
- There are many smaller neighbourhood nodes in the city that are the focal points of historic communities and neighbourhoods. Moderate residential intensification of these areas would strengthen the function of these nodes.
- Directing intensification to these areas will reduce reliance on the automobile and support efforts to mitigate climate change while developing healthier communities.
- Low profile residential neighbourhoods should accommodate intensification in a manner that is compatible with the existing density and built form in those neighbourhoods. Greater direction is required in the Official Plan to protect these areas and ensure that the City has the planning tools necessary to maintain the character of these areas.

To implement the proposed policies in this Amendment, the City will need to amend the Zoning By-law to provide greater permissions for residential uses in key areas and reduce the need for complex planning approvals. The amendments to

the Zoning By-law will reduce the time and costs associated with obtaining planning approvals for housing projects.

Approval of Design Guidelines that will ensure that the City and development industry understand how the city will assess the design of residential developments will reduce uncertainty and should expedite the approval process. The City will be able to use Site Plan Control to ensure that compatible and attractive intensification occurs in the appropriate locations in the City.

PART B – THE AMENDMENT

1. Volume 1, Chapter 6, the Land Use Policies, of the Official Plan for the City of Windsor is hereby amended as follows:

- i) Adding the following Section after Section 6.1.13

<i>RESIDENTIAL INTENSIFICATI ON</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.
---	--------	---

- ii) Changing the names of the land use designations in Section 6.2.1.1 as follows:

- d) Commercial Centre change to Mixed Use Centre
- e) Commercial Corridor change to Mixed Use Corridor
- i) Mixed Use Areas change to Mixed Use Node

- iii) Deleting Section 6.3.1.3 and replacing it with the following:

<i>INTENSIFICATION, INFILL AND REHABILITATION</i>	6.3.1.3	To promote residential redevelopment, infill and intensification initiatives in locations in accordance with this plan.
---	---------	---

- iv) Deleting Section 6.3.2.1 and replacing it with the following:

<i>PERMITTED USES</i>	6.3.2.1	<p>Uses permitted in the Residential land use designation identified on Schedule D: Land Use include Low Profile, and Medium Profile dwelling units.</p> <p>High Profile Residential Buildings shall be directed to locate in the City Centre, Mixed Use Centres and Mixed Use Corridors.</p>
-----------------------	---------	---

v) Deleting Section 6.3.2.4 and replacing it with the following:

<i>LOCATIONAL CRITERIA</i>	6.3.2.4	<p>Residential intensification shall be directed to the Mixed Use Nodes and areas in proximity to those Nodes. Within these areas Medium Profile buildings, up 4 storeys in height shall be permitted. These taller buildings shall be designed to provide a transition in height and massing from low-profile areas.</p> <p>New residential development and intensification shall be located where:</p> <ul style="list-style-type: none"> 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.
----------------------------	---------	---

vi) Delete and replace Section 6.3.2.5(c):

<i>EVALUATION CRITERIA FOR A NEIGHBOURHOOD DEVELOPMENT PATTERN</i>	6.3.2.5(c)	<p>In existing neighbourhoods, compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and amenity areas.</p> <p>In Mature Neighbourhoods as shown on Schedule A-1, compatible with the surrounding area, as noted above, and consistent with the streetscape, architectural style and materials, landscape character and setback between the buildings and streets;</p>
--	------------	--

vii) Delete Section 6.3.2.5 (f) and replace it with the following:

<i>EVALUATION CRITERIA FOR A NEIGHBOURHOOD DEVELOPMENT PATTERN</i>	6.3.2.5(f)	facilitating a gradual transition from Low Profile residential development to Medium and/or High Profile development and vice versa, where appropriate, in accordance with Design Guidelines approved by Council.
--	------------	---

viii) Add the following paragraph at the start of Section 6.3.2.9:

Neighbourhood Commercial Evaluation Criteria	6.3.2.9	Neighbourhood Commercial uses shall be encouraged to locate in Mixed Use Corridors and Mixed Use Nodes as shown on Schedule D. Ideally these uses would form part of a multi-use building with residential uses located above or behind the non-residential uses on the street front.
--	---------	---

i) Adding the following section after Section 6.3.2.28:

<i>COMPATIBLE ADDITIONAL UNITS</i>	6.3.2.29	The creation of additional units through renovation or redevelopment in existing residential neighbourhoods shall be done in a manner that is compatible and complimentary to the character of the neighbourhood. The Zoning By-law will establish regulations for height, density, and massing that will preserve the character of stable neighbourhoods. Council will adopt Design Guidelines to assist in the design and review of development applications within existing stable neighbourhoods.
--	----------	---

- ii) Deleting Section 6.5, COMMERCIAL, and replacing it with the following:

6.5 <i>COMMERCIAL</i>	<p>Commercial lands provide the main locations for the purchase and sale of goods and services. In order to strengthen Windsor’s economy, ensure convenient access and address compatibility concerns, Commercial land uses are provided under three designations on Schedule D: Mixed Use Centre, Mixed Use Corridor and Mixed Use Nodes.</p> <p>Over the lifetime of this Plan, the Mixed Use Centres will evolve to become vibrant mixed-use commercial and residential areas. Ideally, the predominant form of new or redeveloped housing should be Medium and High Profile residential buildings with ground floor and possibly second floor commercial uses and upper floor residential dwellings.</p> <p>The following objectives and policies establish the framework for development decisions in all Commercial areas.</p>
-----------------------	--

- iii) Adding the following after Section 6.5.1.7:

<i>RESIDENTIAL INTENSIFICATIO N</i>	6.5.1.8	To promote residential intensification with Medium and High Profile buildings to meet the housing needs of the City in appropriate areas in proximity to municipal services, transit and employment areas.
---	---------	--

iv) Section 6.5.2 is hereby amended by changing the words “Commercial Centres” to “Mixed Use Centres” throughout the section.

v) Section 6.5.2 is hereby amended by add the following thereto;

These areas will evolve to become compact urban villages with a main street look of medium and High Profile mixed-uses supported by sustainable development practices, providing attractive and accessible places for diverse communities.

vi) Delete 6.5.2.2 and replace it with the following::

<i>RESIDENTIAL AND ANCILLARY USES</i>	6.5.2.2	<p>Medium and High Profile residential uses either as stand-alone buildings or part of a commercial-residential mixed use buildings shall be integrated within the Mixed Use Centres in a manner that creates a mixed-use community in a modern and attractive urban environment that is more pedestrian oriented with outdoor amenity areas and open space.</p> <p>Institutional uses, community, cultural, recreational and entertainment facilities shall be permitted in stand-alone buildings, or in mixed-use buildings/developments. Hotels, institutional uses, community, cultural, recreational and entertainment facilities may be located on individual sites, or form part of a larger, comprehensively planned retail commercial centre.</p>
---	---------	--

vii) Add 6.5.2.6 (i) to 6.5.2.6:

(i) Council will adopt Design Guidelines that will assist in the design and review of development applications in a manner that will ensure implementation of these policies.

viii) Section 6.5.3 is hereby amended by changing the words “Commercial Corridor” to “Mixed Use Corridor” throughout the section.

- ix) Delete and replace Section 6.5.3:

The Mixed-Use Corridor land use designation is intended for areas which are designed for vehicle oriented Mixed-Use uses. Mixed-Use Corridors take the form of mixed-use strips along Arterial and Collector roads within Windsor. These Mixed Use Corridors are expected to provide people-oriented employment and to accommodate higher density/intensity development, while maintaining a broad mix of land uses that support investment in transit and the achievement of complete communities.

- x) Delete and replace Section 6.5.3.1:

<i>PERMITTED USES</i>	6.5.3.1	Uses permitted in the Mixed Use Corridor land use designation are primarily retail, wholesale store (added by OPA 58, 24 07 2006) and service oriented uses and, to a lesser extent, office uses. Medium and High Profile residential uses either as stand-alone buildings or part of a commercial-residential mixed use buildings shall be throughout the Corridors.
---------------------------	---------	--

- xi) Section 6.5.3.3 is hereby amended by deleting the section and replacing it with the following:

<i>STREET PRESENCE</i>	6.5.3.3	Council will encourage Mixed-Use Corridor development to provide a continuous street frontage and presence. Accordingly, development along a Mixed-Use Corridor shall be:
----------------------------	---------	---

		<p>a) no more than four storeys in height, except on lands at an intersection of any combination of the following roads: Class I Arterial Road, Class II Arterial Road, Class I Collector, or Class II Collector Road. The height of buildings shall generally not exceed the width of the road right-of-way abutting the development site; and</p> <p>b) Notwithstanding the identified maximum building height, the Council may consider additional height, where the Council is satisfied that the proposed height achieves compatible development, and where appropriate transitions to abutting lower scale development are established. Appropriate transitions may be achieved through the implementation of regulatory techniques including, but not limited to new height limitations, enhanced building setbacks and step backs, enhanced landscape buffers and planting requirements and/or the implementation of an angular plane. Permissions for taller buildings may be established through a site specific Zoning By-law Amendment.</p> <p>c) encouraged to locate the buildings at the street frontage lot line with parking accommodated at the rear of the site.</p>
--	--	---

xii) Section 6.5.3.8 is hereby amended by adding the following after subsection (e);

<i>DESIGN GUIDELINES</i>	6.5.3.8	(f) Council will adopt Design Guidelines that will assist in the design and review of development applications in a manner that will ensure implementation of these policies.
--------------------------	---------	---

xiii) Section 6.9, Mixed Use, is hereby amended by changing the name “Mixed Use” to “Mixed Use Nodes” throughout the section.

xiv) Section 6.9, Mixed Use, is hereby amended by deleting and replacing it with the following:

<p>6.9 MIXED USE NODES</p>	<p>The lands designated as “Mixed Use Nodes” on Schedule D: Land Use provide the main locations for compact clusters of commercial, office, institutional, open space and residential uses. These areas are generally located within 100 metres of intersections of arterial and collector roads however the size and scale of these Nodes range throughout the City and are defined by the proximity of the non-residential uses to the intersection. Mixed Use Nodes are intended to serve as the focal point for the surrounding neighbourhoods, community or community. As such, they will be designed with a pedestrian orientation and foster a distinctive and attractive area identity.</p> <p>The following objectives and policies establish the framework for development decisions in Mixed Use Areas.</p>
-----------------------------------	--

- xv) Section 6.9.2.1 is hereby amended by deleting d replacing it with the following;

<p><i>PERMITTED USES</i></p>	<p>6.9.2.1</p>	<p>Uses permitted in the Mixed Use Nodes land use designation include retail and service commercial establishments, offices, cultural, recreation and entertainment uses, and institutional, open space and residential uses of up to four stories in height</p>
------------------------------	----------------	--

- xvi) Delete and replace Section 6.9.2.2:
“Intentionally Deleted”
- xvii) Section 6.9.2.5 is hereby amended by deleting sub-sections (a) and (b) and replacing them with the following;

<i>DESIGN GUIDELINES</i>	6.9.2.5	<p>a) the ability to achieve the associated policies as outlined in the Urban Design chapter of this Plan and Design Guidelines adopted by Council;</p> <p>b) the mass, scale, orientation, form, and siting of the development achieves a compact urban form and a pedestrian friendly environment. Buildings should not exceed 4 storeys in height;</p>
--------------------------	---------	---

2. Volume 1, Chapter 8, Urban Design, of the Official Plan is hereby amended by adding the following after Section 8.7.2.3 (i)

<i>DESIGN GUIDELINES</i>	8.7.2.3 (j)	(j) Council adopted Design Guidelines that will assist in the design and review of applications for development in accordance with the policies noted above
--------------------------	-------------	---

3. Volume 1, Chapter 10, Process of the Official Plan is hereby amended by adding the following;:

10.2.20 Design Briefs	A Design Brief identifies the character of a street or neighbourhood over a smaller area than an Urban Design Study. Where this Plan requires the preparation of a Design Brief the following steps shall be taken:	
------------------------------	---	--

<i>EXISTING SITE CONDITIONS AND SURROUNDING CONTEXT</i>	10.2.20.1	The Urban Design Brief should provide a description and analysis of the site and surrounding context. Photographs and a context map showing the subject site in relation to the existing neighbourhood should be included.
---	-----------	--

<p><i>PROJECT DESIGN ANALYSIS</i></p>	<p>10.2.20.2</p>	<p>The Urban Design Brief should provide an analysis of the design rationale for the building, landscape, and site design elements of the proposed development and explain why the proposed development represents the optimum design solution. Discussion should consider the following:</p> <ul style="list-style-type: none"> i) How the design of the proposed development meets the intent of the City’s applicable urban design guidelines and policies; ii) How the design addresses existing site conditions and constraints such as lot size, grading, or natural heritage features; iii) How the design of the proposed development integrates with the existing neighbourhood and enhances its function and aesthetics; and, iv) How the design of the proposed development will influence and integrate with future development in the neighbourhood.
---	------------------	---

<p><i>DESIGN CONSIDERATION S</i></p>	<p>10.2.20.3</p>	<p>The Urban Design Brief should include a written description, plans, elevations, diagrams, and/or photographs to illustrate the design choices of the proposed development and site design. Depending on the scale of the development proposal explain how the applicable design considerations have been addressed:</p> <ul style="list-style-type: none"> i) Street and block pattern (e.g., connectivity, pedestrian access); ii) Lot sizes; iii) Building orientation and site layout; iv) Built form, height, scale, and massing; v) Building articulation and detailing; vi) Building materials; vii) Setbacks from adjacent properties and the street; viii) Building step back (if applicable); ix) Building transition to adjacent neighbourhoods; x) Heritage considerations (if applicable); xi) Location of parking (surface or underground), driveways, ramps, drop-off areas; xii) Access to transit; xiii) Bicycle parking/storage; xiv) Location of servicing, garbage, organics, and recycling storage and collection, and loading areas; xv) Streetscape elements (e.g., boulevard design, landscaping, street furniture, public art, signage, lighting, etc.); and, xvi) On-site landscaping and buffering.
--	------------------	--

4. Volume 1, Chapter 11, Tools of the Official Plan is hereby amended by adding the following subsection in Section 11.7.2:

<i>APPLY SITE PLAN CONTROL</i>	11.7.2.2(b)	iv) Located in a Mature Neighbourhood shown on Schedule A-1
	11.7.2.7	n) Design Guidelines adopted by Council

5. Volume 1, Schedule A-1, Special Policy Areas of the Official Plan is hereby amended by adding the Mature Neighbourhoods designation as shown and Appendix A.

6. Volume I, Schedule D is hereby amended by:

- i) Changing the names of the designations in the Legend as follows:
 - a) Commercial Centres are changed to Mixed Use Centres,
 - b) Commercial Corridors are changed to Mixed Use Corridors, and,
 - c) Mixed Use areas are changed to Mixed Use Nodes;

All as shown on Appendix B.

7. Volume I, Schedule D is hereby amended by:

Changing the designations as follows:

- i) Commercial Centres are changed to Mixed Use Centres,
- ii) Commercial Corridors are changed to Mixed Use Corridors,
- iii) Mixed Use areas are changed to Mixed Use Nodes

All as shown on Appendix B.

8. Volume II, Chapter I, Special Policy Areas, be amended by adding Section 1.52 Mature Neighbourhoods as Heritage Resource

<i>MATURE NEIGHBOURHOODS AS HERITAGE RESOURCE</i>	1.52	Schedule A-1 identifies Mature Neighbourhoods in the City. These areas are not designated as Heritage Areas or Heritage Conservation Districts. However, the areas reflect the cultural heritage of the City and should be protected. When considering the development of these areas, the policies of Section 9.3.7(d) shall be applied.
<i>HERITAGE CONSERVATION</i>	1.51.1	Infill and intensification within Mature Neighbourhoods, shown on Schedule A-1, shall be consistent with the built form, height, massing, architectural and landscape of the area. Council will adopt Design Guidelines to assist in the design and review of development in these areas.

9. Volume II, Chapter 6, Forest Glade Planning Area of the Official Plan is hereby amended as follows:

- i) Section 6.4.1 is hereby amended by deleting the first paragraph and replacing it with the following:

SCHEDULE FGN-2: LAND USE PLAN	It is the intent of the Plan to create a major Mixed Use Node and prestige employment generating business park within the City of Windsor. The development concept for the Planning Area is illustrated on Schedule FGN-2: Land Use Plan. The Planning Area is proposed to consist of residential, commercial and business park type uses, consolidated into larger, comprehensively developed commercial and business park blocks.
----------------------------------	---

- ii) Section 6.4.1 is hereby amended by deleting the second paragraph and replacing it with the following:

MIXED USE CENTRE	The Mixed Use Centre designation pertains to lands in the eastern portion of the Planning Area, and is envisioned to consist primarily of large-format retail uses and Medium and High Profile residential uses.
------------------	--

iii) Section 6.5.2 is hereby deleted and replaced with the following:

EXPAND MIXED USE CENTRE	6.5.2	Expand the existing commercial centre to support a complete community comprised of places to live, work and play as well as offering a full range of goods and services;.
-------------------------------	-------	---

iv) Section 6.7 is hereby amended by changing the words “Commercial Centre” to “Mixed Use Centre” throughout the section.

v) Section 6.7.2.2 is hereby deleted and replaced with the following:

INTEGRATED COMMUNITY	6.7.2.2	Mixed Use Centre uses will evolve to become compact urban villages with a main street look of Medium and High Profile mixed-uses supported by sustainable development practices, providing attractive and accessible places for diverse communities.
-------------------------	---------	--

vi) Section 6.7.2.3 is hereby deleted and replaced with the following:

COMMUNITY FOCAL POINT	6.7.2.3	The Mixed Use Centre will exhibit high development standards to strengthen its role as a community focal point in a manner that creates a mixed-use community in a modern and attractive urban environment that is more pedestrian oriented with outdoor amenity areas and open space.
--------------------------	---------	--

vii) Section 6.7.2.5 is hereby deleted and replaced with the following;

URBAN DESIGN	6.7.2.5	The design guidelines associated with Mixed Use Centre uses and the urban design policies as contained in Volume 1: The Primary Plan, shall apply. In addition, Council may adopt Urban Design Guidelines for the Mixed Use Centre that will guide the development of the area to ensure that the design objectives of this Plan are implemented.
--------------	---------	---

viii) Section 6.7.2. is hereby amended by adding the following after Section 6.7.2.5 with the following:

GUIDELINE PLAN	6.7.2.6	Prior to significant residential development being permitted in the Mixed Use Centre, Council may require the preparation of a Guideline Plan as described in Volume I, Section 10.2.6 of this Plan. The Precinct Plan will ensure that the area develops in accordance with the policies of this section of the Plan and will address development phasing, servicing, community amenities, including parkland and open space among other matters.
----------------	---------	--

ix) Schedule FGN-2 to the Forest Glade Secondary Plan is hereby amended by changing the words “Commercial Centre” to “Mixed Use Centre” as shown on Appendix C.

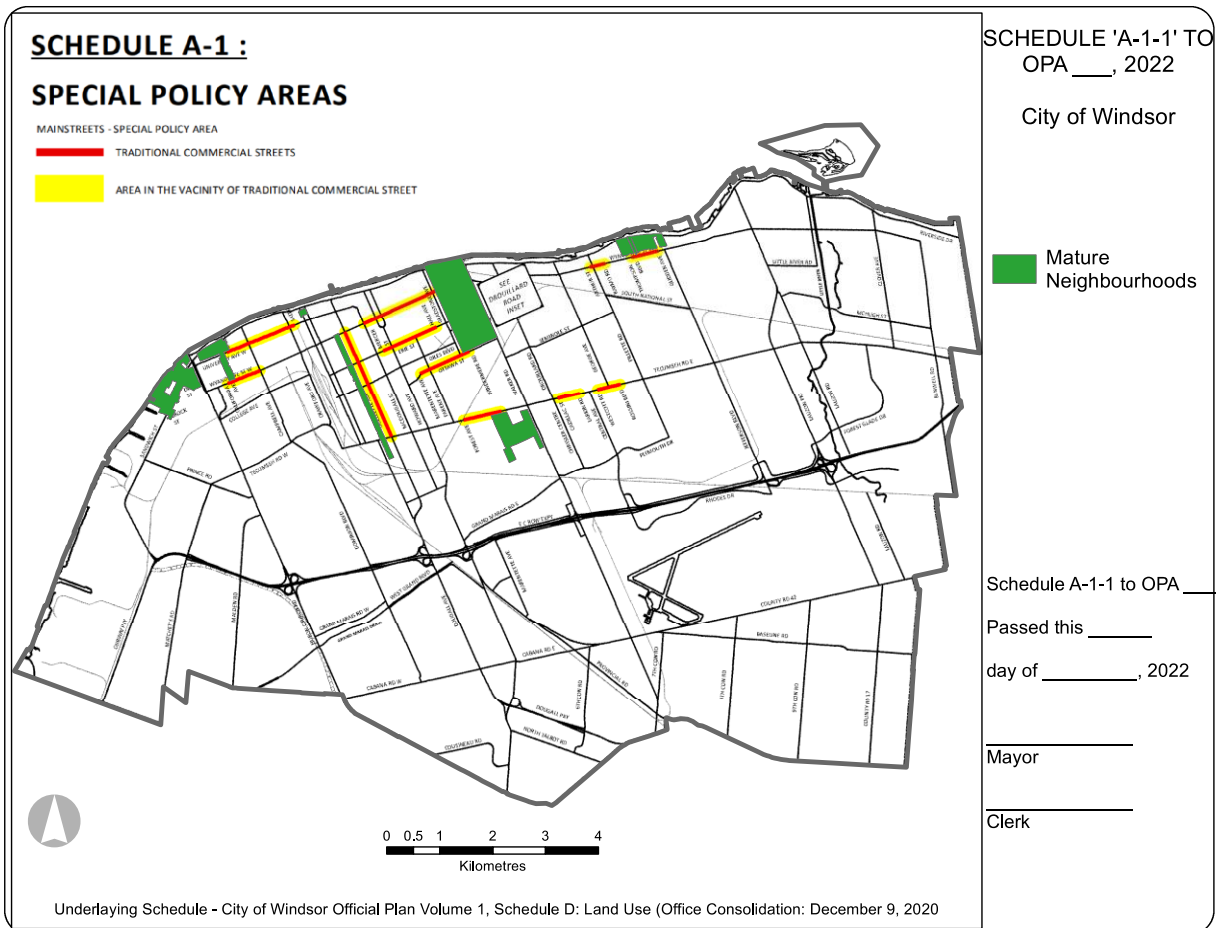
C. IMPLEMENTATION:

- i. Amend the text of Volume I and Volume II of the City of Windsor Official Plan, Schedule A-1, Schedule D and Schedule FGN-1 as outlined in OPA #159.
- ii. This amendment shall be implemented through future amendments to the Zoning By-law 8600 as discussed in Report S64/2022.
- iii. Site Plan Control shall be an additional implementation tool for this Official Plan Amendment (OPA #159).

This page was intentionally left blank.

Appendix A to Official Plan Amendment No 159

City of Windsor Official Plan, Volume 1



Appendix B to Official Plan Amendment No 159

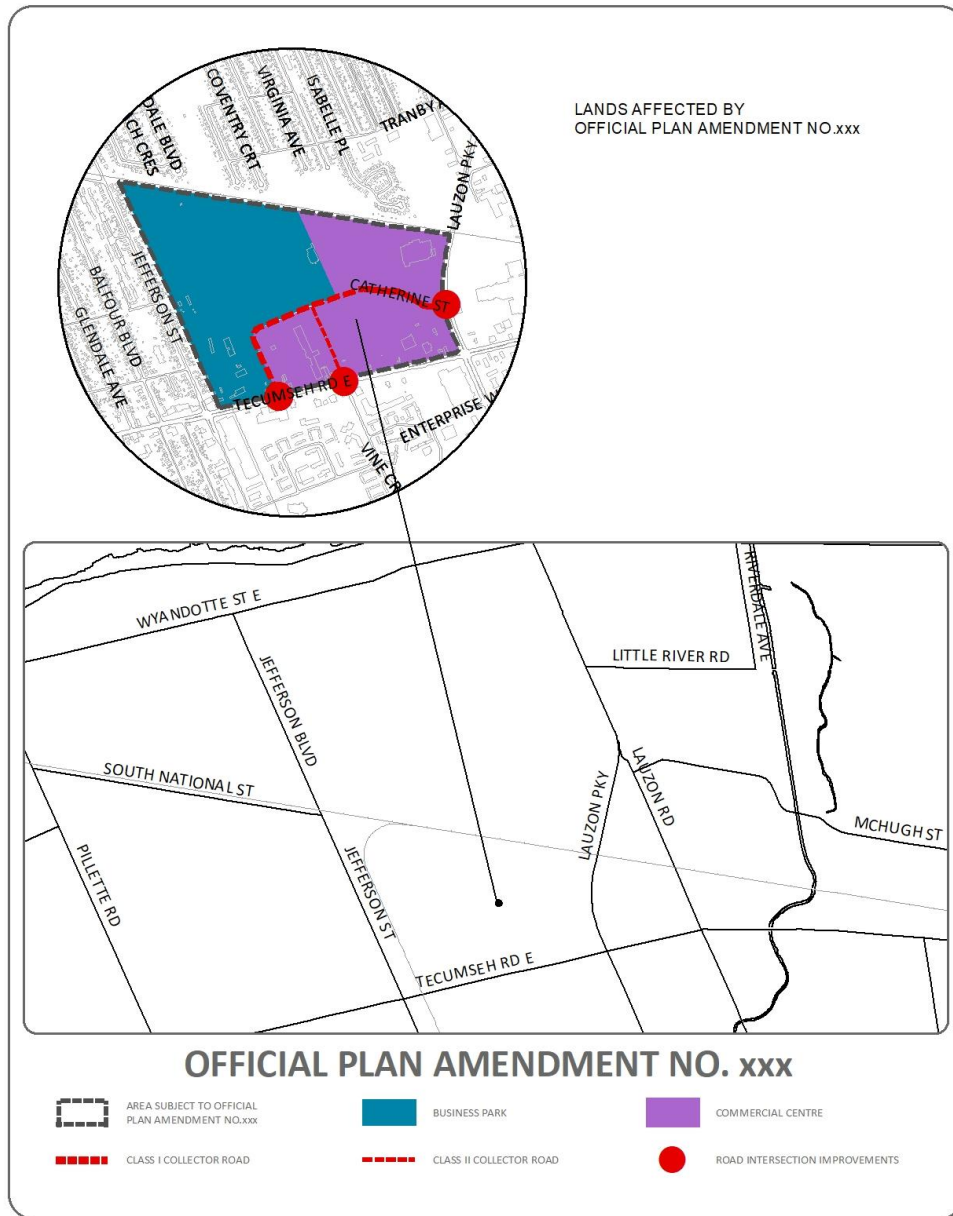
City of Windsor Official Plan, Volume 1



Appendix C to Official Plan Amendment No 159

City of Windsor Official Plan, Volume 2

SCHEDULE FGN5.2



Schedule I

The following are the results of public notification of the amendments and the outcome of public meetings. Comments relate to the Official Plan amendment and the associated rezoning.

A public meeting of the Development & Heritage Standing Committee (DHSC), the statutory meeting, was held on June 6, 2022.

A meeting of City Council was held on June 13, 2022, at which time the subject Official Plan Amendment was considered along with the accompanying Zoning By-law Amendment application (File No.:Z 019-22 [ZNG-6756]). The recommended OPA #159 was adopted by CR264/2022. An extract from the minutes of the meeting are included.

Phone: (519)255-6211

**CITY HALL
WINDSOR, ONTARIO
N9A 6S1**

Fax: (519)255-6868

E-mail: clerks@citywindsor.ca

WEBSITE: www.citywindsor.ca

**City Council
Decision
Monday, June 13, 2022**

Moved by: Councillor Bortolin
Seconded by: Councillor Costante

Decision Number: CR264/2022 DHSC 397

1. That the reports titled "MRICBL Background Study" prepared by Municipal Planning Consultants, dated April 2022, attached as Appendix B to Report S 64/2022 **BE ACCEPTED**.
2. That Volume 1: The Primary Plan of the City of Windsor Official Plan ("Official Plan") **BE AMENDED** as follows:
 - 2A) Change the text of the Official Plan as follows:
 - a) "Commercial Corridor" changes to "Mixed Use Corridor"
 - b) "Commercial Centre" changes to "Mixed Use Centre"
 - c) "Mixed Use" changes to "Mixed Use Node"; and

That Schedule A-1: Special Policy Areas of the Official Plan **IS AMENDED** by adding the Mature Neighbourhoods designation as shown on Schedule A-1-1 attached to this report; and,

That Schedule D: Land Use of the Official Plan **IS AMENDED** by changing the names of the designations in the Legend as follows:

- i. "Commercial Corridor" changes to "Mixed Use Corridor"
- ii. "Commercial Centre" changes to "Mixed Use Centre"
- iii. "Mixed Use" changes to "Mixed Use Node"; and

That Schedule D: Land Use of the Official Plan **IS FURTHER AMENDED** by changing the existing land use designations to the Mixed Use Corridor, Mixed Use Centre, and Mixed Use Node designations as shown on Schedule D-1 attached to this report.

2B) Add the following to the Chapter 6 – Land Use:

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

Phone: (519)255-6211

**CITY HALL
WINDSOR, ONTARIO
N9A 6S1**

Fax: (519)255-6868

E-mail: clerks@citywindsor.ca

WEBSITE: www.citywindsor.ca

2C) Delete 6.3.1.3 and replace it with the following:

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

2D) Delete 6.3.2.1 and replace it with the following:

PERMITTED 6.3.2.1 Uses permitted in the Residential land use designation
USES identified on Schedule D: Land Use include Low Profile
and Medium Profile dwelling units.
High Profile Residential Buildings shall be directed to
locate in the City Centre, Mixed Use Centres and Mixed
Use Corridors.

2E) Delete 6.3.2.3 and replace it with the following:

TYPES OF 6.3.2.3 For the purposes of this Plan, Low Profile housing
LOW PROFILE development is further classified as follows:
HOUSING

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

2F) Delete 6.3.2.4 and replace it with the following:

LOCATIONAL 6.3.2.4 Residential intensification shall be directed to the Mixed
CRITERIA Use Nodes and areas generally within 200 metres of those
Nodes. Within these areas mid-profile buildings, up 4
storeys in height shall be permitted. These taller buildings
shall be designed to provide a transition in height and
massing from low-profile areas. 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.

Phone: (519)255-6211

**CITY HALL
WINDSOR, ONTARIO
N9A 6S1**

Fax: (519)255-6868

E-mail: clerks@citywindsor.ca

WEBSITE: www.citywindsor.ca

2G) Delete 6.3.2.5 (c) and replace it with the following:

- (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;

2H) Delete 6.3.2.5 (f) and replace it with the following:

- (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.

2I) Delete 6.3.2.9 and replace it with the following:

*NEIGHBOURHOOD 6.3.2.9
COMMERCIAL
EVALUATION
CRITERIA*

Neighbourhood Commercial uses shall be encouraged to locate in Mixed Use Nodes as shown on Schedule J. Ideally these uses would form part of a multi-use building with residential uses located above or behind the non-residential uses on the street front.

At the time of submission, the proponent shall demonstrate to the satisfaction of the Municipality that a proposed Neighbourhood Commercial development within a designated Residential area 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;

Phone: (519)255-6211

**CITY HALL
WINDSOR, ONTARIO
N9A 6S1**

Fax: (519)255-6868

E-mail: clerks@citywindsor.ca

WEBSITE: www.citywindsor.ca

- (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;
 - (v) adjacent to heritage resources; and
 - (vi) where market impact is identified as a municipal concern;
- (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 landscaped areas;
 - (d) capable of being provided with full municipal physical services and emergency services; and
 - (e) provided with adequate off-street parking.

2J) Delete 6.3.2.17 and replace it with the following:

*HERITAGE
CONSERVATION*

6.3.2.17

Council shall encourage the retention, restoration and sensitive renovation of historic and/or architecturally significant residential buildings in accordance with the Heritage Conservation chapter of this Plan.

Infill and intensification within Mature Neighbourhoods, shown on Schedule A-1, shall be consistent with the built form, height, massing, architectural and landscape of the area. Council will adopt Design Guidelines to assist in the design and review of development in these areas.

Phone: (519)255-6211

**CITY HALL
WINDSOR, ONTARIO
N9A 6S1**

Fax: (519)255-6868

E-mail: clerks@citywindsor.ca

WEBSITE: www.citywindsor.ca

2K) Delete 6.3.2.29 and replace it with the following:

*COMPATIBLE
ADDITIONAL
UNITS* 6.3.2.29 The creation of additional units through renovation or redevelopment in existing residential neighbourhoods shall be done in a manner that is compatible and complimentary to the character of the neighbourhood. The Zoning By-law will establish regulations for height, density, and massing that will preserve the character of stable neighbourhoods. Council will adopt Design Guidelines to assist in the design and review of development applications within existing stable neighbourhoods.

2L) Delete 6.5 and replace it with the following:

6.5 Commercial

Commercial lands provide the main locations for the purchase and sale of goods and services. In order to strengthen Windsor's economy, ensure convenient access and address compatibility concerns, Commercial land uses are provided under three designations on Schedule D: Mixed Use Centre, Mixed Use Corridor and Mixed Use Nodes.

Over the lifetime of this Plan, the Mixed Use Centres will evolve to become vibrant mixed-use commercial and residential areas. Ideally, the predominant form of new or redeveloped housing should be medium and high-density residential buildings with ground floor and possibly second floor commercial uses and upper floor residential dwellings.

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

2M) Add the 6.5.1.8 to the Chapter 6 – Land Use:

*RESIDENTIAL
INTENSIFICATION* 6.5.1.8 To promote residential intensification with medium and high profile buildings to meet the housing needs of the City in appropriate areas where municipal services, transit and employment are in proximity.

Phone: (519)255-6211

**CITY HALL
WINDSOR, ONTARIO
N9A 6S1**

Fax: (519)255-6868

E-mail: clerks@citywindsor.ca

WEBSITE: www.citywindsor.ca

2N) Delete 6.5.2.2 and replace it with the following:

RESIDENTIAL 6.5.2.2

AND

ANCILLARY

USES

Medium and high profile residential uses either as stand-alone buildings or part of a commercial-residential mixed use buildings shall be integrated within the Mixed Use Centres in a manner that creates a mixed-use community in a modern and attractive urban environment.

Institutional uses, community, cultural, recreational and entertainment facilities shall be permitted in stand-alone buildings, or in mixed-use buildings/developments. Hotels, institutional uses, community, cultural, recreational and entertainment facilities may be located on individual sites, or form part of a larger, comprehensively planned retail commercial centre.

In addition to the uses permitted above, Council may permit ancillary Open Space and Major Institutional uses in areas designated as Mixed Use Centre on Schedule D: Land Use without requiring an amendment to this Plan provided that:

- (a) the ancillary use is clearly incidental and secondary to, and complementary with, the main commercial use; and
- (b) the development satisfies the policies for the proposed land use.

2O) Add 6.5.2.6 (i) to 6.5.2.6:

- (i) Council will adopt Design Guidelines that will assist in the design and review of development applications in a manner that will ensure implementation of these policies.

2P) Delete 6.5.3 and replace it with the following:

The Mixed Use Corridor land use designation is intended for areas which are designed for vehicle oriented Mixed Use uses. Mixed Use Corridors take the form of Mixed Use strips along Arterial and Collector roads within Windsor. These Mixed Use Corridors are expected to provide people-oriented employment and to accommodate higher density/intensity development, while maintaining a broad mix of land

Phone: (519)255-6211

**CITY HALL
WINDSOR, ONTARIO
N9A 6S1**

Fax: (519)255-6868

E-mail: clerks@citywindsor.ca

WEBSITE: www.citywindsor.ca

uses that support investment in transit and the achievement of complete communities.

2Q) Delete 6.5.3.1 and replace it with the following:

PERMITTED USES 6.5.3.1 Uses permitted in the Mixed Use Corridor land use designation are primarily retail, wholesale store (added by OPA 58, 24 07 2006) and service oriented uses and, to a lesser extent, office uses.
Medium and High profile residential uses either as stand-alone buildings or part of a commercial-residential mixed use buildings shall be throughout the Corridors.

2R) Delete 6.5.3.3 and replace it with the following:

STREET PRESENCE 6.5.3.3 Council will encourage Mixed Use Corridor development to provide a continuous street frontage and presence. Accordingly, development along a Mixed-Use Corridor shall be:
(a) no more than four storeys in height, except on lands immediately adjacent to an intersection with a Class I or Class II Arterial Road or Class I or Class II Collector Road where the height of buildings shall generally not exceed the width of the road right-of-way abutting the development site; and

Phone: (519)255-6211

**CITY HALL
WINDSOR, ONTARIO
N9A 6S1**

Fax: (519)255-6868

E-mail: clerks@citywindsor.ca

WEBSITE: www.citywindsor.ca

- (b) Notwithstanding the identified maximum building height, the City may consider additional height, where the City is satisfied that the proposed height achieves compatible development, and where appropriate transitions to abutting lower scale development are established. Appropriate transitions may be achieved through the implementation of regulatory techniques including, but not limited to new height limitations, enhanced building setbacks and step backs, enhanced landscape buffers and planting requirements and/or the implementation of an angular plane. Permissions for taller buildings may be established through a site specific zoning By-law Amendment;
- (c) encouraged to locate the buildings at the street frontage lot line with parking accommodated at the rear of the site.

2S) Add 6.5.3.8 (f) to 6.5.3.8:

- (i) Council will adopt Design Guidelines that will assist in the design and review of development applications in a manner that will ensure

2T) Delete 6.9 and replace it with the following:

The lands designated as “Mixed Use Nodes” on Schedule D: Land Use provide the main locations for compact clusters of commercial, office, institutional, open space and residential uses. These areas are intended to serve as the focal point for the surrounding neighbourhoods, community. As such, they will be designed with a pedestrian orientation and foster a distinctive and attractive area identity.

The following objectives and policies establish the framework for development decisions in Mixed Use Nodes areas.

2U) Delete 6.9.2.2

2V) Delete 6.9.2.3 and replace it with 6.9.2.2:

LOCATIONAL 6.9.2.2 Mixed Use Nodes development shall be located where:
CRITERIA

Phone: (519)255-6211

**CITY HALL
WINDSOR, ONTARIO
N9A 6S1**

Fax: (519)255-6868

E-mail: clerks@citywindsor.ca

WEBSITE: www.citywindsor.ca

- (a) there is access to Class I or Class II Arterial Roads or Class I Collector Road;
- (b) full municipal physical services can be provided;
- (c) public transportation service can be provided; and
- (d) the surrounding development pattern is compatible with Mixed Use Nodes development.

2W) Delete 6.9.2.5(b) and replace it with 6.9.2.4 (b):

- (b) the mass, scale, orientation, form, and siting of the development achieves a compact urban form and a pedestrian friendly environment. Building should not exceed 4 storeys in height;

2X) Add 8.7.2.3 (j) to the Chapter 8 – Urban Design:

- (j) Council may adopt Design Guidelines that will assist in the design and review of applications for development in accordance with the policies noted above.

2Y) Add 9.3.8 to Chapter 9 – Heritage Conservation:

<p><i>RECOGNIZE</i> 9.3.8 <i>MATURE</i> <i>NEIGHBOURH</i> <i>OODS</i> <i>AS</i> <i>HERITAGE</i> <i>RESOURCE</i></p>	<p>Schedule A-1 illustrates Mature Neighbourhoods in the City. These areas are not designated as Heritage Areas or Heritage Conservation Districts. However, the areas reflect the cultural heritage of the City and should be protected. When considering the development of these areas, the policies of Section 9.3.7(d) shall be applied.</p>
---	---

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

3A) Delete Section 10.1.5.4 and substitute with a new Section 10.1.5.4 as follows:

				Duplex Dwelling	Semi-Detached Dwelling	Single Unit Dwelling
.4	Main Building	Height	-	9.0 m	9.0 m	9.0 m
	maximum					

Phone: (519)255-6211

**CITY HALL
WINDSOR, ONTARIO
N9A 6S1**

Fax: (519)255-6868

E-mail: clerks@citywindsor.ca

WEBSITE: www.citywindsor.ca

3B) Add Section 10.1.5.10 as follows:

	Duplex Dwelling	Semi-Detached Dwelling	Single Unit Dwelling
.10 Gross Floor Area - maximum	400 m ²	400 m ²	400 m ²

3C) Delete Section 10.2.5.4 and substitute with a new Section 10.2.5.4 as follows:

	Duplex Dwelling	Semi-Detached Dwelling	Single Unit Dwelling
.4 Main Building Height - maximum	9.0 m	9.0 m	9.0 m

3D) Add Section 10.2.5.10 as follows:

	Duplex Dwelling	Semi-Detached Dwelling	Single Unit Dwelling
.10 Gross Floor Area - maximum	400 m ²	400 m ²	400 m ²

3E) Delete Section 10.3.5.4 and substitute with a new Section 10.3.5.4 as follows:

	Duplex Dwelling	Semi-Detached Dwelling	Single Unit Dwelling
.4 Main Building Height - maximum	9.0 m	9.0 m	9.0 m

3F) Add Section 10.3.5.10 as follows:

	Duplex Dwelling	Semi-Detached Dwelling	Single Unit Dwelling
.10 Gross Floor Area - maximum	400 m ²	400 m ²	400 m ²

Phone: (519)255-6211

**CITY HALL
WINDSOR, ONTARIO
N9A 6S1**

Fax: (519)255-6868

E-mail: clerks@citywindsor.ca

WEBSITE: www.citywindsor.ca

3G) Delete Section 10.4.5.4 and substitute with a new Section 10.4.5.4 as follows:

				Duplex Dwelling	Semi-Detached Dwelling	Single Unit Dwelling
.4	Main Building	Height	-	9.0 m	9.0 m	9.0 m
	maximum					

3H) Add Section 10.4.5.10 as follows:

		Duplex Dwelling	Semi-Detached Dwelling	Single Unit Dwelling
.10	Gross Floor Area - maximum	400 m ²	400 m ²	400 m ²

3I) Delete Section 10.5.5.4 and substitute with a new Section 10.4.5.4 as follows:

.4	Main Building	Height	-	9.0 m
	maximum			

3J) Add Section 10.5.5.10 as follows:

.10	Gross Floor Area - maximum	400 m ²
-----	----------------------------	--------------------

3K) Delete Section 11.1.5.4 and substitute with a new Section 11.1.5.4 as follows:

				Duplex Dwelling	Semi-Detached Dwelling	Single Unit Dwelling
.4	Main Building	Height	-	9.0 m	9.0 m	9.0 m
	maximum					

Phone: (519)255-6211

**CITY HALL
WINDSOR, ONTARIO
N9A 6S1**

Fax: (519)255-6868

E-mail: clerks@citywindsor.ca

WEBSITE: www.citywindsor.ca

3L) Add Section 11.1.5.10 as follows:

	Duplex Dwelling	Semi-Detached Dwelling	Single Unit Dwelling
.10 Gross Floor Area - maximum	400 m ²	400 m ²	400 m ²

3M) Delete Section 11.2.5 and substitute with a new Section 11.2.5 as follows:

11.2.5 PROVISIONS

.1 Duplex Dwelling		
.1 Lot Width – minimum		12.0 m
.2 Lot Area – minimum		360.0 m ²
.3 Lot Coverage – maximum		45.0%
.4 Main Building Height – maximum		9.0 m
.5 Front Yard Depth – minimum		6.0 m
.6 Rear Yard Depth – minimum		7.50 m
.7 Side Yard Width – minimum		1.20 m
.10 Gross Floor Area – maximum		400 m ²
.2 Semi-Detached Dwelling		
.1 Lot Width – minimum		15.0 m
.2 Lot Area – minimum		450.0 m ²
.3 Lot Coverage – maximum		45.0%
.4 Main Building Height – maximum		9.0 m
.5 Front Yard Depth – minimum		6.0 m
.6 Rear Yard Depth – minimum		7.50 m
.7 Side Yard Width – minimum		1.20 m
.10 Gross Floor Area – maximum		400 m ²
.3 Single Unit Dwelling		
.1 Lot Width – minimum		9.0 m
.2 Lot Area – minimum		270.0 m ²
.3 Lot Coverage – maximum		45.0%
.4 Main Building Height – maximum		9.0 m
.5 Front Yard Depth – minimum		6.0 m
.6 Rear Yard Depth – minimum		7.50 m
.7 Side Yard Width – minimum		1.20 m
.10 Gross Floor Area – maximum		400 m ²

Phone: (519)255-6211

**CITY HALL
WINDSOR, ONTARIO
N9A 6S1**

Fax: (519)255-6868

E-mail: clerks@citywindsor.ca

WEBSITE: www.citywindsor.ca

- .4 Double Duplex Dwelling or Multiple Dwelling
 - .1 Lot Width – minimum 18.0 m
 - .2 Lot Area – minimum 540.0 m²
 - .3 Lot Coverage – maximum 45.0%
 - .4 Main Building Height – maximum 9.0 m
 - .5 Front Yard Depth – minimum 6.0 m
 - .6 Rear Yard Depth – minimum 7.50 m
 - .7 Side Yard Width – minimum 1.80 m
- .5 Townhome Dwelling
 - .1 Lot Width – minimum 20.0 m
 - .2 Lot Area – per *dwelling unit* – minimum 200.0 m²
 - .3 Lot Coverage – maximum 45.0%
 - .4 Main Building Height – maximum 9.0 m
 - .5 Front Yard Depth – minimum 6.0 m
 - .6 Rear Yard Depth – minimum 7.50 m
 - .7 Side Yard Width – minimum 1.50 m

3N) Delete Section 11.3.5.4 and substitute with a new Section 11.3.5.4 as follows:

	Semi-Detached Dwelling	Single Unit Dwelling	Townhome Dwelling
.4 Main Building Height - maximum	9.0 m	9.0 m	9.0 m

3O) Add Section 11.3.5.10 as follows:

	Semi-Detached Dwelling	Single Unit Dwelling	Townhome Dwelling
.10 Gross Floor Area - maximum	400 m ²	400 m ²	400 m ²

Phone: (519)255-6211

**CITY HALL
WINDSOR, ONTARIO
N9A 6S1**

Fax: (519)255-6868

E-mail: clerks@citywindsor.ca

WEBSITE: www.citywindsor.ca

3P) Delete Section 11.4.5.4 and substitute with a new Section 11.4.5.4 as follows:

3Q) Add Section 11.4.5.1 0 as follows:	.4 Main Building Height - maximum	Semi- Detached Dwelling 9.0 m	Single Unit Dwelling 9.0 m
--	--------------------------------------	--	----------------------------------

.10 Gross Floor Area - maximum	Semi- Detached Dwelling 400 m ²	Single Unit Dwelling 400 m ²
--------------------------------	---	---

3R) Delete Section 5.2.20.1

3. That Interim Control By-law 103-2020 **BE REPEALED** when the amending by-laws that implement the Official Plan Amendment and Zoning By-law amendments are in force.
4. That the City of Windsor Intensification Guidelines **BE ADOPTED** as the Design Guidelines referenced in the Official Plan to evaluate Infill and Intensification development proposals.

Carried.

Report Number: SCM 149/2022 & S 64/2022
Clerk's File: Z/14384 & Z/13872 8.4

Anna Ciacelli
Deputy City Clerk

June 24, 2022

BY-LAW NUMBER 101-2022

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

Passed the 11th day of July, 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 By-law 8600 be amended by adding to Section 3.10 the following:

GROSS FLOOR AREA – MAIN BUILDING means the total combined floor area in square metres of the *main building* on a *lot*, excluding the *cellar* of any *building*, measured from the outside face of the exterior walls of the *main building*.

2. That the said by-law be further amended by deleting Section 10.1.5.4 and substituting the following therefor:

.4	Main Building Height - maximum	9.0 m	9.0 m	9.0 m
----	--------------------------------	-------	-------	-------

3. That the said by-law be further amended by adding to Section 10.1.5.8 the following:

.8	Gross Floor Area – Main Building- maximum	400 m ²	400 m ²	400 m ²
----	---	--------------------	--------------------	--------------------

4. That the said by-law be further amended by deleting Section 10.2.5.4 and substituting the following therefor :

.4	Main Building Height – maximum	9.0 m	9.0 m	9.0 m
----	--------------------------------	-------	-------	-------

5. That the said by-law be further amended by adding to Section 10.2.5.8 the followings:

.8	Gross Floor Area – Main Building - maximum	400 m ²	400 m ²	400
----	--	--------------------	--------------------	-----

6. That the said by-law be further amended by deleting Section 10.3.5.4 and substituting the following therefor :

.4	Main Building Height – maximum	9.0 m	9.0 m	9.0 m
----	--------------------------------	-------	-------	-------

7. That the said by-law be further amended by adding to Section 10.3.5.8 the following :

.8	Gross Floor Area – Main Building- maximum	400 m ²	400 m ²	400 m ²
----	---	--------------------	--------------------	--------------------

8. That the said by-law be further amended by deleting Section 10.4.5.4 and substituting the following therefor:

.4	Main Building Height – maximum	9.0 m	9.0 m	9.0 m
----	--------------------------------	-------	-------	-------

9. That the said by-law be further amended by adding to Section 10.4.5.8 the following:

.8	Gross Floor Area – Main Building - maximum	400 m ²	400 m ²	400 m ²
----	--	--------------------	--------------------	--------------------

10. Delete and substitute 10.5.5.4 as follows

.4	Main Building Height – maximum	9.0 m		
----	--------------------------------	-------	--	--

K. Add Section 10.5.5.8 as follows:

.8	Gross Floor Area – Main Building - maximum	400 m ²		
----	--	--------------------	--	--

L. Delete and substitute 11.1.5.4 as follows

.4	Main Building Height – maximum	9.0 m	9.0 m	9.0 m
----	--------------------------------	-------	-------	-------

M. Add Section 11.1.5.8 as follows:

.8	Gross Floor Area – Main Building - maximum	400 m ²	400 m ²	400 m ²
----	--	--------------------	--------------------	--------------------

N Delete Section 11.2.5 and substitute with a new Section 11.2.5 as follows:

11.2.5 PROVISIONS

.1 Duplex Dwelling

.1	Lot Width – minimum	12.0 m		
.2	Lot Area – minimum	360.0 m ²		
.3	Lot Coverage – maximum	45.0%		
.4	Main Building Height – maximum	9.0 m		
.5	Front Yard Depth – minimum	6.0 m		
.6	Rear Yard Depth – minimum	7.50 m		
.7	Side Yard Width – minimum	1.20 m		
.10	Gross Floor Area – Main Building – maximum	400 m ²		

.2 Semi-Detached Dwelling

.1	Lot Width – minimum	15.0 m		
.2	Lot Area – minimum	450.0 m ²		
.3	Lot Coverage – maximum	45.0%		
.4	Main Building Height – maximum	9.0 m		
.5	Front Yard Depth – minimum	6.0 m		
.6	Rear Yard Depth – minimum	7.50 m		

- .7 Side Yard Width – minimum 1.20 m
- .10 Gross Floor Area – Main Building– maximum 400 m²
- .3 Single Unit Dwelling
 - .1 Lot Width – minimum 9.0 m
 - .2 Lot Area – minimum 270.0 m²
 - .3 Lot Coverage – maximum 45.0%
 - .4 Main Building Height – maximum 9.0 m
 - .5 Front Yard Depth – minimum 6.0 m
 - .6 Rear Yard Depth – minimum 7.50 m
 - .7 Side Yard Width – minimum 1.20 m
 - .10 Gross Floor Area – Main Building– maximum 400 m²
- .4 Double Duplex Dwelling or Multiple Dwelling
 - .1 Lot Width – minimum 18.0 m
 - .2 Lot Area – minimum 540.0 m²
 - .3 Lot Coverage – maximum 45.0%
 - .4 Main Building Height – maximum 9.0 m
 - .5 Front Yard Depth – minimum 6.0 m
 - .6 Rear Yard Depth – minimum 7.50 m
 - .7 Side Yard Width – minimum 1.80 m
- .5 Townhome Dwelling
 - .1 Lot Width – minimum 20.0 m
 - .2 Lot Area – per *dwelling unit* – minimum 200.0 m²
 - .3 Lot Coverage – maximum 45.0%
 - .4 Main Building Height – maximum 9.0 m
 - .5 Front Yard Depth – minimum 6.0 m
 - .6 Rear Yard Depth – minimum 7.50 m
 - .7 Side Yard Width – minimum 1.50 m

O. Delete and substitute 11.3.5.4 as follows

- .4 Main Building Height – maximum 9.0 m 9.0 m 9.0 m

P. Add Section 11.3.5.8 as follows:

- .8 Gross Floor Area – Main Building - maximum 400 m² 400 m² 400 m²

Q. Delete and substitute 11.4.5.4 as follows

- .4 Main Building Height – maximum 9.0 m 9.0 m

R. Add Section 11.4.5.8 as follows:
.8 Gross Floor Area – Main 400 m² 400 m²
Building- maximum

S. Delete Section 5.2.20.1

DREW DILKENS, MAYOR

CITY CLERK

First Reading - July 11, 2022
Second Reading - July 11, 2022
Third Reading - July 11, 2022

BY-LAW NUMBER 102-2022

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

Passed the 11th day of July, 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 District Maps or parts thereof of the said by-law and made part thereof, so that the zoning district symbol of the lands therein and hereinafter described shall be changed from that shown in Column 5 hereof to that shown in Column 6 hereof:

1. Item Number	2. Zoning District Map Part	3. Lands Affected	4. Official Plan Amendment Number	5. Zoning Symbol	6. New Zoning Symbol
1	9	Part of Havens Drive and Part of Block 63, 12M-364, being Parts 1 and 3, 12R-28535	N/A	HRD1.1	RD1.1

2. That Schedule 'A', attached hereto, is hereby declared to form part of this amending by-law.

DREW DILKENS, MAYOR

CITY CLERK

First Reading - July 11, 2022
 Second Reading - July 11, 2022
 Third Reading - July 11, 2022

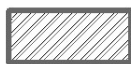


PART OF ZONING DISTRICT MAP 9

N.T.S.

H-REMOVAL

Applicant: City of Windsor



SUBJECT LANDS TO BE ZONED RD1.1

PLANNING & BUILDING DEPARTMENT



DATE : JUNE 2022
FILE NO. : H-008/22, HRM/6790

THIS IS SCHEDULE "A" TO BY-LAW 102-2022

MAYOR _____ CLERK _____

BY-LAW NUMBER 103-2022

A BY-LAW TO ESTABLISH LANDS AS A PUBLIC HIGHWAY KNOWN AS
SANDWICH STREET, IN THE CITY OF WINDSOR

Passed the 11th day of July, 2022.

WHEREAS the lands described in Schedule "A" annexed hereto and forming part of this by-law are vested in The Corporation of the City of Windsor.

AND WHEREAS it is deemed expedient to establish the said lands hereinafter described as a public highway.

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

1. That the lands described in said Schedule "A" annexed hereto are established as a public highway known as **SANDWICH STREET**.
2. That this by-law shall come into force and take effect after the final passing thereof on the day on which it is electronically registered in the Land Registry Office of Essex (12).

DREW DILKENS, MAYOR

CITY CLERK

First Reading - July 11, 2022
Second Reading - July 11, 2022
Third Reading - July 11, 2022

SCHEDULE "A"

PT PARK LT B S/S CENTRE RD PL 40 TOWN OF SANDWICH PTS 15, 16
& 17, 12R9322; WINDSOR

PIN 01553-0386 (R)

Sandwich Street, Windsor

BY-LAW NUMBER 104-2022

A BY-LAW TO ADOPT AMENDMENT NO. 152
TO THE OFFICIAL PLAN OF THE CITY OF
WINDSOR

Passed the 11th day of July, 2022.

WHEREAS pursuant to the provisions of Section 17(1) of the *Planning Act*, R.S.O. 1990, c. P.13 as amended, the Minister of Municipal Affairs and Housing (Minister) is the approval authority in respect of the approval of a plan as an official plan.

AND WHEREAS Section 17(9) of the said *Planning Act* provides that the Minister may by order exempt a proposed official plan amendment from his approval under Section 17(1) of the said Act.

AND WHEREAS pursuant to the provisions of Ontario Regulation 525/97 all amendments to the official plan of the City of Windsor commenced after January 19, 1998 are exempt from the approval of the said Minister.

THEREFORE the Council of the Corporation of the City of Windsor in accordance with the provisions of the said *Planning Act* hereby enacts as follows:
1. That Amendment No. **152** to the Official Plan of the City of Windsor, attached hereto, is hereby adopted.

DREW DILKENS, MAYOR

CITY CLERK

First Reading - July 11, 2022
Second Reading - July 11, 2022
Third Reading - July 11, 2022

AMENDMENT NO. 152
TO THE
OFFICIAL PLAN
CITY OF WINDSOR

Part D (Details of the Amendment) of the following text and attached map (Schedule A) of the City of Windsor Official Plan constitute Amendment No. 152.

Also included, but not constituting part of the Amendment, are explanations of Purpose, Location, Background and Implementation of the Amendment, Appendix I (Results of Public Involvement).

A. PURPOSE:

The purpose of this amendment is to provide a site-specific policy permitting uses identified in Section 6.9.2.1 as additional permitted uses on the subject land Industrial in the land use Schedule of the Official Plan.

B. LOCATION:

The amendment applies to the land described comprising PT LT 27 E/S SANDWICH ST PL 40; LT 28 E/S SANDWICH ST PL 40; PT LT 28 W/S OF PETER ST PL 40, located at the northeast corner of Sandwich Street and Chappell Avenue; Roll No. 050-170-09700 and 050-170-09800.

C. BACKGROUND:

The proposed development is located on a 0.67-hectare (1.92 acre) portion of land that consists of two vacant properties at the northeast corner of Sandwich Street and Chappell Avenue. The subject lands is the site of a former tavern/restaurant (former Presidents Club/Rum Runners, Lido and Chappell House) towards the south and the subject lands towards the north is the former site of a former six (6) family residential dwelling. Vehicular access to the development will be via the existing driveways and collector aisles on the subject lands from Sandwich Street and Chappell Avenue.

The Applicant is requesting an amendment to the Official Plan by deleting and replacing Special Policy Area 1.7 to allow uses identified in Section 6.9.2.1; which include retail and service commercial establishments, offices, cultural, recreation and entertainment uses, and institutional, open space and residential uses, exclusive of small scale Low Profile residential development. The applicant is also requesting an amendment to Zoning By-law 8600 by adding a site-specific exception to allow a multiple dwelling and dwelling units in a combined use building as an additional permitted use subject to prohibited uses and provisions identified in the Development Heritage Standing Committee Minutes in Appendix A. The proposed development is subject to site plan control. A Plan of Condominium application may be submitted in the future.

The City of Windsor Official Plan currently designates the site "Industrial". A multiple dwelling and dwelling units in a combined use building is not permitted in the Industrial designation. The applicant is proposing a special policy area for the subject parcel. The Special Policy Area would maintain the existing Industrial designation while allowing for multiple dwelling and dwelling units in a combined use building. When Official Plan Amendment 152 is approved, the requested zoning amendment will conform to the Zoning Amendment Policies, Section 11.6.3.1 and 11.6.3.3, of the Official Plan and conform to the general direction of the Official Plan.

D. DETAILS OF THE AMENDMENT:

- (1) That Schedule "A" of Volume 1: The Primary Plan of the City of Windsor Official Plan BE AMENDED by applying a Special Policy Area to PT LT 27 E/S SANDWICH ST PL 40; LT 28 E/S SANDWICH ST PL 40; PT LT 28 W/S OF PETER ST PL 40, located at the northeast corner of Sandwich Street and Chappell Avenue; Roll No. 050-170-09700 and 050-170-09800.
- (2) That Chapter 1 of Volume 2: Secondary Plans & Special Policy Areas of the City of Windsor Official Plan BE AMENDED by deleting and replacing Specific Policy Area 1.7 as follows:
 - 1.7 **Sandwich Street and Chappell Avenue**
 - 1.7.1 The property comprising PT LT 27 E/S SANDWICH ST PL 40; LT 28 E/S SANDWICH ST PL 40; PT LT 28 W/S OF PETER ST PL 40, located at the northeast corner of Sandwich Street and Chappell Avenue (3885 & 0 Sandwich Street);
 - 1.7.2 Notwithstanding Section 6.4.3.1 Industrial Policies-*Permitted Uses* designation of the subject lands on Schedule D: Land Use in Volume I--The Primary Plan, the uses permitted in Section 6.9.2.1 shall be additional permitted uses.

E. IMPLEMENTATION:

- i. This amendment is to be implemented by an amendment to Zoning By-law 8600 as recommended in Report Number S 65/2022 (Z-028/21; ZNG/6503).
- ii. The proposed development will be deemed a development per Section 41 (1) of the Planning Act and therefore, Site Plan Control shall be an additional tool for the implementation of this amendment

APPENDIX A

The following are the results of public notification of the amendments and the outcome of public meetings. Comments relate to the Official Plan Amendment and the associated rezoning amendment.

DEVELOPMENT & HERITAGE STANDING COMMITTEE (DHSC):

A meeting of the DHSC was held on June 6, 2022 to consider the applications and Staff Report S 65/2022. This is the statutory public meeting required by the Planning Act. Below is an extract from the minutes of the DHSC meeting:

7.3 Z-028/21 [ZNG/6503] & OPA 152 [OPA/6504] – Tunio Development – 3885 & 0 Sandwich Street – Rezoning & Official Plan Amendment Ward 2

Kevin Alexander (author), Planner III – Special Projects

Mr. Alexander gives a presentation of the application.

Tracey Pillon-Abbs – Pillon Abbs Inc (agent) – is in support of the recommendations and is available for questions.

Moved by: Councillor Sleiman

Seconded by: Councillor Holt

Decision Number: **DHSC 399**

RECOMMENDATIONS

THAT the City of Windsor Official Plan, Volume II, Part 1-Special Policy Areas **BE AMENDED** by deleting and replacing Specific Policy Area 1.7 as follows:

“1.7 **Sandwich Street and Chappell Avenue**

1.7.1 The property comprising Part of Lot 27, Registered Plan 40S, east side of Sandwich Street and Part of Lot 28, east Side of Sandwich Street, and Lot 28 west side corner of Sandwich Street, Registered Plan 40, located at the northeast corner of Sandwich Street and Chappell Avenue;

Site Specific Policy Direction 1.7.2

Notwithstanding Section **6.4.3.1 Industrial Policies- Permitted Uses** designation of the subject lands on Schedule D: Land Use in Volume I--The Primary Plan, the uses permitted in Section 6.9.2.1 shall be additional permitted uses; and,

THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of Part Lot 27, Registered Plan 40S, Lot 28 East Side, Registered Plan 40, and Lot 28 West Side, Registered Plan 40, situated at the northeast corner of Sandwich Street and Chappell Avenue (known municipally as 0 and 3885 Sandwich Street; Roll # 050-170-09700 and

050-170-09800) from Development Reserve District 1.1 (DRD1.1), Commercial District 2.1 (CD2.1) and Manufacturing District 1.4 (MD1.4) to Commercial District 2.1 (CD2.1) and by adding the following site specific provision:

445. NORTHEAST SIDE OF SANDWICH STREET AND CHAPPELL AVENUE

For the lands comprising Part Lot 27, Registered Plan 40S; Lot 28 East Side on Registered Plan 40; and Lot 28 West Side, Registered Plan 40:

1. The following uses are prohibited:
 - Bakery
 - Food Outlet-Drive-Through
 - Gas Bar
 - Place of Entertainment and Recreation
 - Public Hall
 - Restaurant with Drive-through
2. *A Multiple Dwelling and Dwelling Units in a Combined Use Building* shall be additional permitted main uses and shall be subject to the following provisions:
 - a) Main Building Height – maximum 37.0 m
 - b) Amenity Area – Per Dwelling Unit – minimum 5.0 m²
 - c) For a *Combined Use Building*, all *dwelling units*, not including entrances thereto, are located above the non-residential uses
 - d) Exposed flat concrete block walls or exposed flat concrete wall, whether painted or unpainted, are prohibited
 - e) Required Number of Parking Spaces – minimum - 156

[ZDM 4; ZNG/6503]; and,

THAT Part Lot 27 on Registered Plan 40S (PIN 012580193) (Roll # 050-170-09800-0000) known municipally as 0 Sandwich Street and for Lots 28 East Side; & Lot 28 West Side; Corner on Registered Plan 40 (PIN 012580190) (Roll #170-09700-0000) known municipally as 3885 Sandwich Street, situated at the northeast corner of Sandwich Street and Chappell Avenue **BE CLASSIFIED** as a Class 4 area pursuant to Publication NPC-300 (MOECP Environmental Noise Guideline – Stationary and Transportation Sources – Approval and Planning); and,

THAT the Site Plan Approval Officer **BE DIRECTED** to incorporate the mitigation measures including warning clauses required for a Class 4 designation pursuant to Publication NPC-300 identified in the Acoustical Report prepared by Baird AE (Project No. 20-028), dated October 1, 2021, in the site plan approval and the site plan agreement; and,

THAT the City Planner or their designate **BE DIRECTED** to provide a copy of the Council Resolution approving the Class 4 area classification and a copy of any development agreement or site plan agreement for the subject lands that incorporates noise mitigation measures to the surrounding noise sources identified in the Acoustical Report prepared by Baird AE (Project No. 20-028), dated October 1, 2021.

Motion CARRIED unanimously

Report Number: SCM 156/2022 & S 65/2022
Clerk's File: Z/14317 8.5

COUNCIL MEETING:

A meeting of City Council was held on June 13, 2022, at which time the recommendation of the Development & Heritage Standing Committee and the Staff Report S 65/2022 were considered. The agent for the applicant was available for questions. No oral and written submissions were made to City Council. Council approved the recommendation of DHSC.

Moved by: Councillor Kaschak

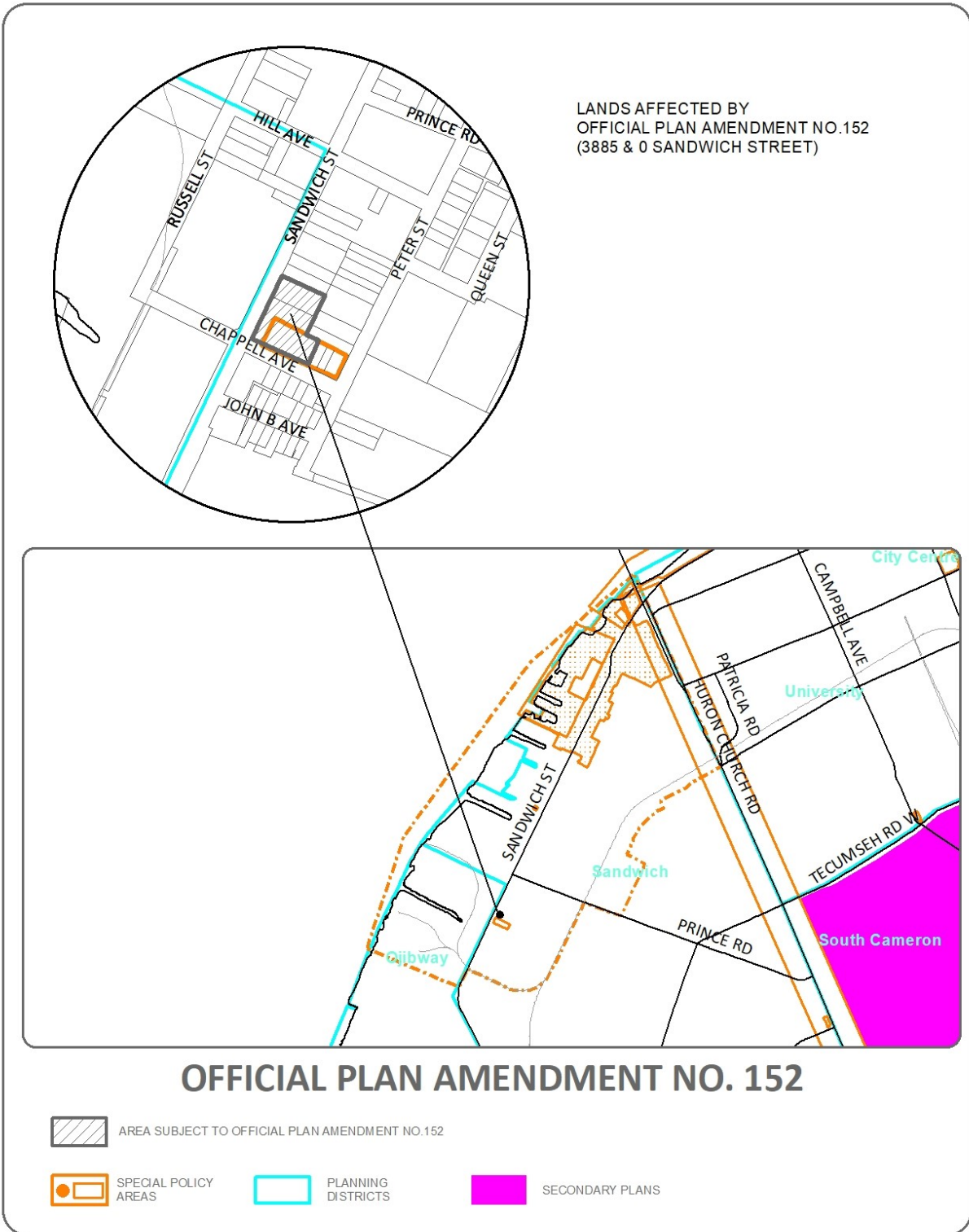
Seconded by: Councillor McKenzie

Decision Number: CR265/2022 DHSC 399

Carried.

Report Number: SCM 340/2021 & S 129/2021
Clerk's File: ZO/14211 & ZB/14210 8.4

SCHEDULE A



BY-LAW NUMBER 105-2022

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

Passed the 11th day of July, 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	4	PT LT 27 E/S SANDWICH ST PL 40 (PIN 01258-0193), LT 28 E/S SANDWICH ST PL 40; PT LT 28 W/S OF PETER ST PL 40 (PIN 01258-0190), situated at the northeast corner of Sandwich Street and Chappell Avenue (known municipally as 0 and 3885 Sandwich Street; Roll # 050-170-09700 and 050-170-09800)	152	DRD1.1 CD2.1 MD1.4	CD2.1

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

445. NORTHEAST CORNER OF SANDWICH STREET AND CHAPPELL AVENUE

For the lands comprising Pt Lt 27 E/S Sandwich St., Registered Plan 40; Lt 28 E/S Sandwich St., Registered Plan 40; and Pt Lot 28 W/S Sandwich St., Registered Plan 40:

- The following uses are prohibited:
 - Bakery*
 - Food Outlet-Drive-Through*
 - Gas Bar*
 - Place of Entertainment and Recreation*
 - Public Hall*
 - Restaurant with Drive-through*

2. *A Multiple Dwelling and Dwelling Units in a Combined Use Building* shall be additional permitted main uses and shall be subject to the following provisions:

- a) Main Building Height – maximum - 37.0 m
- b) Amenity Area – Per Dwelling Unit – minimum - 12.0 m²
- c) For a *Combined Use Building*, all *dwelling units*, not including entrances thereto, are located above the non-residential uses
- d) Exposed flat concrete block walls or exposed flat concrete wall, whether painted or unpainted, are prohibited
- e) Required Number of Parking Spaces – minimum - 157

[ZDM 4; ZNG/6503]

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

1. Item Number	2. Zoning District Map Part	3. Lands Affected	4. Official Plan Amendment Number	5. Zoning Symbol
2	4	PT LT 27 E/S SANDWICH ST PL 40 (PIN 01258-0193), LT 28 E/S SANDWICH ST PL 40; PT LT 28 W/S OF PETER ST PL 40 (PIN 01258-0190), situated at the northeast corner of Sandwich Street and Chappell Avenue (known municipally as 0 and 3885 Sandwich Street; Roll # 050-170-09700 and 050-170-09800)	152	S.20(1)445

DREW DILKENS, MAYOR

CITY CLERK

First Reading - July 11, 2022
 Second Reading - July 11, 2022
 Third Reading - July 11, 2022

BY-LAW NUMBER 106-2022

A BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE 11th DAY OF JULY, 2022

Passed the 11th day of July, 2022.

WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Windsor at this meeting be confirmed and adopted by by-law;

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

1. The action of the Council of The Corporation of the City of Windsor in respect to each recommendation contained in the Report/Reports of the Committees and the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of The City of Windsor at this special meeting is hereby adopted and confirmed as if all such proceedings were expressly in this by-law.
2. The Mayor and the proper officials of The Corporation of the City of Windsor are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Windsor referred to in the preceding section hereof.
3. The Mayor and the City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Windsor.

DREW DILKENS, MAYOR

CITY CLERK

First Reading - July 11, 2022
Second Reading - July 11, 2022
Third Reading - July 11, 2022



Committee Matters: SCM 204/2022

Subject: Summary of Outstanding Council Questions as of July 7, 2022

OUTSTANDING COUNCIL QUESTIONS

Just a reminder that this is quoted from the 2004 Council report:

“overdue Council Questions (i.e., outstanding for 30 days or more) be responded to immediately.”

Outstanding:

- 2016 – 1
- 2017 – 1
- 2019 – 4
- 2020 – 8
- 2021 – 12
- 2022 – 6

2016

Total Outstanding: 1

COUNCIL MEMBER		QUESTION – ISSUES RAISED	
Kusmierczyk	Comm. Economic Development & Innovation	<p>CQ10-2016</p> <p>Asks that administration report back on best practices from other cities regarding metered on-street accessible parking AND to provide feasibility and cost of implementing free metered parking for residents with Accessible Parking Permits.</p> <p>ST2016 (February 22, 2016)</p>	<p>Type of Response Required</p> <p>-Written Report</p> <p>CR414/2019 ETPS691</p> <p>Referred back to Accessibility Committee and New City Hall Project Steering Committee for consideration. (Aug 26, 2019)</p>

Total Outstanding: 1

COUNCIL MEMBER		QUESTION – ISSUES RAISED	
Kusmierczyk	Chief Administrative Officer	<p>CQ36-2017 Asks that Administration report back on the 100 resilient cities program which is funding the position of a Chief Resiliency Officer in 4 Canadian cities – and report back on cost and benefits of establishing the position of a Chief Resiliency Officer both in Windsor and regionally.</p> <p>AS/8286 (September 5, 2017)</p>	<p>Type of Response Required -Written Report</p>

Total Outstanding: 4

COUNCIL MEMBER		QUESTION – ISSUES RAISED	
McKenzie	Chief Administrative Officer	<p>CQ 7-2019 Asks that in light of the recent announcement from FCA to eliminate the third shift at the Windsor Assembly Plant and understanding the gravity of the economic impact to our community where as many as 10,000 jobs may be lost or affected, that Administration develop a proposal for Council’s review that could incent FCA to consider the possibility of introducing a new product into the Windsor Assembly Plant Facility. In doing so Administration should consider how existing City of Windsor economic development programs could be applied or amended to create a proposal that can help to protect the jobs now at risk both at the Windsor Assembly Plant and across the community generally.</p> <p>SPL/10759 (April 15, 2019)</p>	<p>Type of Response Required -Written Report</p>
Holt	Comm. Infrastructure Services	<p>CQ 12-2019 Asks that Administration update Council on the Residential Parking Permit Policy, outlining how it can be improved, whether it is accomplishing its stated goals, and recommending changes in the policy to better serve residents in areas with high demand for on-street parking.</p> <p>ST2019 (May 6, 2019)</p>	<p>Type of Response Required -Written Report</p> <p>Referred back to Admin CR445/2021</p>
Gignac	Comm. Community Services	<p>CQ 16-2019 Asks that Administration prepare a maintenance plan for East Bank of Little River where resident delegations identified a noxious, invasive plant (weed) issue.</p> <p>SR2019 (July 8, 2019)</p>	<p>Type of Response Required -Written Report</p> <p>CR655/2020 Additional info requested.</p>
Holt	Comm. Infrastructure Services	<p>CQ 24-2019 Asks that Administration report back to council at the September 23, 2019 meeting with addendums to the By-law that identifies 2 of the 9 BIA’s as “Tourist Destinations” that extend this benefit to all BIA’s and take advantage of the pending wayfinding signage program equally.</p> <p>SW2019 (September 9, 2019)</p>	<p>Type of Response Required -Written Report</p> <p>CR565/2019 Referred to WIBIAC for comment</p>

2020

Total Outstanding: 8

COUNCIL MEMBER		QUESTION – ISSUES RAISED	
McKenzie	Comm. Human Health & Services and Comm. Economic Development & Innovation	<p>CQ 4-2020</p> <p>That Administration prepare a comparative analysis of the Affordable Housing frameworks and incentives that are in place in comparable municipalities. To the extent that the data is available the analysis should consider all forms of affordable housing and the composition of the affordable housing marketplace in the communities analyzed.</p> <p>SS2020 (February 3, 2020)</p>	<p>Type of Response Required</p> <p>-Written Report</p>
Kaschak	Comm. Economic Development & Innovation	<p>CQ 7-2020</p> <p>Asks that if Council decides to move forward with reducing the speed limit to 40 km/h on all city residential streets, that administration advise of the timelines and cost to implement this across the city.</p> <p>ST2020 (March 2, 2020)</p>	<p>Type of Response Required</p> <p>-Written Report</p> <p>CR169/2021 Referred to Admin.</p>
Francis	Chief Administrative Officer	<p>CQ8-2020</p> <p>Asks Administration to prepare a report for Council's consideration regarding new initiatives, put in place to battle Covid19, that can remain in place to increase safety measures, efficiencies, environmental measures and cost savings moving forward. These measures might include paperless agendas and digital participation in meetings of council, among others.</p> <p>MH/13786 (April 27, 2020)</p>	<p>Type of Response Required</p> <p>-Written Report</p>
Bortolin	Executive Director Human Resources	<p>CQ15-2020</p> <p>Ask that administration prepare a report outlining costs and procedures to begin collecting and reporting on data across the corporation tied to visible minority population. This data will be used to help guide future policy decisions and be shared for public consumption. Using other municipalities as comparators and also include any agencies in which the data is tied to. Also, look to connect with the Community Safety & Wellbeing initiative to see where overlapping efforts can be made to share data across the corporation.</p> <p>GM2020 (July 13, 2020)</p>	<p>Type of Response Required</p> <p>-Written Report</p>

Costante	Executive Director Human Resources	<p>CQ17-2020</p> <p>It is important that we recognize and acknowledge the historic and systemic nature of racism and discrimination in our country and our City. We understand that to move forward and promote equity and eliminate anti-racism requires reaching out to and hearing from the voices of those in our community and Corporation most impacted by discrimination and racism.</p> <p>In this pursuit, it is also essential that we work towards having a Corporation that is representative of the people it serves and that everyone is treated with respect. As such, I am seeking the input and recommendations of Administration and our Diversity Advisory Committee on the viability of:</p> <ol style="list-style-type: none"> 1. Including community-led consultations on systemic racism, under Phase 2 of the City of Windsor Diversity and Inclusion Initiative. 2. Seeking the input of those in our Corporation and related entities and our community most affected by racism and discrimination, regarding barriers to hiring and advancement in our Corporation and related entities as part of the Diversity and Inclusion Initiative. 3. Including recommendations and input regarding providing historical information and educational materials for City owned statues, buildings and streets named with racist histories as part of the Diversity and Inclusion Initiative, and further developing a plan for inclusive street and property naming practices in the future. <p>APM2020 (July 13, 2020)</p>	<p>Type of Response Required</p> <p>-Written Report</p>
McKenzie	Comm. Economic Development & Innovation	<p>CQ21-2020</p> <p>That given the significant cluster of developments through the Howard Avenue corridor between Cabana and South Cameron and increasing concerns among current residents around the capability of the municipal infrastructure directly impacted to support these developments, that Administration prepare a report evaluating those capacities and what if any appropriate investments should proceed in order to accommodate the new developments. The analysis should include a consolidated traffic impact study, an analysis of the condition of the</p>	<p>Type of Response Required</p> <p>-Written Report</p>

		roadway, the need for traffic management infrastructure and/or traffic calming as well as active transportation capacities or deficiencies. ST2020 (July 27, 2020)	
McKenzie	Comm. Economic Development & Innovation	CQ32-2020 That Administration review and report back to Council on tree protection and replacement policies as it relates to the City of Windsor's land development bylaws. The review should include information pertaining to replacement ratios and the mechanisms by which trees are protected and required to be protected through the development process as well as the extent to which development is impacting the total tree count under our current framework along with options for Council to consider in terms of protecting trees and increasing tree cover through land development policy. SRT2020 (December 7, 2020)	Type of Response Required -Written Report
Sleiman	Comm. Economic Development & Innovation	CQ33-2020 I ask the City Administration to report back with a written report outlining the number of days it takes to get a building permit and compare it to other municipalities of similar size. I also ask Administration to devise methods of improving the speed of the permitting process. SB2020 (December 7, 2020)	Type of Response Required -Written Report

Total Outstanding: 12

COUNCIL MEMBER		QUESTION – ISSUES RAISED	
Holt	Comm. Economic Development & Innovation	<p>CQ 3-2021 Ask that Administration conduct a parking assessment of the 9 BIAs with the goals of providing enough on/off-street parking to satisfy the business needs without patrons spilling into abutting residential neighbourhoods. If land acquisitions are deemed necessary to fulfil these needs with the construction of additional off-street municipal lots, plan and prioritise individual needs.</p> <p>ST2021 18.4 (March 8, 2021)</p>	<p>Type of Response Required -Written Report</p> <p>Referred to 2023 Budget Deliberations</p>
Gignac	Executive Director of Human Resources	<p>CQ 7-2021 Asking Administration to provide a report to Council outlining the policy that regulates procedures after an accident involving City vehicles and any amendments they might propose to update it.</p> <p>ACD2021 & AL2021 18.2 (March 29, 2021)</p>	<p>Type of Response Required -Written Report</p>
Holt	Comm. Economic Development & Innovation	<p>CQ 14-2021 Asks that our Active Transportation Coordinator REPORT BACK to the Environment Transportation and Public Safety standing committee on the opportunities to convert strategic remaining alleys in Windsor to active transportation routes and linear parks connecting neighbourhoods before they are sold to abutting land owners. These should augment our current Active Transportation Plan as well as connecting key pedestrian generating land uses which may not be identified and accommodated in that master plan.</p> <p>SAA2021 ST2021 (July 19, 2021)</p>	<p>Type of Response Required -Written Report</p>
Costante	Commissioner, Infrastructure Services	<p>CQ 15-2021 Asks that Administration report back on the possible causes of flooding on July 16th based on data collected, and that administration further provide any potential solutions moving forward.</p> <p>SW2021 (July 19, 2021)</p>	<p>Type of Response Required -Written Report</p>

McKenzie	Comm. Legal & Legislative Services	<p>CQ 17-2021</p> <p>Asks that, to promote greater public safety for all people, that Administration work to develop a by-law for Council consideration to provide the City of Windsor with additional tools within the licensing framework for enforcement agencies to address unsafe and illicit activity in hotels and motels across the community that create dangerous and undesirable situations for motel guests, neighbours, and community members alike. The bylaw development process should include consultation process with industry stakeholders and social service providers, social agencies and health providers from both within and external to the City of Windsor as well as any other stakeholder group deemed appropriate by Administration.</p> <p>AB2021 & MH2021 18.1 (July 26, 2021)</p>	<p>Type of Response Required</p> <p>-Written Report</p>
Gignac	Comm. Infrastructure Services	<p>CQ 18-2021</p> <p>Asks that Administration review the current truck routes in Windsor and bring a report with recommendations to Council on updating it as soon as possible.</p> <p>ST2021 18.2 (July 26, 2021)</p>	<p>Type of Response Required</p> <p>-Written Report</p>
Gill	Windsor Police Services	<p>CQ 21-2021</p> <p>Asks that Administration and Windsor Police bring a citywide report back to council, there has been an increase in crime in Windsor and especially at the Forest Glade Park. I would like to ask what measures are in place to help combat these issues and what steps will be taken going forward to prevent these problems from reoccurring. Residents are concerned for their safety and I would like to ask what actions can be taken in the future to help protect the community from such crime and violence.</p> <p>SP2021 18.3 (September 27, 2021)</p>	<p>Type of Response Required</p> <p>-Written Report</p>
Gignac	Licence Commissioner	<p>CQ 22-2021</p> <p>Asks what vehicles fall under the new city Noisy Vehicle bylaw and how By-Law enforcement and Police are co-ordinating to ensure compliance</p> <p>AB2021 18.4 (September 27, 2021)</p>	<p>Type of Response Required</p> <p>-Written Report</p>

Kaschak	Licence Commissioner	CQ 23-2021 Asks that Administration provide an update for the October 18 th meeting of Council regarding the Council approved 2 year pilot project to increase our Bylaw Enforcement Officers hours of work to 37.50 and the preliminary results achieved to date. AS2021 18.5 (September 27, 2021)	Type of Response Required -Written Report
Gill	Commissioner, Community Services	CQ 25-2021 Asks that Administration report back to the council with an estimated cost from enacting The Windsor Police Service's recommendations on the short term solutions to improve the skate parks in Windsor, in terms of lighting and installation of cameras, specifically for the Forest Glade Park SP2021 (October 25, 2021)	Type of Response Required -Written Report
Gignac	Comm. Economic Development & Innovation	CQ 26-2021 Asks that Administration research what municipal zoning bylaws may be in place in other municipalities in Ontario or across Canada that regulate Cannabis retail outlets/consumption areas. GP/13047 18.3 (November 1, 2021)	Type of Response Required -Written Report
Costante	Comm. Infrastructure Services and Comm. Economic Development & Innovation	CQ 27-2021 Asks that Administration report back on opportunities to amend the warrant matrix and incorporate additional factors when determining the installation of 4-way stops in our residential neighbourhoods. This may include certain factors in the warrant threshold be lowered or amended, and may also include other factors such as petitions and school zones to be incorporated in the overall matrix. ST2021 (November 15, 2021)	Type of Response Required -Written Report

Total Outstanding: 6

COUNCIL MEMBER		QUESTION – ISSUES RAISED	
Gignac	Comm. Infrastructure Services	<p>CQ 1-2022 Asks Public Works if adjustment to snow incident response would be more effective if salting of residential streets at least once to prevent ice forming. Intention is not to increase budget to include additional salting but perhaps redirecting multiple salting of arterials to direct 1 to residential streets.</p> <p>SW2022 18.3 (January 17, 2022)</p>	<p>Type of Response Required -Written Report</p>
Gignac	Comm. Infrastructure Services	<p>CQ3-2022 Asks Administration for a report outlining how deficient residential roads not in the 10 year Capital Budget will be addressed.</p> <p>ACOQ2022 18.3 (February 14, 2022)</p>	<p>Type of Response Required -Written Report</p>
McKenzie	Comm. Economic Development & Innovation	<p>CQ5-2022 Asks Administration to report back to Council on the appropriateness of adding non-BIA commercial districts as Community Safety Zones in commercial shopping districts that generate similar levels of pedestrian and active transportation activity.</p> <p>ACOQ2022/MI2022 (April 11, 2022)</p>	<p>Type of Response Required -Written Report</p>
Bortolin	Comm. Legal & Legislative Services	<p>CQ6-2022 Asks that Administration provide Council with an update on the Bylaw enforcement “Dirty Yard” repeat offender fee process outlining the effectiveness of administrating the penalty.</p> <p>ACOQ2022/AB2022 (April 25, 2022)</p>	<p>Type of Response Required -Written Report</p>
Gignac	Comm. Infrastructure Services	<p>CQ8-2022 Asks Administration to review and report to Council if there is a current policy to prioritize "half width streets" to bring them up to current standard width. Also if there are Provincial regulations as to required standard widths for residential roads.</p> <p>ACOQ2022 & ST2022 18.3 (May 9, 2022)</p>	<p>Type of Response Required -Written Report</p>

McKenzie	Comm. Infrastructure Services	<p>CQ9-2022</p> <p>That Administration report back on the potential benefits of the City of Windsor offering a Private Culvert Rehabilitation Subsidy program to residents similar to other programs currently offered through the Flood Mitigation program framework such as the Basement Flooding Protection Program and the Downspout Disconnection Program. The analysis should include reference to impacts both to individual homeowners and the community as a whole from a flood mitigation standpoint as well as estimated financial impacts, storm water management benefits and a potential funding source. The report to also include a subsidy program for backyard drains on private property. Carried.</p> <p>ACOQ2022 18.3 (June 13, 2022)</p>	<p>Type of Response Required</p> <p>-Written Report</p>
----------	-------------------------------------	---	--

/sg
as of July 7, 2022



Council Directives: SCM 203/2022

Subject: Outstanding Council Directives as of July 11, 2022

Outstanding Council Directives Tracking Log

Updated:2022-07-07

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
December 17, 2012	CR293/2012	16287	City Planner	That the report of the City Planner dated November 21, 2012 entitled "Exemption from Sandwich Demolition Control By-law 20-2007 — 508, 520, 540, 556, 570, 590, 604, 612, 615, 622, 623, 631, 639, 646, 663, 670, 673, 686, 704, 710, 718, 724, 730, 738, 744, 750, 753, 758-760, 759, 765, 764, 769, 772, 777, 778, 781, 784, and 790 Indian Road, 812 and 862 Mill Street, and 764, 770, 780 and 788 Rosedale Avenue" BE DEFERRED as requested by the Canadian Transit Company, to allow for further discussions with administration on this matter.	Report remains deferred by Council, as per the Commissioner, Legal & Legislative Services.
August 24, 2015	CR159/2015 Clause XI	17893		"Corporate Payroll Business Process Review UPDATE": That the final FTE staffing changes reductions and resultant project savings and completions, BE REPORTED to City Council as part of or prior to the 2018 budget process	Q1 2021
May 16, 2016	CR334/2016	S 76/2016	Commissioner, Corporate Services Chief Financial Officer & City Treasurer	THAT City Council AUTHORIZE the CFO/Commissioner, Corporate Services Chief Financial Officer & City Treasurer(or delegate) to sign Minutes of Settlement as it relates to the Centralized Property Appeals. THAT the CFO/Commissioner, Corporate Services Chief Financial Officer & City Treasurer(or delegate) BE REQUIRED to report the results of the Minutes of Settlement to City Council once all appeals have been finalized.	Ongoing as required

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
September 19, 2016	CR594/2016	C 176/2016	Chief Administrative Officer	<p>THAT City Council APPROVE the allocation of \$400,000 for the design, creation, installation and unveiling of a commemorative statue to honour the life and work of Hiram Walker; and,</p> <p>THAT City Council APPROVE that \$390,000 BE FUNDED from the 2014 Enhanced Capital Budget Contingency Placeholder for this project with the remaining \$10,000 to BE FUNDED from Councillor Holt's 2016 ward funds; and,</p> <p>THAT City Council APPROVE the sole source retention of artist Mark Williams for the creation, fabrication and installation of a statue/sculpture depicting Hiram Walker and DIRECT administration to prepare an agreement to retain the services of Mr. Williams accordingly; and,</p> <p>THAT the CAO and Commissioner, Legal & Legislative Services BE AUTHORIZED to take any other steps as may be required to bring effect to these resolutions, satisfactory in form to the Commissioner, Legal & Legislative Services, in financial content to the Commissioner, Corporate Services Chief Financial Officer & City Treasurer, and in technical content to the Commissioner, Infrastructure Services; and,</p> <p>THAT the CAO and Commissioner, Legal & Legislative Services BE AUTHORIZED to sign any required documentation as it relates to this project, satisfactory in legal form to the Commissioner, Legal & Legislative Services, in technical content to the Commissioner, Infrastructure Services, and in financial content to the Commissioner, Corporate Services Chief Financial Officer & City Treasurer; and further,</p> <p>THAT administration REPORT BACK on fundraising efforts towards this project within six months.</p>	CAO 4032 - To be completed 2020

Outstanding Council Directives Tracking Log

Updated:2022-07-07

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
February 6, 2017	CR59/2017	CM 59/2016	City Planner	<p>THAT the report of the City Planner dated October 26, 2016 entitled "Response to CQ34-2016: Design Guidelines for fencing along Riverside Drive" BE RECEIVED for information; and further,</p> <p>THAT Administration BE DIRECTED to prepare a report for Council's consideration that would:</p> <ul style="list-style-type: none"> - Institute a by-law standard for decorative fencing and parking areas along Riverside Drive (both the north and south sides of Riverside Drive); and - Include options for incentivizing existing commercial and industrial property owners to be able to upgrade their existing fencing along the waterfront side of Riverside Drive; and <p>Include costing for decorative fencing from just east of Hiram Walker's all the way to Strabane.</p>	
August 8, 2017	CR472/2017	C 123/2017	Manager Real Estate Services	That Administration REPORT BACK with respect to conducting an EOI for the rental of the commercial space in the Goyeau Street Parking garage.	

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
October 16, 2017	CR648/2017	C 180/2017	Chief Administrative Officer	<p>... That pending the restoration of the Street Car #351, City Council APPROVE IN PRINCIPLE the installation of Street Car #351 into a Riverfront Park location with a future report to City Council for site location approval and funding request to install at said location and to develop a maintenance fund for future requirements; and further,</p> <p>That administration BE DIRECTED to undertake a public consultation process on this project, and that following this process, that an administrative report BE PREPARED for Council's consideration no later than 6 months after the Trolley is accepted from the current owner, to provide options as to usage if it is for some kind of vending (e.g., food and/or drink) or anything of that nature, including costs for transportation, placement, and potential sites; and further,</p> <p>That the CAO and Commissioner, Legal & Legislative Services BE AUTHORIZED to sign any other documents required to bring effect to these resolutions, in form satisfactory to the Commissioner, Legal & Legislative Services, in financial content satisfactory to the Commissioner, Corporate Services Chief Financial Officer & City Treasurer/Commissioner, Corporate Services Chief Financial Officer & City Treasurer, and in technical content to the Corporate Leader of Parks, Recreation, Culture and Facilities and Executive Director of Recreation and Culture; and further,</p>	CR297/2018 Fundraising Ongoing
January 15, 2018	B32/2018	S 184/2017	City Forester	<p>THAT the report from the City Forester regarding an update on the progress of a City-wide Tree Inventory Project, a Preventative Tree Maintenance Program and a Urban Forest Management Plan BE RECEIVED; and further,</p> <p>THAT funding for the Preventative Tree Maintenance Program in the estimated annual amount of \$2,080,000 beginning in 2019 BE REFERRED to future Capital budget deliberations; and,</p> <p>That Administration PROVIDE information on any available subsidized programs which may exist by investigating best practices used in other municipalities; and that this information BE PROVIDED during the 2019 Budget deliberation process.</p>	Will be included in Capital Variance Report 2021

Outstanding Council Directives Tracking Log

Updated:2022-07-07

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
March 26, 2018	CR155/2018	C 52/2018	Commissioner, Infrastructure Services	<p>...That the Purchasing Department BE AUTHORIZED to issue a Purchase Order to Haddad, Morgan and Associates Ltd. to provide engineering services related to the redevelopment of 6700 Raymond Ave (former Concord School site) for an upset limit of \$75,500 plus taxes; and further,</p> <p>That the Commissioner, Infrastructure Services or designate BE AUTHORIZED to issue the requisite tender for the construction works required for the redevelopment and FURTHER that once the tender results are known that a report be submitted to City Council relative to the award of the contract and identifying a funding source for any projected funding shortfalls that may arise.</p>	<p>On hold pending Planning's review of tiny houses as asked by Councillor Gignac Now that the SMP is complete we need to review the impact of this development however the concepts are still being developed by Planning - update towards end of Dec. 2020</p>
May 7, 2018	CR245/2018	CMC 9/2018	Chief Administrative Officer	<p>That the correspondence from the Ministry of Education dated April 27, 2018 regarding an update to Ontario's commitment to revise the Pupil Accommodation Review Guideline (PARG) BE RECEIVED, and further, that Administration BE DIRECTED to prepare a report for Council's consideration in terms of the possibility for applying on the City of Windsor's behalf for the Call of Proposals being issued this summer to participate in the Voluntary Integrated Planning and Partnerships Initiative (VIPPi), to provide flexible support to local partners that wish to enhance their collective capacity for integrated capital and community planning.</p>	
May 7, 2018	CR253/2018	C 76/2018	Commissioner, Corporate Services Chief Financial Officer & City Treasurer	<p>...That all expenditures made under the exemption BE REPORTED to Council by the 2022 CAN-AM Police-Fire Games General Manager within a reasonable time following the conclusion of the Project.</p>	
May 7, 2018	CR265/2018 ETPS 597	SCM 178/2018 & S 59/2018	Commissioner, Community Services	<p>That the report of the Manager of Parks Development dated March 28, 2018 entitled "Response to CQ4-2016 Lighting at Riverfront Walkway Near Askin Boulevard" BE RECEIVED for information; and,</p> <p>That a report be BROUGHT BACK as part of the 2021 budget deliberations relative to the matter so that council can debate the allocation of the Central Riverfront Park Improvement placeholder funds, including consideration of lighting the riverfront walkway.</p>	<p>Stand alone report or as part of Capital Budget submissions under CRIP or lighting projects for 2021</p>

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
May 7, 2018	CR275/2018	C 77/2018	Commissioner, Corporate Services Chief Financial Officer & City Treasurer	That Council PROVIDE Riverwest with the City's copyright permission to use banners with the likeness of public artwork owned by the City on condition that Riverwest agrees that the banners contain an acknowledgement of the artists who produced the original artwork; and further, That Council APPROVE the requested \$5000 indemnity and that this BE CHARGED to the Budget Stabilization Reserve Fund (BSR) and that Administration BE DIRECTED to prepare a draft policy for Council's consideration regarding banners (how they can be requested, all costs associated, etc.) outlining what would be expected.	
June 4, 2018	CR333/2018 Clause VII	S 235/2017 & SCM 75/2018	Commissioner, Corporate Services Chief Financial Officer & City Treasurer	VII. That Administration REPORT BACK to City Council regarding the catalyst project designation under the Building/Property Tax Increment Grant Program.	
August 27, 2018	CR472/2018	C 148/2018	City Planner	That the Walkerville area BE SELECTED as a pilot project area for the Districting Initiative and generally bounded on the north by the Detroit River, on the south by Niagara Street, on the east by Walker Road, and to the west by Gladstone Avenue. That a design and costing consultant at a cost not to exceed \$100,000.00 (plus HST) BE RETAINED for purposes of performing a higher level design analysis/value engineering and market costing so that the most accurate budget estimates can be obtained and further approved by Council prior to project selection/execution; and further, That the cost of the design and costing consultant BE FUNDED from the 2018 Enhanced Budget for District Theming previously approved for spending by Council via CR123/2018; and, That a future Council Report BE PREPARED by the City Planner recommending and describing the specific Walkerville Districting projects to be completed with estimated budgets and timelines for completion.	

Outstanding Council Directives Tracking Log

Updated:2022-07-07

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
September 17, 2018	CR503/2018 ETPS 630	SCM 332/2018 & C 122/2018	Commissioner, Community Services	<p>That the report of the Manager Parks Development, dated July 20, 2018, responding to CQ27-2017 regarding first responders signage for parks, BE RECEIVED for information; and,</p> <p>That City Council BE ADVISED that Administration will return to Council in January 2019 to request the approval to proceed with this project and release the 2023 funding allocated as part of the 2018 Enhanced Budget, and further,</p> <p>That Administration BE DIRECTED to develop a wayfinding standards policy based on the results of the Little River Corridor wayfinding signage and markers, as a pilot project, to be brought to City Council for approval.</p>	Wayfinding signage at Little River Corridor install Spring 2020 as Pilot. Report to follow on year after review of pilot (summer/fall 2021)
September 17, 2018	CR512/2018 PHED 589	SCM 257/2018 & SCM 207/2018	City Planner	<p>That Report No. 7 of the Windsor Housing Advisory Committee indicating: That the "Draft" Official Plan policies relating to second unit policies BE ACCEPTED and further, that the recommendation of the Housing Advisory Committee proceed to the Planning, Heritage and Economic Standing Committee and to City Council as expeditiously as possible, BE APPROVED; and,</p> <p>That Administration REPORT BACK to Council on best practices from surrounding Municipalities regarding heights and set back requirements for ancillary structures.</p>	

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
October 1, 2018	CR550/2018	S 165/2018	Commissioner, Community Services	<p>That the report from Glos Associates Inc. titled “Proposed Relocation/Construction of Lanspeary Park Greenhouse Feasibility Study” and dated September 10, 2018 BE RECEIVED; and further,</p> <p>That Council APPROVE OPTION #2 – Construct a new greenhouse complex at Jackson Park- as the preferred solution; and further,</p> <p>That Council REFER consideration of the associated funding for the chosen option to the 2019 budget deliberations; and further,</p> <p>That subject to funding being approved in the Capital Budget, Administration BE DIRECTED to construct a new greenhouse complex at Jackson Park inclusive of the expansion space for in-house plant production and thereafter proceed to demolish the existing Lanspeary Park Greenhouse Complex, taking into consideration any heritage features or buildings contained thereon, and restore the subject area to parkland; and further,</p> <p>That Administration BE DIRECTED to offer options for the expansion of the demonstration house on the site within the re-development plans for Lanspeary Park (options showcasing the low impact re-development); and further,</p> <p>That Administration BE DIRECTED to provide information on production numbers for having this in-house versus externally for this service (how much does the taxpayer benefit from having this in-house).</p>	<p>Info on production numbers will be included in the report for approving the precommitment of remaining funds required anticipated in early January 2021. Lanspeary redevelopment plans/report will follow public open house, late 2021 early 2022.</p>

Outstanding Council Directives Tracking Log

Updated:2022-07-07

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
January 7, 2019	CR4/2019	C 217/2018	Chief Administrative Officer	<p>1. That City Council AUTHORIZE Administration to proceed with, and PRE-COMMIT funding for, the additional 2018 Enhanced Capital Projects identified in Appendix A for the 2019 calendar year; and,</p> <p>2. That the award of tenders or RFP's for the identified works BE PRE-APPROVED, subject to being within the allocated budget and in accordance with Purchasing by-law 93-2012, and that the Chief Administrative Officer and Commissioner, Legal & Legislative Services BE AUTHORIZED to sign all relevant agreements, in form satisfactory to the Commissioner, Legal & Legislative Services, in financial content satisfactory to the Commissioner, Corporate Services Chief Financial Officer & City Treasurer and in technical content satisfactory to the Commissioner, Infrastructure Services, City Planner or Corporate Leader of Parks, Recreation, Culture and Facilities; and,</p> <p>3. That Administration REPORT BACK to City Council through a Communication Report(s) the results of all tenders that were awarded and approved, with any that require additional funding to be reported to Council separately.</p>	
February 4, 2019	CR35/2019	C 11/2019	Commissioner, Corporate Services Chief Financial Officer & City Treasurer	<p>That City Council APPROVE, as per the requirements of the Leadership Asset Management Program (LAMP), the use of the tools and guidelines for Triple bottom line plus (TBL+), Whole life-cycle (WLC) and Business Case Evaluation (BCE) as developed through the LAMP grant and approved by the Asset Planning Steering Committee; and,</p> <p>That City Council DELEGATE authority to the Asset Planning Steering Committee to provide oversight to the implementation of this framework and to amend the guidelines and tools as may be deemed necessary as such guidelines and tools are integrated within the Corporation; and further,</p> <p>That Administration BE DIRECTED to prepare a report for Council's consideration on methods that could be used to accelerate the process for implementation</p>	

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
March 25, 2019	CR120/2019	C 43/2019	Commissioner, Legal & Legislative Services	That the report of the Commissioner, Corporate Services Chief Financial Officer & City Treasurer regarding the Mayor, Councillors and Appointees 2018 Statement of Remuneration and Expenses BE RECEIVED for information; and further, That in a municipal election year, NO COUNCILLOR SHALL BE PERMITTED to commit to any conferences after the date of an election in a municipal election year; and further, That Administration BE DIRECTED to prepare a report for Council's consideration on a process that would allow all members of Council to access conference materials and summary notes for information purposes, from those Councillors that attend conferences.	
April 1, 2019	B8/2019	C 226/2018	Commissioner, Corporate Services Chief Financial Officer & City Treasurer	That City Council RECEIVE the 2019 Capital Budget 7-Year Plan documents reflective of approx. \$845.104 M in total funding; and... That Administration BE DIRECTED to REPORT BACK to Council regarding the infrastructure deficit and a high-level plan to address it; and, As amended a total of \$240,000 from the 2019 Grant Matching and Inflationary Pressures project (FIN-001-19) be reallocated to: Capitol Theatre Capital Improvements (ENG-010-17) in the amount of \$40,000 for the new Marquee sign and Pedestrian Crossing (OPS-001-19) in the amount of \$200,000 for priority pedestrian crossings as identified in agenda Item 11.14.	
April 1, 2019	B14/2019	C 188/2018	Commissioner, Infrastructure Services	That Council FORMALLY REQUEST the Lieutenant Governor of Ontario for permission to divest of the City-owned shore wall along Lake St. Clair; and, That Administration FURTHER REPORT BACK with respect to the question regarding possible transfer ownership of shore walls and associated land; and...	Letter sent to ERCA Richard Wyma on November 2019. Letter sent by CAO to MNRF January 16, 2020 c/o Mitch Wilson. Cannot be responded to until a response is received. It will likely be a year or more. September 9, 2020 - Lt Gov. has not yet responded

Outstanding Council Directives Tracking Log

Updated:2022-07-07

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
April 1, 2019	B61/2019	Reference #C118	Chief Executive Officer Windsor Library	That the recommended “Addition of Friday Branch Hours” (Budget Issue #2019-0358) in the amount of \$98,412 BE NOT APPROVED , and that it BE FUNDED through one-time dollars and that Administration REPORT BACK in 2020.	
May 6, 2019	CR210/2019	C 78/2019	Community Development and Health Services Commissioner – Corporate Leader Social Development and Health	<p>That the report from the Commissioner of Community Development and Health Services and the Administrator/Executive Director of Huron Lodge Long-Term Care Home BE RECEIVED for information; and further...</p> <p>That the Chief Administrative Officer and Commissioner, Legal & Legislative Services BE AUTHORIZED to execute any documents required to establish and participate in the Ontario Health Team, such that any funding does not create an additional annualized cost without the prior approval of City Council, and subject to legal approval by the Commissioner, Legal & Legislative Services, financial approval by the Commissioner, Corporate Services Chief Financial Officer & City Treasurer, and technical approval by the Community Development and Health Commissioner and Executive Director of Huron Lodge; and further,</p> <p>That Administration BE DIRECTED to provide appropriate reports to City Council as the Ontario Health Team is established in Windsor and Essex County.</p>	

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
July 8, 2019	CR322/2019	C 68/2019	Chief Building Official	<p>That a vacant building registry NOT BE IMPLEMENTED at this time and the vacant building initiative (VBD) BE EXTENDED to July 2020; and,</p> <p>That Building Administration CONTINUE TO REVIEW the effectiveness of the VBI program and PROVIDE City Council costing options to maintain permanent pro-active vacant building enforcement as part of the 2020 Building Inspections budget submission; and,</p> <p>That a sixth goal BE ADDED to the 5 program goals listed in the report, specifically “To mitigate visible blight for the affected neighbourhood”; and,</p> <p>That administration BE DIRECTED to report back in 2020 for a more fulsome breakdown of statistics including types of orders issued, which were successful, which were complied with, and that the report ALSO INCLUDE options for a vacant building registry that expressly includes the topic of access, cost recovery, identification, highest fees possible under the law and the shortest timelines.</p>	
July 8, 2019	CR334/2019	SCM 205/2019 & S 102/2019	City Planner	<p>That this Council Report responding to CQ 1-2019 on the benefits and process to designating Walkerville a Heritage Conservation District under the Ontario Heritage Act BE RECEIVED FOR INFORMATION; and,</p> <p>That Administration BE DIRECTED to proceed with the implementation of the Walkerville Heritage Conservation District Study; and,</p> <p>That administration PROVIDE a fulsome report to the Development and Heritage Standing Committee outlining the process, timelines and next steps.</p>	

Outstanding Council Directives Tracking Log

Updated:2022-07-07

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
July 8, 2019	CR340/2019	SCM 183/2019 & S 97/2019	Commissioner, Human & Health Services	<p>...That Administration BE DIRECTED to bring the Community Safety and Well-being Plan to City Council and the Windsor Police Services Board in sufficient time to be adopted prior to the Provincial government's deadline of January 1, 2021; and further,</p> <p>That the Commissioner of Community Development and Health Services or her designate BE REQUESTED to provide regular updates to the Community Services and Parks Standing Committee over the process of development and implementation of the Community Safety and Well-being Plan.</p>	CR337/2020 Extended deadline
July 8, 2019	CR347/2019	SCM 190/2019 & S 79/2019	Commissioner, Human & Health Services	<p>...That the Chief Administrative Officer and Commissioner, Legal & Legislative Services BE AUTHORIZED to execute any agreements, documents and forms required to establish and participate as a Prototype, Service System Manager and/or Direct Delivery Agent, such that any funding does not create an additional annualized City cost without the prior approval of City Council. Authorization would be subject to approval as to legal content by the Commissioner, Legal & Legislative Services, as to financial content by the Commissioner, Corporate Services Chief Financial Officer & Commissioner, Corporate Services Chief Financial Officer & City Treasurer and Commissioner, Corporate Services Chief Financial Officer & City Treasurer designate, and as to technical content by the Community Development and Health Services Commissioner and the Commissioner, Human & Health Services; and further,</p> <p>That Administration BE DIRECTED to provide appropriate reports and updates to City Council regarding the Ontario Works – Employment Ontario Transformation as information becomes available.</p>	
August 26, 2019	CR424/2019	S 129/2019	Senior Manager Asset Planning	<p>That City Council RECEIVE and APPROVE the attached Asset Management Plan for the City of Windsor in compliance with Ontario Regulation 588/17 – Asset Management Planning for Municipal ; and further,</p> <p>That the report of the Manager of Asset Planning dated July 8, 2019 entitled “Corporate Asset Management Plan” BE DEFERRED to the 2020 Budget Deliberations to allow Council to consider the additional recommendations in the report.</p>	

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
October 7, 2019	CR495/2019 Clause 6	C 162/2019	Sokol- Asset Planning	<p>1 – That Council AUTHORIZE administration to negotiate a Municipal Sewer Access Agreement between the City of Windsor and Noventa Energy Partners Ltd. for the purpose of connecting to the City’s sanitary sewer trunk line at a designated location along Riverside Drive, satisfactory in form to the Commissioner, Legal & Legislative Services, in technical content to the Commissioner, Infrastructure Services, and in financial content to the Commissioner, Corporate Services Chief Financial Officer & Commissioner, Corporate Services Chief Financial Officer & City Treasurer and Commissioner, Corporate Services Chief Financial Officer & City Treasurer; and...</p> <p>6 – That Council DIRECT administration to report back detailing the outcome of the negotiated agreements and other related matters contained in this report.</p>	
October 7, 2019	CR518/2019	SCM 358/2019 & S 146/2019	Executive Director of Operations	<p>That this report in response to CQ 12-2019 – Residential Parking Permit Policy BE RECIEVED by Council for information; and,</p> <p>That Council RESCIND the Onstreet Parking Permits for Agencies Policy as adopted in CR418/2004; and,</p> <p>That Council APPROVE the Agency Parking Permit Policy as proposed in Appendix “A”; and,</p> <p>That Administration BE REQUESTED to report back on options to curb the issues with permit parking including but not limited to no parking zones/limited parking/commuter lots and other solutions that administration deems may be good solutions; and,</p> <p>That this information BE FORWARDED to a future meeting of the Environment, transportation and Public Safety Standing Committee.</p>	Waiting for information related to the lot near Brock Street which we are trying to make arrangements for some alternative parking
November 18, 2019	CR543/2019	S 198/2019	Commissioner, Human & Health Services	...That Administration BE DIRECTED to bring the regional Community Safety and Well-Being Plan to City Council and Essex County Council in sufficient time to be considered prior to the Provincial government’s deadline of January 1, 2021.	CR337/2020 Extended deadline

Outstanding Council Directives Tracking Log

Updated:2022-07-07

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
November 18, 2019	CR564/2019	SCM 388/2019 & SCM 329/2019	Windsor Police Services	That Report No. 21 of the Windsor BIA Advisory Committee – Increasing enforcement on Wyandotte St. East from Devonshire to Lauzon indicating: That Administration from Windsor Police Services BE REQUESTED to report back on the feasibility of increasing enforcement on Wyandotte Street East from Devonshire to Lauzon Road due to excessive speeding along this corridor.	
December 2, 2019	CR601/2019	SCM 417/2019 & SCM 365/2019		That Report No. 2 of the Committee of Management for Huron Lodge indicating: That Administration BE REQUESTED to report back on the history of per diem funding in long term care homes and the comparators relating to the allocation of food per diems in other institutions	

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
December 2, 2019	CR608/2019	SCM 412/2019 & S 200/2019	Commissioner, Human & Health Services	<p>That this report from the Executive Director of Housing and Children's Services regarding the Windsor Essex Child Care and Early Years Service System Plan 2020-2025 BE ACCEPTED; and,</p> <p>That the Executive Director of Housing and Children's Services BE AUTHORIZED to submit The Windsor Essex Child Care and Early Years Service System Plan 2020-2025 to the Province of Ontario's Ministry of Education on or before December 31, 2019 as required under the Child Care and Early Years Act; 2014 (CCEYA); and,</p> <p>That the Executive Director of Housing and Children's Services REPORT BACK to Council should the Ministry of Education have substantial changes and/or recommendations that are directed by the Minister to be incorporated into The Windsor Essex Child Care and Early Years Service System Plan 2020-2025; and,</p> <p>That the Executive Director of Housing and Children's Services BE AUTHORIZED to submit subsequent reports/updates on The Windsor Essex Child Care and Early Years Service System Plan 2020-2025 to the Ministry of Education if required; and further,</p> <p>That Administration REPORT BACK to the Community Services and Parks Standing Committee once further analysis is completed regarding the causal data related increase in vulnerability as reported in the Early Development Instrument (EDI) and further analysis in terms of breakdowns of EarlyON programs and usage.</p>	
December 16, 2019	CR621/2019	C 203/2019	Commissioner, Corporate Services Chief Financial Officer & City Treasurer	<p>That City Council APPROVE the issuing of a Request for Proposal (RFP), in accordance with Purchasing Bylaw 93-2012 and amendments hereto, for the potential development of a photovoltaic generation Net Metering project on suitable City of Windsor properties; and,</p> <p>That the Council DIRECT Administration to report back on the outcome of the RFP identifying the successful proponent along with a detailed business case analysis.</p>	

Outstanding Council Directives Tracking Log

Updated:2022-07-07

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
January 20, 2020	CR40/2020	SCM 485/2019 & S 230/2019	Commissioner, Corporate Services Chief Financial Officer & City Treasurer	<p>That the Environment, Transportation & Public Safety Standing Committee sitting as the Transit Windsor Board of Directors APPROVE the Transit Master Plan – More Than Transit (the Plan) as follows:</p> <p>1. That the Plan BE the roadmap for Transit Windsor from the years 2020 to 2028 to follow with annual reviews and updates; and,</p> <p>2. That any 2019 operating revenue surplus to a maximum of \$250,000 BE TRANSFERRED to Capital to fund a Garage Feasibility Study in order to implement the plan; and,</p> <p>3. That the recommendations as set out by Administration for capital and operating needs for 2020 through to 2028 BE DEFERRED to the City of Windsor Annual Operating and Capital Budget with regards to implementation of the plan.</p>	
January 27, 2020	B9/2020	SCM 299/2019 & S 167/2019	Commissioner, Infrastructure Services	That Administration BE DIRECTED to prepare a report for Council's consideration related to options for curbside garbage collection instead of alley collection citywide wherever possible.	Report written as C 151/2020. Will be updated with new financial information and is expected to go to December 16 ETPS
January 27, 2020	B58/2020	AFB/13467	Chief Administrative Officer	That Administration BE DIRECTED to implement a Zero Based Participatory Full Council Budget model for the 2021 Budget deliberations and further that a report BE PROVIDED in the Spring of 2020 outlining the parameters and options for a Zero Based Budget model for Council's consideration and decision.	

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
February 24, 2020	CR99/2020 CR605/2019 CSPS79	SCM 58/2020 & C 160/2019	Commissioner, Community Services	<p>...That the International Relations Committee BE REQUESTED to review the \$25,000 commitment for the You + Me sculpture project due to the updated information regarding the \$50,000 financial commitment to this project by the Rotary Club of Windsor-Roseland;</p> <p>That the International Relations Committee RECONSIDER committing \$25,000 in the You + Me sculpture project; and further,</p> <p>That, in the absence of the International Relations Committee reconsidering a \$25,000 financial commitment, the International Relations Committee REPORT BACK to Council with their plan for the \$25,000 that was previously committed to the You + Me sculpture project.</p>	Completed - a small portion (\$5,000) was allocated to the You +Me sculpture project and of the remaining \$20,000 the IRC has approved \$14,000 for the Sister Cities Pole
April 27, 2020	CR149/2020	C 76/2020	Commissioner, Corporate Services Chief Financial Officer & City Treasurer	<p>That the results of the email poll conducted by the Deputy Commissioner, Legal & Legislative Services on April 8, 2020 approving the following recommendation BE CONFIRMED AND RATIFIED:</p> <p>That, consistent with CR 127/2020 which provided all taxpayers property tax relief in the form of an extension for payment of the third interim tax instalment, City Council EXTEND the due date for the 2020 1st quarter remittance of the Municipal Accommodation Tax (MAT) from April 30, 2020 to June 30, 2020; and further,</p> <p>That there WILL BE NO late payment charges in either form, penalty and/or interest through the period June 30, 2020; and further,</p> <p>That the Commissioner, Legal & Legislative Services AMEND By-law 133-2018;</p> <p>and further,</p> <p>That administration BE DIRECTED to prepare a report for Council's consideration, as soon as possible, on options available for the City of Windsor to use the Municipal Accommodation Tax (MAT) to help the local hospitality industry as a result of the ongoing COVID-19 pandemic.</p>	

Outstanding Council Directives Tracking Log

Updated:2022-07-07

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
June 15, 2020	CR315/2020	C 68/2020	Commissioner, Community Services	That the report of the Manager – Parks Development, dated April 1, 2020 entitled “E-Scooters in Parks” BE DEFERRED until the spring of 2021 as a pilot project for 2020 would be limited due to the Covid-19 pandemic.	Report will be updated and brought forward to Council in Spring 2021.
July 27, 2020	CR380/2020	C 145/2020	Community Development and Health Commissioner & Corporate Leader – Social Development and Health	<p>That the Review of Emergency Shelter Services in Windsor Essex Report by Vink Consulting Inc. BE RECEIVED for information; and,</p> <p>That the Executive Director of Housing and Children’s Services BE DIRECTED to bring forward reports to City Council addressing the recommendations for the future state of the emergency shelter system, including implementation plans with associated costs; and,</p> <p>That the Executive Director of Housing and Children’s Services BE AUTHORIZED to pursue funding options to support any required operational and capital investments and further, should such funding options be in the forms of grants and/or loans; and,</p> <p>That the Chief Administrative Officer and Commissioner, Legal & Legislative Services, or their designates, BE AUTHORIZED to sign any applications and take any such actions as required to secure funding provided such documents are in a form satisfactory to the Commissioner, Legal & Legislative Services, satisfactory in financial content to the Commissioner, Corporate Services Chief Financial Officer & City Treasurer, and technical content to the Executive Director of Housing and Children’s Services; and further,</p> <p>That Administration BE DIRECTED to report back to the Community Services and Parks Standing Committee on a quarterly basis on timelines and progress of the report.</p>	

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
November 7, 2020	CR553/2020 DHSC 207	SCM 311/2020 & S 53/2020	City Planner	<p>I. That Administration BE REQUESTED to give notice of intention to designate the property located at 436 Askin Ave in accordance with Part IV of the Ontario Heritage Act; within 60 days from September 25, 2020; and,</p> <p>II. That the request to demolish the enclosed porch and balcony at the rear of 436 Askin Ave to facilitate a rear addition and conversion to a semi-detached dwelling as currently proposed, BE REFUSED, in accordance with the Ontario Heritage Act, Section 30 Effect of the Notice of Designation; and,</p> <p>III. That Administration REPORT BACK to Council regarding initiation of a Heritage Conservation District Area Study for this area; and, that the report include suggestions related to potential boundaries, optional designation of a Heritage Conservation District Study Area Bylaw, timing of the study and funding considerations.</p>	
November 7, 2020	CR564/2020	C 211/2020	Commissioner, Infrastructure Services	<p>That the report of Public Works – Operations, dated October 23, 2020 entitled “Purchase of Six, 2021 Chevrolet Bolt, Fully Electric Vehicles for Building Department” BE RECEIVED; and further,</p> <p>That the existing RFP BE RESCINDED and that a new RFP BE ISSUED for hybrid mini-vans that would replace these vehicles and that Administration BE DIRECTED to come back with a draft policy for Council’s consideration on how to replace vehicles while at the same time supporting the Climate Change Plan.</p>	
November 23, 2020	CR585/2020	C 220/2020	Commissioner, Community Services	That the report of the Senior Manager – Facilities dated November 6, 2020 entitled “Corporate Security Plan and Risk Assessment” BE DEFERRED to allow for additional information from administration.	
December 7, 2020	CR616/2020 Clause 6	C 54/2020	Commissioner, Corporate Services Chief Financial Officer & City Treasurer	6. That administration BE DIRECTED to report back at a high level on the economic impact and any perceived impacts on development if Council were to revisit eliminating the industrial exemption.	
December 21, 2020	CR655/2020	SCM 374/2020 & S 164/2020	Commissioner of Parks, Recreation, Culture and Corporate Facilities	That Administration BE REQUESTED to report back to Council outlining the costs associated with undertaking an invasive species management strategy citywide.	

Outstanding Council Directives Tracking Log

Updated:2022-07-07

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
January 18, 2021	CR40/2021 ETPS 802	SCM 16/2021 & S 155/2020	Commissioner, Economic Development & Innovation	That the report of the Environment, Transportation and Public Safety Standing Committee of its meeting held December 16, 2020 regarding “Wyandotte Street East Corridor Review” BE REFERRED back to Administration to narrow the focus as soon as possible, and to satisfy the Active Transportation Master Plan by providing cycling infrastructure along Wyandotte Street East and further, that in-person public meetings BE HELD once permitted, as part of a consultation process that would include residents and businesses in the subject area.	
February 1, 2021	CR64/2021 CR26/2021 DHSC 226 DHSC 227 DHSC 228 Clause 6	SCM 2/2021 & S 170/2020	City Planner	...6. That the City Planner BE DIRECTED to report back to Council on a range of options available to address the concerns arising from the 2650 Metcalf property operating as a Transport Terminal.	
February 8, 2021	CR69/2021	SCM 44/2021	Commissioner, Corporate Services Chief Financial Officer & City Treasurer	That Council RECEIVE the external advisory report and ENDORSE IN PRINCIPLE the recommendations enclosed in Windsor Works: An Economic Development Strategy for the City's Future Growth; and further, That Council DIRECT Administration to undertake the work required in order to prepare a detailed implementation plan as soon as practical and provide quarterly updates to Council on progress.	

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
February 22, 2021	B10/2021 ETPS 808	SCM 41/2021 & S 190/2020	Commissioner, Infrastructure Services	<p>That a pilot project for 2021 BE ESTABLISHED from September to December of 2021 related to Route 18 that provides service from the East End, from Tecumseh Mall to St. Clair College, to BE COST-SHARED between the City of Windsor and St. Clair College at a cost of \$90,000 each; and,</p> <p>That the amount of \$90,000 for the City of Windsor's portion BE FUNDED from the Budget Stabilization Reserve (BSR) Fund for 2021; and,</p> <p>That administration BE DIRECTED to enter into discussions with St. Clair College and the Student Council for the potential of a "St. Clair College Pass Program"; and further,</p> <p>That the pilot project BE RE-VISITED by Council in early December, 2021.</p>	
February 22, 2021	B26/2021		Commissioner, Infrastructure Services	That the Street Extension and Trunk Sewer Project on Jarvis (ECP-010-07) BE DEFERRED for a period of 1 year to allow for the completion of the Environmental Assessment and public consultation to be conducted.	
March 29, 2021	CR110/2021	Clerk's File: SP2021		That the report of the Windsor Police Service entitled "Strategic Plan: 2020-2022" BE REFERRED to a future meeting of Council to allow for representatives from the Windsor Police Service to be in attendance and available for questions	
March 29, 2021	CR111/2021	Clerk's File: MU2021		That the "Windsor Utilities Commission 2020 Summary Report: Water + Imagination = Quality of Life" BE REFERRED to a future meeting of Council to allow for representatives from Windsor Utilities Commission to be in attendance and available for questions	

Outstanding Council Directives Tracking Log

Updated:2022-07-07

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
April 19, 2021	CR161/2021	SCM 108/2021 & S 9/2021	Commissioner, Economic Development & Innovation	<p>1. That the Community Safety Zone Policy, attached as Appendix 1 of this report, BE ADOPTED.</p> <p>2. That Traffic By-law 9148 BE AMENDED as listed and attached in Appendix 2 of this report.</p> <p>3. That the Commissioner, Legal & Legislative Services BE DIRECTED to prepare the necessary documents to amend the by-law.</p> <p>4. That Administration BE REQUESTED to provide a report back on the cost of adding the nine Business Improvement Areas as Community Safety Zones.</p>	
April 19, 2021	CR165/2021	C 41/2021	Commissioner of Parks, Recreation, Culture and Corporate Facilities	<p>...That Council APPROVE the ongoing operational costs, including an increased Windsor Auxiliary Police presence within the Riverfront Trail with all associated costs related to the pilot project of e-scooters in Parks to be charged to the Parks Operations operating budget in 2021 and funded by the Budget Stabilization Reserve (BSR) during the pilot project period in 2021 as outlined in the financial matters section of this report, and that Administration include a submission on the funds required in the following year as part of the 2022 Operating Budget deliberations and further, That Administration REPORT BACK to Council on the results of the pilot project including ongoing costs after its completion.</p>	
April 19, 2021	CR168/2021	SCM 110/2021 & S 24/2021	Commissioner, Economic Development & Innovation	<p>That \$1,000,000 BE TAKEN from the 2020 yearend operating budget surplus and APPLY THIS AMOUNT to establish a traffic calming capital project budget for traffic calming initiatives; and further,</p> <p>That administration BE DIRECTED to report back to Council with a policy, including a rollout plan, that would allow residents to request speed bumps if the majority in the subject block wish to see that happen.</p>	
May 3, 2021	CR179/2021	C 51/2021	Commissioner, Legal & Legislative Services	<p>That the report of the Senior Legal Counsel and Student-at-Law dated April 9, 2021 entitled "Response to CR591/2020 – Cannabis Odour" BE DEFERRED to allow for a further report once the enforceability of the Town of Leamington's Cannabis Regulation By-law is considered by the Superior Court of Justice and the Normal Farm Practices Protection Board, and that the report also include possible enforcement options that would be available for Council's consideration.</p>	

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
May 3, 2021	CR182/2021 Clause 4	C 53/2021	Commissioner, Corporate Services Chief Financial Officer & City Treasurer	4. That Administration BE DIRECTED to review the application of discounts applied to the first and second sub-classes of farmland awaiting development and provide recommendations to City Council with regards to the elimination of the tax rate discounts as part of the 2022 Tax Policy report.	
May 17, 2021	CR213/2021	MBA/3183 MBA/2988	& City Planner	That the correspondence from Paul Mullins on behalf of Assumption Parish dated April 23, 2021 requesting support from the City of Windsor to be recognized by Parks Canada as a Nationally Significant Historic Site, BE REFERRED to administration for review and a report back to Council for consideration, specifically as it would pertain to the ramifications designation would have on city property.	
June 21, 2021	CR285/2021	C 87/2021	Chief Administrative Officer	That Council RECEIVES the report from the Chief Administrative Officer on June 7, 2021, which provides a preliminary organizational review of The Corporation of the City of Windsor; and, That Council DIRECTS Administration to report back to Council with a Corporate Strategic Plan that will provide strategic and tactical objectives that will continue to create an organization that is innovative, agile, collaborative, solution-oriented, efficient, and effective; and, That Council DIRECTS Administration to create an Implementation Playbook for the 20-Year Strategic Vision to ensure the continued rapid realization of its goals; and, That Council DIRECTS Administration to report back to Council with amendments to the Delegated Authority By-law No. 208-2008 to remove "red tape" and enable rapid execution of Council's vision and direction; and, That Council AMENDS CAO By-law No. 218-2002 to reflect the current organizational structure, i.e. clarifying that the CAO shall recommend to Council the appointment and dismissal of Corporate Leadership Team members and statutory officers but not Department Heads; and, That Council DIRECTS Administration to retain an expert in effective board governance and facilitation, and schedule a closed Council Workshop for education purposes.	

Outstanding Council Directives Tracking Log

Updated:2022-07-07

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
July 19, 2021	CR321/2021	GCE2021 & ACOQ2021	Commissioner, Legal & Legislative Services	<p>That the correspondence from the Commissioner, Legal & Legislative Services dated July 13, 2021 regarding “Response to CQ11-2021: Ontario Conservation Authority Working Group consultations” BE RECEIVED; and further,</p> <p>That administration BE DIRECTED to schedule an education/information session for Council and administration regarding core services and optional services, in order to allow Council to then issue a submission to the Ontario Conservation Authority Working Group as part of their consultations that are currently underway for both Phase 1 and 2.</p>	

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
July 19, 2021	CR331/2021 CSPS 155	SCM 223/2021 & S 80/2021	Commissioner, Community Services	<p>That the report from the Cultural Development Coordinator regarding the expansion of the City of Windsor’s Poet Laureate program BE RECEIVED; and further,</p> <p>That the Poet Laureate program, established as an ongoing program, BE REBRANDED as the ‘Poet Laureate and Storytellers’ program; and further,</p> <p>That the program BE UPDATED to include two new positions – Indigenous Storyteller and Multicultural Community Storyteller; and further,</p> <p>That the additional funding required for the expanded program honorariums and programming initiatives in 2021 in the amount of \$9,500 BE CHARGED to the Culture and Events operating budget; and further,</p> <p>That Council PRE-COMMIT a \$9,500 increase to the Culture and Events 2022 operating budget; and further,</p> <p>That Administration BE DIRECTED to seek nominations for recognized Windsor literary and spoken word artists for the position of Indigenous Storyteller and Multicultural Community Storyteller, to be appointed for two-year terms; and further,</p> <p>That the administrative report BE REFERRED to the Diversity Committee for review and comment; and,</p> <p>That additional consultations BE CONDUCTED as appropriate.</p>	
July 26, 2021	CR360/2021 DHSC 310	SCM 243/2021 & S 87/2021	Commissioner, Economic Development & Innovation	<p>1. That Report No. S 87/2021 entitled “Updates to the 2021 Ontario Heritage Act Amendments” BE RECEIVED for information; and,</p> <p>2. That the City Planner BE DIRECTED to prepare amendments to City of Windsor Official Plan, Delegation By-law, and create new Heritage Procedures/By-law, or utilize other policies or tools as required, to address the legislative changes and for Council’s consideration.</p>	

Outstanding Council Directives Tracking Log

Updated:2022-07-07

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
July 26, 2021	CR363/2021 DHSC 313	SCM 246/2021 & S 71/2021	Commissioner, Economic Development & Innovation	<p>1. That Report No. S 71/2021 updating City Council on the use and implementation of the Brownfield Redevelopment Community Improvement Plan (CIP) and tabling issues to be addressed as part of the CIP update BE RECEIVED for information; and,</p> <p>2. That the City Planner BE DIRECTED to consult with stakeholders regarding potential changes to the Brownfield Redevelopment CIP outlined in Report No. S 71/2021 and prepare any necessary CIP amendments for Council's consideration.</p>	
July 26, 2021	CR365/2021 CR333/2021	C 98/2021	Commissioner, Human & Health Services	<p>...That the Executive Director of Housing and Children's Services BE DIRECTED to develop a proposed model for the Housing Hub project and bring back recommendations to City Council for consideration; and further,</p> <p>That Administration PREPARE an official letter on behalf of City Council to help advocate other levels of government to address funding gaps with respect to mental health and addictions to ensure the new housing hub is a success.</p>	
September 27, 2021	CR387/2021	C 116/2021	Commissioner, Corporate Services Chief Financial Officer & City Treasurer	<p>That the 2020 Annual Investment Compliance Report for the year ending December 31, 2020 BE RECEIVED for information; and further,</p> <p>That City Council SUPPORT the following actions with regards to the development and implementation of an enhanced investment strategy:</p> <p>That Administration BE AUTHORIZED to prepare a Request for Proposal (RFP) for Investment Advisory services; and further,</p> <p>That Administration BE DIRECTED to explore alternative options to traditional financial instruments to maximize overall investment returns for the City; and further,</p> <p>That Administration BE AUTHORIZED to prepare an Expression of Interest (EOI) to seek interest in the development of an in-house solution for managing current and projected cash flows more efficiently through the use of technology; and further,</p> <p>That Administration BE DIRECTED to report back to City Council the results of the above noted actions.</p>	

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
September 27, 2021	CR402/2021 ETPS 841	SCM 263/2021 & S 69/2021	Commissioner, Infrastructure Services	<p>That the report of the Engineer I dated June 4, 2021 entitled "Alley Standards Development – City Wide" BE RECEIVED for information; and,</p> <p>That Administration BE DIRECTED to develop an Alley Standards Development Committee as outlined in the report; and,</p> <p>That the Alley Standards Development Committee REPORT BACK to Council with a fulsome report regarding alleys across the City, including but not limited to the following:</p> <ul style="list-style-type: none"> • Capital and Annual Costs associated with developing, maintaining and enforcing a set of standards for all of the City's alleys • Clear Alley Standards • Different Kinds of Alleys • Alley Closure Process • Additional Dwelling Units accessing alleys and required maintenance • Collection of Garbage and Refuse at Curbside in a consistent manner • Data and Statistics related to resources spent on 311 calls in alleyways regarding clean up/rodent or other issues 	
October 4, 2021	CR429/2021 DHSC 326	SCM 296/2021, S 41/2020, AI 7/2021, & AI 10/2021	Commissioner, Economic Development & Innovation	<p>That the report of the Senior Planner – Policy and Special Studies dated February 27, 2021 entitled "Closure of Part of Dodsworth Street, Between Kay Street and Malden Road, Between 5168 and 5180 Malden Road - Applicant: T. Fasan - SAS/5917 - Ward 1" BE REFERRED back to administration to allow administration the opportunity to work with the Applicant to come to an amenable resolution for everyone involved</p>	

Outstanding Council Directives Tracking Log

Updated:2022-07-07

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
October 4, 2021	CR432/2021 DHSC 321	SCM 289/2021 & S 75/2021	Commissioner, Economic Development & Innovation	<p>That the City Planner BE DIRECTED to report back to the Development & Heritage Standing Committee before the end of 2021 with the following:</p> <p>a. Official Plan policy options to further enhance and strengthen densification and intensification as part of the City’s overarching growth strategy, including timelines, funding and resource options to prepare that background work for an OPA or OP update; and,</p> <p>b. In order to better inform that policy work around, the Chief Planner is requested to report back with options to host one (or more) design charette workshops to co-create with community leaders a vision for a complete community city block that would capture the very best of global placemaking practices when certain density thresholds are achieved.</p>	
October 4, 2021	CR448/2021 ETPS 858	SCM 313/2021 & S 110/2021	Commissioner, Infrastructure Services	<p>That the report of the Manager of Contracts, Maintenance & Field Services dated August 19, 2021 entitled “Response to CQ 5-2021 Pedestrian Walkways – City Wide” BE RECEIVED for information; and,</p> <p>That the addition of signage at pedestrian inter-block walkways in the wintertime BE APPROVED; and,</p> <p>That administration BE DIRECTED to monitor the effectiveness for a period of 2 years; and,</p> <p>That funding in the amount of \$18,600 BE APPROVED; and,</p> <p>That the amount BE FUNDED from the Budget Stabilization Reserve Fund (BSR)</p>	
October 4, 2021	CR452/2021	C 123/2021 & C 129/2021	Commissioner, Infrastructure Services	<p>That the report of the Senior Manager of Engineering dated September 17, 2021 entitled “Festival Plaza Improvement – Final Design – Ward 3” and the report of the Manager of Parks Development dated August 23, 2021 entitled “Waterfront Beacon – Street Car # 351” BE REFERRED back to Administration to allow for a comprehensive report related to how the Festival Plaza and Waterfront Beacon can be linked to the new City Hall Esplanade moving forward; including but not limited to information related to bathroom facilities, food services, and other options, for Council’s consideration.</p>	

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
October 25, 2021	CR461/2021	C 124/2021	Commissioner, Corporate Services / Chief Financial Officer / City Treasurer	<p>That City Council APPROVE the development of a pilot Hybrid Work Program as proposed in Appendix A (attached) for a period of one year starting in October 2021; and,</p> <p>That Administration PROVIDE City Council with a progress report after one year for further recommendations; and,</p> <p>That the draft of the new Hybrid Work Procedure (Appendix B) BE RECEIVED FOR INFORMATION; and,</p> <p>That the White Paper on Future of Working Remotely in Ontario's Single Tier Municipalities dated June 2021 (Appendix C) prepared on behalf of the Regional Single Tier Human Resources Group BE RECEIVED FOR INFORMATION.</p>	

Outstanding Council Directives Tracking Log

Updated:2022-07-07

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
October 25, 2021	CR466/2021 ETPS 845	SCM 300/2021, SCM 224/2021, C 152/2021 & SCM 350/2021	Commissioner, Economic Development & Innovation	<p>That Report No. 110 of the Windsor Essex County Environment Committee (WECEC) of its meeting held June 24, 2021 indicating: That the proposal from the Windsor-Essex Youth Climate Council for a pop-up temporary separated bike lane on University Avenue BE ENDORSED. BE APPROVED; and,</p> <p>That City Council ENDORSE the creation of a pilot project for temporary separated bike lanes along University Ave. in 2022; and,</p> <p>That Administration CONSULT with external stakeholders including the University of Windsor, the DWBIA, Bike Windsor-Essex and other organizations or groups as appropriate to develop a pilot project for separated bike lanes along University Ave.; and,</p> <p>That Administration BE REQUESTED to report back to Council with a more detailed outline of the pilot project related to consistency including but not limited to financial implications and the following:</p> <ul style="list-style-type: none"> • Administration would engage with the University of Windsor to identify any potential funding or cost-sharing; • Administration, working collaboratively across departments, would develop design alternatives for the University Avenue corridor; • These alternatives would be presented to stakeholders in a public consultation program; and, • Administration would report back to Council with a recommended alternative, results of public consultation, and cost estimates to seek Council's approval for construction as well as for funding approval of associated capital and operating costs. 	

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
October 25, 2021	CR475/2021 CR452/2021	C 123/2021	Commissioner, Community Services	<p>I. That City Council DIRECT Administration to work with the consultant to develop different costing options for the final detailed design of the Festival Plaza that vary in price, and once completed, undertake public and stakeholder consultations on those designs. This will give Council the opportunity to determine the level of investment that should be made at Festival Plaza; and,</p> <p>II. That City Council DIRECT the Manager of Parks Development to apply for a site-specific amendment to the Official Plan and Zoning By-law 8600 to allow the necessary buildings and structures within Festival Plaza to extend above the crown of the pavement of Riverside Drive as all potential options will require an amendment; and,</p> <p>III. That City Council DIRECT Administration to create a detailed connectivity plan, including public consultation, between the riverfront and the adjacent areas along the CRIP footprint with special consideration for downtown areas. The plan should not include tunnels underneath Riverside Drive but rather should have multiple access points to link the northside of Riverside Drive to the southside of Riverside Drive focusing on pedestrian safety and include options for physical design changes to Riverside Drive; and further,</p> <p>IV. That City Council DIRECT Administration to prepare a comprehensive Council report that incorporates all of the above recommendations.</p>	

Outstanding Council Directives Tracking Log

Updated:2022-07-07

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
October 25, 2021	CR476/2021 CR452/2021	C 129/2021	Commissioner, Community Services	<p>That City Council APPROVE the design of the building and the terraces for the Legacy Beacon as the new home for Streetcar No. 351, located on the waterfront North of Riverside Drive at the foot of Caron Avenue in Legacy Park (Appendix A); and,</p> <p>That the City Planner BE DELEGATED the authority to approve the Site Plan Control Application and BE AUTHORIZED to approve minor changes to the design to allow for the construction for a permanent building (Legacy Beacon) to house Streetcar No. 351; and,</p> <p>That City Council APPROVE and pre-commit \$1,000,000 in 2023 from the Central Riverfront Festival Plaza (PFO-003-15) for the incremental construction costs needed at the Legacy Beacon; and further,</p> <p>That Administration REPORT BACK to Council with a business case for the concession/terrace area prior to the 2022 budget deliberation meetings or as soon as possible thereafter.</p>	

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
November 1, 2021	CR496/2021 CSPS 163	SCM 329/2021 & S 51/2021	Commissioner, Community Services	<p>That the report of the Senior Manager of Facilities dated May 13, 2021 entitled "CQ 4-2021 - Proposal for Council consideration to provide menstrual hygiene products in select municipal buildings free of charge" BE RECEIVED for information; and,</p> <p>That Council APPROVE a 1-year pilot program-Option C as outlined in the administrative report, to provide free menstrual products in public women's, men's, universal and family washrooms at the locations listed below:</p> <ul style="list-style-type: none"> • WFCU Centre • Windsor Water World • Windsor International Aquatic and Training Centre • Capri Pizzeria Recreation Complex • 350 City Hall Square W. • 400 City Hall Square E; and, <p>That the estimated cost of \$19,000 plus HST BE FUNDED from the City's Budget Stabilization Reserve (BSR) Fund; and further,</p> <p>That the City's Advisory Committees, Boards and Commissions (ABC's) BE MADE AWARE of the pilot program and BE REQUESTED to adopt a similar program at their facilities where applicable; and,</p> <p>That Administration REPORT BACK to Council with a six month interim report to provide a status update, and after one year with the results of the pilot program to request annual operating funds through the 2023 budget process.</p>	

Outstanding Council Directives Tracking Log

Updated:2022-07-07

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
November 1, 2021	CR497/2021 CSPS 164	SCM 333/2021 & S 132/2021	Commissioner, Community Services	<p>That the report of the Cultural Development Coordinator and Manager of Culture & Events dated September 16, 2021 entitled "Update of Round 2 of the Arts, Culture and Heritage Fund 2021 – City Wide" BE RECEIVED for information; and,</p> <p>That Administration REPORT BACK during the 2022 budget deliberations with potential increases to the Arts, Culture and Heritage Fund Grant Program funding envelope that matches and keeps pace with growth in the community; and,</p> <p>That Administration BE DIRECTED to investigate the possibility of private sector partnerships to augment the funding envelope that this program delivers to the community.</p>	
November 15, 2021	CR520/2021 ETPS 867	SCM 363/2021 & S 136/2021	Commissioner, Economic Development & Innovation	<p>That the report of Transportation Planning Senior Engineer dated September 27, 2021 entitled "2019 Road Safety Report – City-Wide" BE RECEIVED for information; and further,</p> <p>That the data in this report BE REVIEWED and BROUGHT FORWARD when decisions related to development patterns and other investment in infrastructure are being considered including but not limited to opportunities for development or planning.</p>	
November 15, 2021	CR526/2021	C 132/2021	Commissioner, Corporate Services	<p>That Council APPROVE the award of RFP 41-21, Municipal Property Tax Software Solution, to CentralSquare Canada Software Inc. as the successful and sole proponent, for an initial period of three (3) years, with potential renewals for successive one (1) year periods, provided all terms and conditions remain the same; and...</p> <p>That a funding plan to address annual operating budget impacts of the new tax software BE REFERRED to the 2023 Operating Budget deliberation process if the Pay-As-You-Go funding plan is not approved as part of the 2022 operating budget deliberation process.</p>	

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
December 13, 2021	B28/2021	C 176/2021	Commissioner, Corporate Services / Chief Financial Officer / City Treasurer	That City Council APPROVE the following recommendations upon the City receiving written confirmation from the Green and Inclusive Community Building grant provider that the City's grant application for the Re-imagined Adie Knox Herman project has been awarded the requested funding:... That City Council DIRECT Administration to report to City Council on options for Adie Knox Herman project funding, should the grant not be awarded in whole or in part.	
December 13, 2021	B34/2021 CR419/2021	C 113/2021	Commissioner, Community Services	That the report of the Project Administrator dated August 27, 2021 entitled "Proposed Artificial Turf Sports Field - Ward 6 & 7" BE REFERRED back to Administration to continue to explore artificial turf options with stakeholders for Council's consideration.	
December 13, 2021	B38/2021	C 171/2021	Commissioner, Corporate Services / Chief Financial Officer / City Treasurer	That this report with regards to the Power to Impose a Tax on Vacant Residential Units BE RECEIVED for information; and further, That City Council APPROVE the development of a Vacant Residential Unit Tax program for the City of Windsor; and further, That Administration BE DIRECTED to conduct further research in terms of designing and implementing a Vacant Residential Unit Tax program inclusive of community consultation and that a fully developed program be brought back to City Council for approval prior to implementation; and further, That City Council APPROVE the use of funding from the Budget Stabilization Reserve to offset any shortfall in the projected revenue up to the \$100,000 that has been included in the 2022 Operating Budget in the event that the implementation of a Vacant Residential Unit Tax program be delayed.	
December 13, 2021	B47/2021	Clerk's File: GH/14271	Commissioner, Human & Health Services	That the Executive Director Housing and Children's Services BE REQUESTED to report back to the Community Services and Parks Standing Committee related to pressures specific to the Rent Assistance Program in 2022	

Outstanding Council Directives Tracking Log

Updated:2022-07-07

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
December 20, 2021	CR553/2021	C 190/2021	Commissioner, Corporate Services / Chief Financial Officer / City Treasurer	<p>That the December 7, 2021 report from PSD Citywide Inc. entitled “Improving the Identification, Monitoring, and Tracking of Development Charges Related Projects at the City of Windsor”, which is financed by the Province of Ontario’s Audit and Accountability Fund, BE RECEIVED for information; and,</p> <p>That the City Treasurer BE AUTHORIZED to post the PSD Citywide Inc. reports to the corporate website by no later than January 31, 2022 in accordance with the grant’s requirements; and,</p> <p>That Administration BE DIRECTED to further assess the reports developed by PSD Citywide Inc. AND the recommendations presented in the report to better understand their value and any cost implications, AND where deemed appropriate bring those items forward for consideration in future budgets.</p>	
December 20, 2021	CR555/2021 ETPS 864	SCM 361/2021, C 154/2021 & AI 19/2021	Commissioner, Corporate Services Chief Financial Officer & City Treasurer	<p>1) That City Council RECEIVE the report of the Supervisor of Environmental Sustainability & Climate Change dated October 7, 2021, entitled "Response to Council directive regarding applying a climate lens to the City’s purchasing practices – City Wide"; and,</p> <p>2) That City Council APPROVE Administration proceeding with identified strategies for 2021/2022 including:</p> <ul style="list-style-type: none"> • Form an internal Sustainable Purchasing Team; • Update current purchasing procedures/documents to ensure environmental sustainability and climate change is being considered; • Update the City’s Sustainable Purchasing Guide (2015) to reflect updates for climate change considerations; and • Join the Canadian Collaboration for Sustainable Procurement for 2021/2022; and, <p>3) That Administration REPORT BACK to City Council by the third quarter (Q3) 2022 with a report on achievements and possible next steps.</p>	

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
January 17, 2022	CR19/2022 CR543/2021 Clause 7, 8 & 9	C 141/2021 & AI 1/2022	Commissioner, Economic Development & Innovation	<p>...7. That the annual operating cost requirements BE REFERRED to the 2023 budget.</p> <p>8. That Administration BE DIRECTED to report back to Council with a by-law and policy amendment for Council consideration that provides for options to add signalized traffic management tools at school crossing checkpoints on arterial roadways where they do not currently exist and are not likely to meet the full scope of warrant criterion as is currently applied and that this information BE BROUGHT FORWARD to Council by the 2nd quarter of 2022.</p> <p>9. That Administration BE DIRECTED to report back specifically related to the school crossing at the Cabana and Caron/Clara intersection with potential funding options to install a pedestrian activated traffic light at that location.</p>	
January 17, 2022	CR20/2022	C 6/2022	Chief Administrative Officer	<p>That City Council APPROVE waiving the fees associated with the BIA Parklet, Curbside and Sidewalk Cafes for 2022; and,</p> <p>That City Council APPROVE increasing the current 15 minutes free parking via the City of Windsor Parking App to 60 minutes, and also include surface parking lots; and...</p> <p>That the financial impacts from these recommendations BE REPORTED to City Council as part of the 2022 Quarterly Variance reports as COVID 19 pandemic costs; and,</p> <p>That the following recommendation BE DEFERRED to the January 31, 2022 Council Meeting to allow for administration to provide additional information related to the financial impacts of waiving licence fees, and deferring the business licence deadline beyond June 30, 2022, to the next calendar year, including waiving penalties/interest charges:</p>	

Outstanding Council Directives Tracking Log

Updated:2022-07-07

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
January 31, 2022	CR33/2022 CSPS 172	SCM 6/2022 & SCM 403/2021	Commissioner, Community Services	<p>That the minutes of the Community Public Art Advisory Committee of its meeting held October 12, 2021 BE RECEIVED for information; and further,</p> <p>That the portion in the subject minutes pertaining to the sculptural tribute honouring music industry pioneer Rosalie Trombley BE REFERRED back to Administration to determine whether a public display can be considered, either at the Chimczuk Museum or the Art Gallery of Windsor, and that this BE REPORTED BACK to Council.</p>	
January 31, 2022	CR36/2022 CSPS 175	SCM 9/2022 & S 144/2021	Commissioner, Human & Health Services	<p>That the report of the Coordinator of Housing Administration & Policy dated October 28, 2021 entitled "Rent Supplement Program Expiries and Mitigation Strategy – City Wide" BE RECEIVED for information; and,</p> <p>That the Corporation of the City of Windsor REQUEST the Province of Ontario and Government of Canada to provide further financial support to extend funding for rent supplement/housing allowance programs and include reference to impacts of the sunseting of rent supplement and housing allowance programs including specific data points; and,</p> <p>That the Association of Municipalities of Ontario (AMO) BE REQUESTED to quantify these impacts province-wide; and,</p> <p>That the resolution BE FORWARDED to Windsor and Essex County Members of Parliament (MPs), Windsor and Essex County Members of Provincial Parliament (MPPs), the Federation of Canadian Municipalities (FCM), the Association of Municipalities of Ontario (AMO), the Ontario Municipal Social Services Association (OMSSA), the Ministry of Municipal Affairs and Housing, and the Premier of Ontario; and further,</p> <p>That, should the sunseting of rent supplement and housing allowance programs proceed, the impacts BE REPORTED to Council prior to the March 31, 2022 deadline along with options to mitigate those impacts.</p>	

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
February 14, 2022	CR57/2022	C 18/2022	Commissioner, Infrastructure Services	<p>That the report of the Commissioner of Legal & Legislative Services dated January 31, 2022 entitled "Response to CQ 24-2021 - By-law to Require All Property Owners to Maintain Their Properties Free from Rodents and Further Researching Best Practices from Other Municipalities - City Wide" BE RECEIVED for information; and further,</p> <p>That administration BE DIRECTED to report back at a future date on the data collected and potential strategies to target the issue of rodents in our community; and further,</p> <p>That Administration BE DIRECTED to initiate an education and awareness campaign so residents are more aware of the existing Rodent Extermination Program.</p>	
February 14, 2022	CR70/2022 CR47/2022 CR542/2021	C 169/2021 & AI 2/2022	Chief Administrative Officer	That the report of the (Acting) Executive Initiatives Coordinator dated October 29, 2021 entitled "Streamlining Approvals to Enable Rapid Execution of Council's Vision and Direction" BE REFERRED to a Strategic Planning Session of Council.	
February 28, 2022	CR82/2022	C 28/2022	Commissioner, Infrastructure Services	<p>That the Street Lighting Policy, attached as Appendix B of this report, BE ADOPTED;</p> <p>That the Local Improvement Policy, attached as Appendix A of this report, BE ADOPTED; and,</p> <p>That the annual operating cost requirements BE REFERRED to the 2023 budget process.</p>	
February 28, 2022	CR83/2022	C 26/2022	Commissioner, Infrastructure Services	<p>That the report of the Engineer III dated February 10, 2022 entitled "A Provisional By-Law for the Repair and Improvement to the McKee Drain – Wards 1 and 2" BE DEFERRED to a future City Council meeting to allow time for Administration to meet with the affected property owner for further discussion; and further,</p> <p>That Administration BE DIRECTED to request funding from the Ministry of Transportation (MTO) for all expenses associated with any repair and improvements (construction works) to the McKee Drain as it provides a drainage outlet to the Rt. Honourable Herb Gray Parkway and was altered due to the development of the Parkway project.</p>	

Outstanding Council Directives Tracking Log

Updated:2022-07-07

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
March 21, 2022	CR98/2022	Clerk's File: SW2022	Commissioner, Infrastructure Services	<p>That the correspondence from the Friends of the Court dated February 14, 2022 regarding the condition of Brock Street between Sandwich Street and Peter Street BE RECEIVED for information; and further,</p> <p>That Administration REPORT BACK outlining the cost differential between repaving Brock Street between Sandwich Street and Peter Street during the reconstruction phase of Sandwich Street instead of a stand alone project after the reconstruction, when a response to CQ 3-2022 asked on February 14, 2022 requesting a report outlining how deficient residential roads not in the 10 year capital budget will be addressed is brought forward to Council.</p>	
March 21, 2022	CR102/2022 CR538/2020	C 187/2020 & AI 21/2021	Commissioner, Legal & Legislative Services	<p>That the report of the Senior Legal Counsel dated September 18, 2020 entitled "Council Question CQ23-2019 - Payday Loan Establishments - City Wide" BE RECEIVED for information; and further,</p> <p>That Administration PROCEED with establishing a cross-sectoral committee with the appropriate partners and representatives to acquire local information and develop a strategy to distribute education materials regarding alternative financial options and supports; and,</p> <p>That Administration REPORT BACK to the Community Services Standing Committee after one year with a summary of work completed to date.</p>	
April 11, 2022	CR139/2022	C 20/2022	Commissioner, Infrastructure Services	<p>1. That the report of the Policy Analyst dated February 1, 2022 entitled "Cost of Adding the BIAs as Community Safety Zones" BE RECEIVED for information; and,</p> <p>2. That Traffic By-law 9148 BE AMENDED to implement Community Safety Zones in all of the Business Improvement Areas (BIAs); and, that the City Solicitor BE DIRECTED to prepare the necessary documents to amend the by-law; and further,</p> <p>3. That the required ongoing annual maintenance costs associated with the signs installed for Community Safety Zones in the BIAs BE REFERRED to the 2023 Operating Budget, and that the \$48,000 in capital costs BE FUNDED in the manner detailed in the Financial Matters section of the report.</p>	

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
April 11, 2022	CR150/2022 ETPS 887	SCM 85/2022 & S 29/2022	Commissioner, Infrastructure Services	That Administration BE AUTHORIZED to initiate a Home Flood Protection Program on a pilot basis; and further, That Administration REPORT BACK to City Council on completion of the pilot program.	
April 11, 2022	CR154/2022	C 61/2022	Commissioner, Legal & Legislative Services	That the results of the email poll authorized by Mayor Drew Dilkens on Wednesday April 6, 2022 approving the following BE CONFIRMED AND RATIFIED: That Council DIRECTS Administration to SUSPEND the Hybrid Work Policy effective immediately, and to ensure all staff are working in-office no later than May 1, 2022 and for Administration to NOTIFY City Council once a structured and effective implementation plan has been developed such that the Policy is able to be rolled-out in a manner that benefits the Corporation.	
April 25, 2022	CR171/2022	C 54/2022	Commissioner, Legal & Legislative Services	That the report of the (Acting) Licence Commissioner and the Executive Initiatives Coordinator dated March 25, 2022 entitled “Residential Rental Licensing By-law—Wards 1 & 2” and draft by-law, “A By-law Respecting the Licensing of Residential Rental Housing Units,” attached as Appendix A, BE RECEIVED for information; and, That Council APPROVE the proposed residential rental licensing framework described in this report; and, That Council APPROVE the attached draft by-law, to be brought into effect upon the final implementation of the approved framework; and further, That Administration REPORT BACK TO COUNCIL on the results of the two-year pilot study within Wards 1 and 2.	

Outstanding Council Directives Tracking Log

Updated:2022-07-07

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
April 25, 2022	CR184/2022 CSPS 181	SCM 112/2022 & S 39/2022	Commissioner, Community Services	<p>That the report of the Manager of Culture & Events dated March 15, 2022 entitled "City of Windsor Lancaster Bomber FM 212 Progress Report 2019-2021 – Ward 3" BE RECEIVED for information; and further,</p> <p>That Administration BE DIRECTED to report to City Council regarding a fundraising strategy, a plan for assembly of the aircraft, and options to display the aircraft to the public once the assembly portion has been completed.</p>	
May 9, 2022	CR195/2022	C 1/2022	Commissioner, Infrastructure Services	<p>That the report of the Engineer II dated January 5, 2022 entitled "Response to CQ13-2021 – Basement Flood Risk Reduction Update – Ward 7" BE RECEIVED for information; and further,</p> <p>That administration BE DIRECTED to report back to Council on what effective monitoring program can be put in place to give early warning in order to mitigate future flooding events and make proper adjustments to the system as needed.</p>	

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
May 9, 2022	CR202/2022	C 69/2022	Commissioner, Corporate Services	<p>That City Council RECEIVE the information contained in the 2022 Tax Policy Report; and,</p> <p>That City Council APPROVE the following Tax Policy Principles which will be used to calculate the 2022 Final Property Tax Rates:</p> <ol style="list-style-type: none"> 1. That the Optional Tax Classes of office building, shopping center, parking lot/vacant commercial land, and large industrial CONTINUE to be used in the establishment of annual property tax rates. 2. That Administration CONTINUE TO MONITOR the application of a Small Business Class and REPORT BACK to City Council for further direction as part of the 2023 Tax Policy report. 3. That tax reductions for the first sub-classes of farmland awaiting development (FAD 1) BE REDUCED ANNUALLY by the allowed 10% starting in taxation year 2022 through to taxation year 2025. 4. That tax reductions for the second sub-classes of farmland awaiting development (FAD 2) BE ELIMINATED. 5. That the Municipality CONFIRM the threshold on the tax level for eligible new construction at 100%... 	
May 9, 2022	CR203/2022	C 72/2022	Commissioner, Corporate Services	<p>...That Council APPROVE the Operating & Capital Budget timelines for the development of the 2023 Operating & Capital budgets as outlined in Table A (Operating & Capital Budget Timeline) of this report; and,</p> <p>That Administration BE DIRECTED to bring forward a 2023 Operating Budget that provides options to meet Council's fiscal targets status quo from the 2022 Budget Deliberation process with a 0% tax increase option along with 5% departmental reduction targets being brought forward for each department and that this also apply to all City Agencies, Boards, and Commissions (ABCs); and,...</p>	
May 9, 2022	CR204/2022	C 72/2022	Commissioner, Corporate Services	That Administration BE REQUESTED to bring back recommendations for budget engagement tools for the 2023 Budget Deliberation process for Council's consideration.	

Outstanding Council Directives Tracking Log

Updated:2022-07-07

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
May 9, 2022	CR209/2022	SCM 121/2022 & S 42/2022	Commissioner, Corporate Services	<p>That the report of the Community Energy Plan Administrator dated April 8, 2022 entitled "Science Based Targets for GHG Reduction – City Wide" BE RECEIVED for information; and,</p> <p>That City Council APPROVE IN PRINCIPLE Windsor's Science Based Targets of a 68% reduction in city-wide emissions (scope 1 and 2) and a 55% reduction in corporate-wide emissions (scope 1 and 2) below 2005 baseline by 2030; and,</p> <p>That City Council APPROVE IN PRINCIPLE a NET ZERO Target for 2050; and.</p> <p>That Administration BE DIRECTED to report back with an updated strategy to reach these targets by November 2023 that considers implementation timelines, resourcing and financial impacts of meeting science-based targets; and further,</p> <p>That Administration BE DIRECTED to send a letter to the County of Essex and City of Detroit requesting their support of Windsor's Science Based Targets for GHG Reduction.</p>	
May 9, 2022	CR 222/2022	SW2022 15	Commissioner, Corporate Services	<p>That Administration BE DIRECTED to bring back a report before the next winter season, on possible ways that we can address the large gap between the demand for Snow Angels and the number of residents that are assisted. Options should include, but not be limited to improving our recruiting efforts of volunteers and/or providing the service with a set fee or no fee.</p>	

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
May 30, 2022	CR228/2022	C 82/2022	Commissioner, Community Services	<p>That the report of the Executive Initiatives Coordinator dated May 4, 2022 entitled "CQ 7-2022 - Response to CQ 7-2022 - Expansion of Dog Parks within the City - City Wide" BE RECEIVED for information; and,</p> <p>That Administration BE DIRECTED to begin the process of adding two additional dog parks at Oakwood Park and Elizabeth Kishkon Park after the community has BEEN CONSULTED as outlined in the Dog Park Policy; and,</p> <p>That these additional dog parks BE FUNDED as follows: reallocation of \$750,000 in 2022 PAYG funds and the reallocation and pre-commitment of \$130,000 in 2023 PAYG funds from capital project PFO-009-12 – Parks Bridges/Shelters/Buildings/Capital Rehabilitation Program to capital project PFO-010-17 – Dog Park Development, to be replaced with the transfer of \$880,000 from Fund 151 – Parkland Acquisition Reserve back to capital project PFO-009-12; and further,</p> <p>That Administration REPORT BACK to Council with potential edits to the Dog Park Policy to allow smaller, urban parks to be used as dog parks as well.</p>	

Outstanding Council Directives Tracking Log

Updated:2022-07-07

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
May 30, 2022	CR246/2022	SCM 145/2022	Commissioner, Corporate Services	<p>That the attached Internal Audit Summary report provided by PricewaterhouseCoopers LLP (PwC) for the period December 1, 2021 to April 30, 2022 comprised of the following:</p> <ul style="list-style-type: none"> a) Summary of use of unallocated effort b) Complaints and Investigations c) Road Infrastructure Maintenance Processes VFM Internal Audit Report d) Smart City Cyber Risk Mitigation Internal Audit Report e) Management Action Plan Validation Report f) Annual Performance Report <p>BE RECEIVED for information; and,</p> <p>That City Council AUTHORIZE administration to proceed to implement the Management Action Plans as prescribed in the internal audit reports; and further,</p> <p>That City Council DIRECT administration to report on the progress of the implementation of the Management Action Plans and that such reports should coincide with the Auditor General's internal audit updates to City Council.</p>	
May 30, 2022	CR250/2022 Clause II	C 95/2022	Commissioner, Infrastructure Services	<p>I. That the report of the Project Administrator, Corporate Projects, dated May 18, 2022 entitled "Peace Fountain Replacement – Ward 6" and its appendices (attached) BE RECEIVED for information; and,</p> <p>II. That Council DIRECT Administration to MOVE FORWARD with Option 1: Floating Fountain design concept, and that Administration PERFORM public consultation and BRING FORWARD final design, costing and funding options for presentation to Council for the 2023 Capital Budget; and...</p>	
June 13, 2022	CR262/2022 Clause 5	C 91/2022	Commissioner, Corporate Services	<p>5. That Administration BE DIRECTED to further investigate and consider appropriate strategies in order to address the increasing impacts of inflationary pressures on the capital budget and report back on how to manage and address these pressures as part of the 2023 budget process.</p>	

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
June 13, 2022	CR 272/2022	C 98/2022	Commissioner, Community Services	<p>...That the results of the Consultant's report for a new outdoor ice rink at City Hall BE REFERRED to the 2023 budget for funding required; and further,</p> <p>That Administration BE DIRECTED to work with representatives from All Saints Church for alternatives/options for the next skating season.</p>	
June 13, 2022	CR273/2022 CR208/2022 ETPS892	SCM 120/2022 & S 14/2022	Commissioner, Infrastructure Services	<p>That Local Improvement works for storm sewers, curb and gutter for those street segments not yet constructed to the municipal standard within the area bounded by E.C. Row Avenue to the north, Woodward Boulevard to the west, Division Road to the south, and Riberdy Road to the east, as shown on drawing 4M-206 BE RECOMMENDED to future Capital Budgets and prioritized relative to their technical scoring, subject to cost-sharing for such works as established by CR554/2019; and,</p> <p>That WSP Canada Inc. firm BE APPOINTED as the Drainage Engineer to make an examination of, and prepare a Drainage Report for the repair and improvement to, the Dawson Drain between Division Road and the O'Neil Drain and to the O'Neil Drain from south of Hallee Crescent to Division Road under section 78 of the Drainage Act; and further,</p> <p>That Administration BE DIRECTED to report back to Council once the Drainage report for the repair and improvement of the Dawson Drain is complete.</p>	

Clerk's Note: The listing of items prior to January 1, 2011 should not be considered complete at this point in time.

Clerk's Note: This summary chart is not intended to replace the actual minutes of all proceedings.

From: david hanna
Sent: July 8, 2022 11:57 AM
To: clerks <clerks@citywindsor.ca>
Cc: david hanna
Subject: Request written Delegation to Item 8.1 McKee Drain July 11, 2022 City Council

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,

I would like to request copy of this written Delegation (and attachment) be added to:

"Item 8.1 - Response to Council Directive in Council decision No. CR83/2022 Regarding the Repair & Improvement to the McKee Drain", for the - Monday July 11, 2022 meeting of Windsor City Council.

It appears to many that the City Administrative answers given in this present 'July 11, 2022 Report' to City Council regarding the Council Directive of Feb. 28, 2022 could likely have been responded back to Windsor City Council by City Administration the same day that the first 'Improvements to McKee Creek Report went to City Council on Feb. 28, 2022.

Setting aside the simplicity of the Administrative facts of this present City Report, I would like to repeat here again, my Delegation to Windsor City Council of February 28, 2022 regarding the 'Improvements to McKee Creek'.

I believe my Delegation to Windsor City Council of February 28, 2022 appears to have merit for consideration of actual further investigation in terms of lasting City Building opportunity as well as historic commemoration to further recognize McKee Creek's cultural history and potential environmental improvement significance. This I believe (along with many others of the general public in this Municipal Election year) is what should have been subject of an innovative Directive of City Council last February 28, 2022. July 11, 2022 - Windsor City Council holds the opportunity for a City Councillor of true **initiative** to bring forth, a new City Council motion of directive regarding McKee Creek Improvements. A new City Council Motion something of the sort as listed below:

- "To have City of Windsor Administration investigate and report back on the potential for a new Architectural Bridge Design element where McKee Creek passes under Sandwich St. A new design element (based from an 'open to all' artistic public art competition) that would enhance the proposed and ongoing design of the WDBA / BNA financed Sandwich St. Improvements at this particular location of McKee Creek and Sandwich St. Particularly as there are potential existing additional WDBA / BNA monies available to assist the City of Windsor in such a worth City enhancing endeavor".

Regards,
David Hanna
Ward 3 Resident

From: david hanna
Sent: Friday, July 08, 2022 12:43 PM
To: clerks <clerks@citywindsor.ca>
Cc: david hanna
Subject: Re: Request written Delegation to Item 8.1 McKee Drain July 11, 2022 City Council

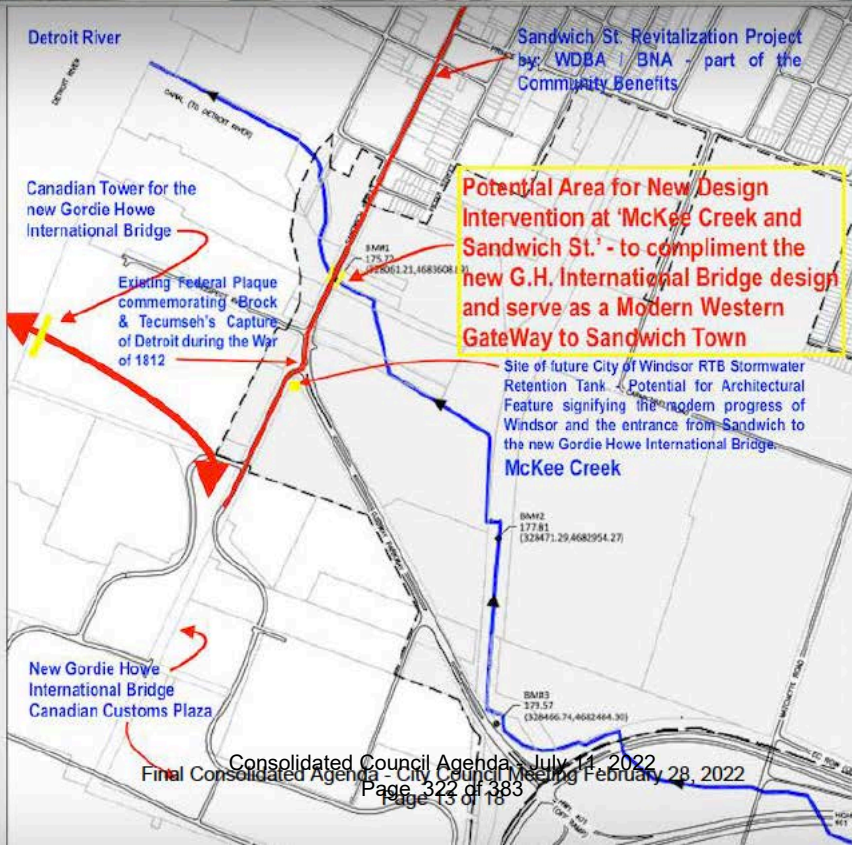
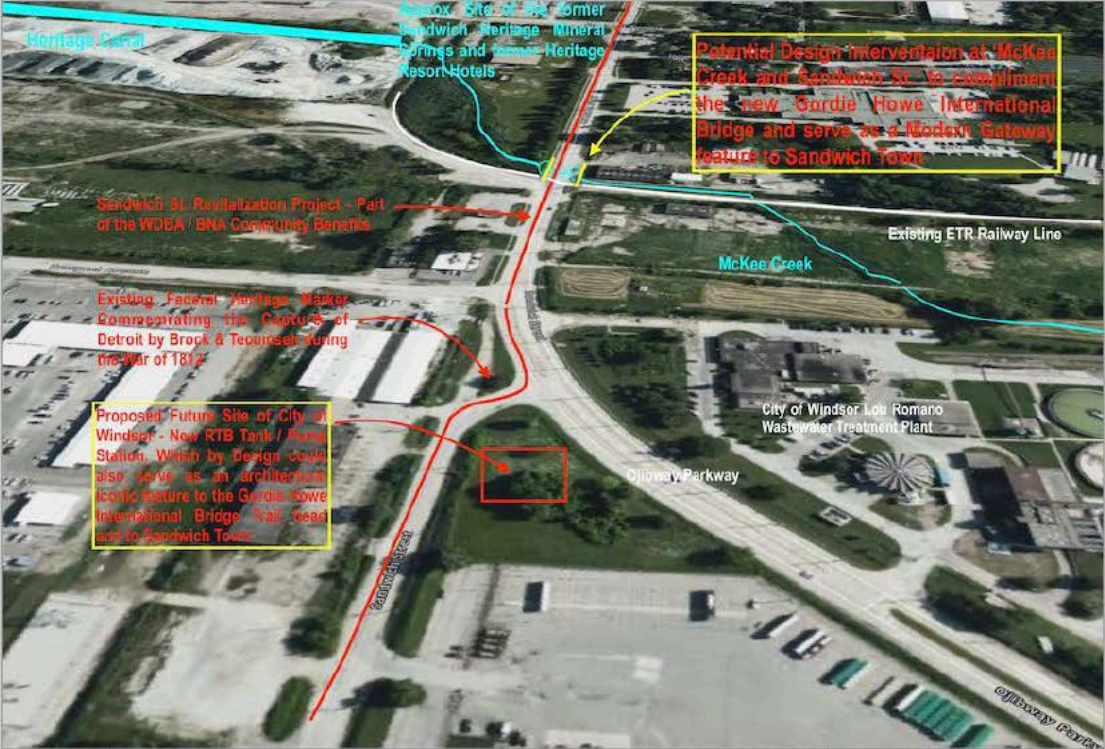
Hello,

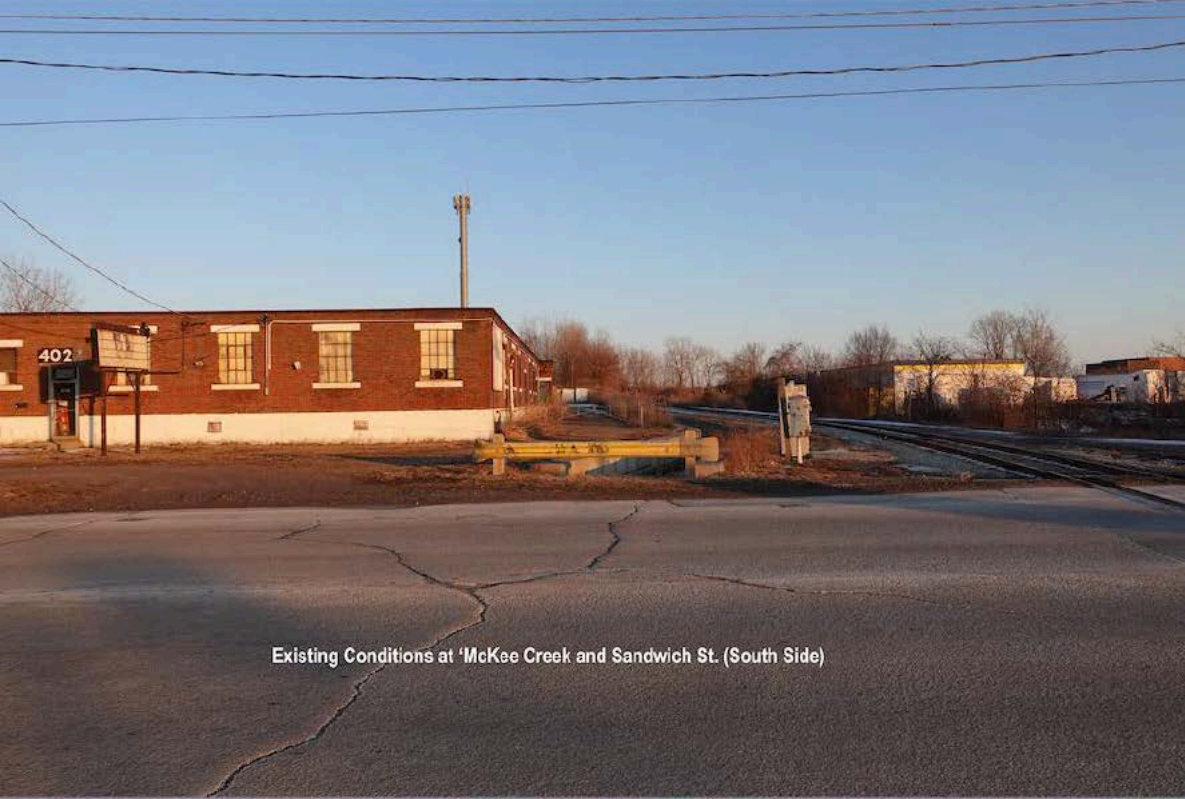
I was wondering if you could please add the link from my February 28, 2022 Delegation to Windsor City Council regarding the 'Improvements to McKee Creek' - to my present July 11, 2022 Item 8.1 Delegation to Windsor City Council.

Thanks,
David Hanna
Ward 3 Resident

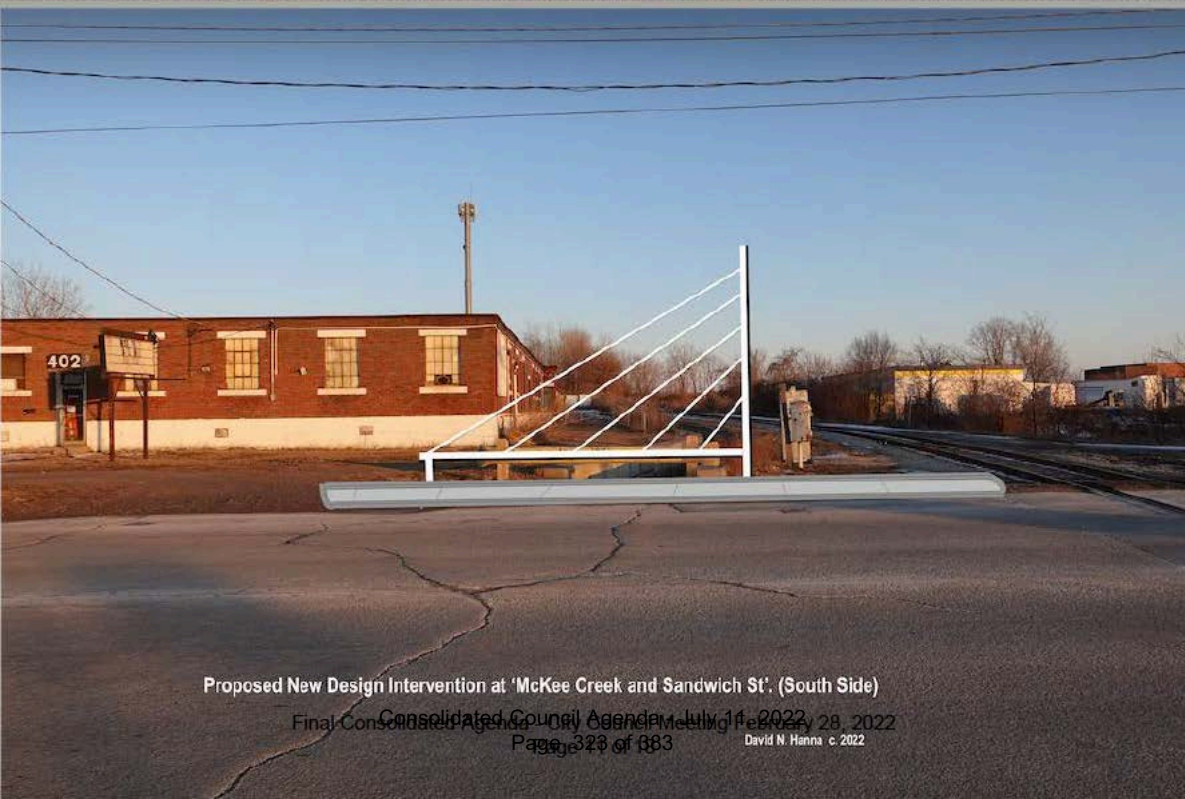
Link: <https://www.citywindsor.ca/cityhall/City-Council-Meetings/Meetings-This-Week/Documents/final%20consolidated%20agenda%20february%2028%202022%20with%20footer%20and%20page%20numbers.pdf>







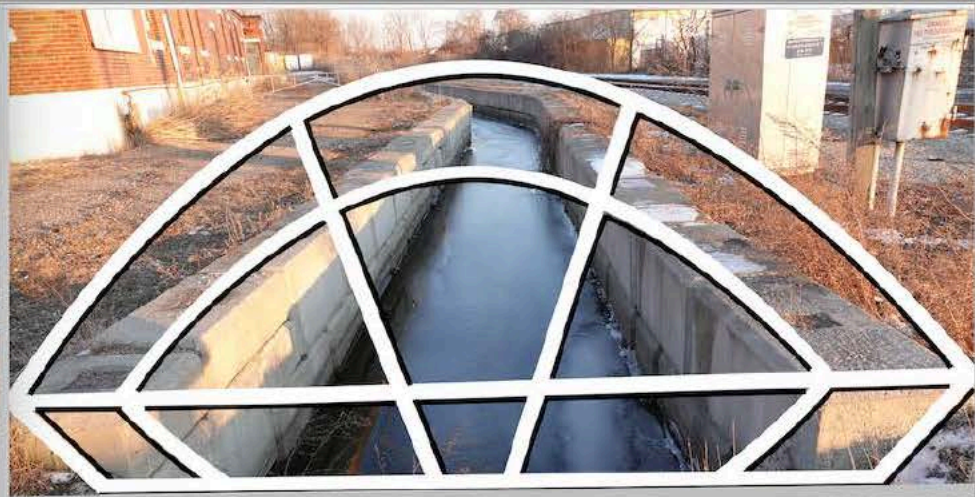
Existing Conditions at 'McKee Creek and Sandwich St. (South Side)



Proposed New Design Intervention at 'McKee Creek and Sandwich St'. (South Side)

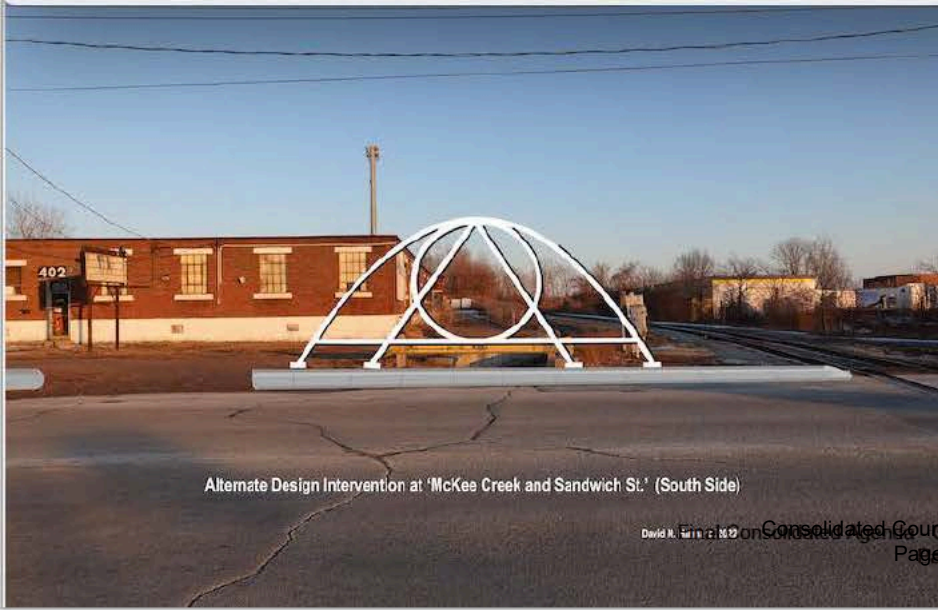


Existing Condition at McKee Creek and Sandwich St. (South Side)



Proposed New Intervention at McKee Creek and Sandwich St. (South Side)

David N. Hanna © 2022



Alternate Design Intervention at 'McKee Creek and Sandwich St.' (South Side)



Alternate New Design Intervention at 'McKee Creek and Sandwich St.' (South Side)

David N. Hanna © 2022

July 11, 2022
City Council Meeting
Item 8.5 – Written Submission

-----Original Message-----

From: Gloria Olivito

Sent: July 6, 2022 4:41 PM

To: clerks <clerks@citywindsor.ca>

Subject: 8.5. Petition in Opposition to Sidewalk Installation on the West Side of Roxborough Blvd – Between Ojibway St. and Cleary St. (Ward 10) (C 109/2022)

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

I'm writing with concerns about the above notice .

We live at 2225 Roxborough Blvd. The above proposal will affect our property.
WE ALONG WITH OUR NEIGHBORS DISAGREE 100% ON THIS PROPOSAL!

We have received NO notice of this project.

We found out by questioning why flags were being placed on our lawn.

Our landscaping is complete ,sod has been placed , sprinkler system also in place and finally fibre box from Bell.

Our driveway as it is will only fit one car length. It does not allow 2 cars from garage door to the street to fit on the driveway.

If sidewalks are placed we will not have a place to park our vehicles and will be forced to park on the road . Parking will be limited.... This will largely effect the appearance of our property and our home.

The ultimate main reason is the amount of money we put into our property for the city to destroy it.....

This should NOT fall on the homeowners but SHOULD now fall on the contractors that owned the subdivision to cover the cost and NOT put sidewalks.

WHY IS THIS BEING DONE 12 YEARS LATER !!

PLEASE REVIEW NEIGHBORHOOD PETITION

Signed a very frustrated homeowner saying NO to sidewalks!

Re: 8.5. Petition in Opposition to Sidewalk Installation on the West Side of Roxborough Blvd – Between Ojibway St. and Cleary St. (Ward 10) (C 109/2022)

July 11, 2022
City Council Meeting
8.5 - Written Submission

From: Anna Maria Decia-Gualtieri

Sent: July 6, 2022 9:55 PM

To: Stuart, Kelly <kstuart@citywindsor.ca>

Subject: Petition in opposition to sidewalk installation on the west side of Roxborough Blvd between Ojibway St. and Cleary St. - Ward 10

Good evening,

We understand that the above referenced item has been scheduled for consideration at the July 11, 2022 meeting of Windsor City Council.

We reside at 2266 Roxborough Blvd and we are opposed to the sidewalk installation on the west side of the street between Ojibway and Cleary. It is my understanding that all the neighbours on our street are opposed to this, as demonstrated by the petition signed, so we don't understand why it is proceeding.

Regards,

Anna DeCia-Gualtieri

Submission to City Council Regarding Item 8.5 , Council Report : C 109/2022

Subject: Petition in Opposition to Sidewalk Installation on the West Side of Roxborough Blvd.- Between Ojibway St. and Cleary St. (Ward 10)

The residents in the 2200 block of Roxborough Blvd. are opposed to the planned installation of sidewalks on the West side of the road. To reiterate, 100% of the residents oppose this plan. This includes residents who live on both the East and West side of the road. Please refer to Appendix A which shows an email sent to Mayor Dilkens on May 23, 2022. The residents do however agree with finishing the road surface and repairing any curbs/ catch basins.

1. In the report filed (C 109/2022) on page 2, there is a reference to the subdivision agreement between South Windsor Development and the City of Windsor. (registered on title as Instrument No. CE309063). Please refer to Appendix B which shows the subdivision agreement and CR226/2006 (section 3 H)

In the report, C 109/2022 , **the reference is made to section S-3 “Sidewalks”.** An excerpt is taken from the subdivision agreement and shows items (1) and (2). However, reading further in the agreement **under item (5)** it states. “ the Owner further agrees to adhere to a specific sidewalk construction schedule, showing the specific location of the sidewalk(s) with the provision that sidewalk(s) will be constructed **no later** than when eighty percent (80%) of construction permits are issued for the subject lands OR **within three(3) years of the installation of the roads/curbs; whichever comes first.**

The first house on Roxborough Blvd. was built in 2008. We are well beyond 3 years. This agreement has not been fulfilled. The timelines have not been met.

2. **Under section S-3 item (3)** in the subdivision agreement it states “The Owner further agrees to erect subdivision signs/maps **showing the road pattern, the location of community facilities and sidewalks and timing of installation.”**

The residents were never informed about timing of the installation of sidewalks.

3. I have been in contact with the Planning Department. Please refer to Appendix C regarding an email sent on May 20, 2022.

4. There have been many attempts by some of the residents over the last several years to have Roxborough Blvd. finished (i.e. the final layer of asphalt) but to no avail.

5. Since the original plan for the Roxborough/ Glenwood subdivision has been changed because of Wetland designation by ERCA, we don't need more concrete in the area. Please refer to Appendix D. Adding concrete runs contrary to any climate change mitigation strategy. The public doesn't necessarily need concrete sidewalks to promote walking. Other investments like the trails planned for the South Cameron Woodlot are a much better solution for walkability and it is environmentally friendly. We need green space.

6. In conclusion, the residents of the 2200 block of Roxborough Blvd. are opposed to the planned sidewalk installation. Since the subdivision agreement was not completed within the required time frame, the residents have had landscaping completed on their properties including sprinkler systems. Perhaps the monies allocated for sidewalks can be better utilized for other city projects.

Nick Vincelli
2219 Roxborough Blvd.



Nick Vincelli

Sidewalks on the 2200 block of Roxborough Blvd.

Nick Vincelli

Mon, May 23, 2022 at 7:57 PM

To: mayoro@citywindsor.ca

Cc: "Morrison, Jim" <jmorrison@citywindsor.ca>, "Cooke, Michael" <mcooke@citywindsor.ca>

Dear Mr. Dilkens:

It has recently come to the attention of the residents who live on the 2200 block of Roxborough Blvd. that the City of Windsor intends on finishing the road surface (i.e. adding another layer of asphalt), repairing any curbs and catch basins, and in addition the intent is to install sidewalks on the west side of the 2200 block of Roxborough Blvd.

All of the residents are in favour of finishing the road surface and with the repairing of curbs and catch basins. However, all of the residents of the 2200 block of Roxborough Blvd. are strongly opposed to the planned installation of sidewalks. Our homes have had landscaping completed including sprinkler systems etc. Sidewalks in front of our homes will take away from the aesthetics of our properties and likely lead to a devaluation of our homes.

In addition, we don't need more concrete on our street since one of the main ideas of today is to maintain "green space". Perhaps the monies allocated for sidewalks can be better utilized for other City projects.

Attached below you will find a petition signed by 100% of the residents of the 2200 block of Roxborough Blvd. All of the residents are opposed to the installation of sidewalks. I trust that you will carefully consider the wishes of the residents and prevent sidewalks from being installed on our street.

Thank you,

Nick Vincelli
2219 Roxborough Blvd.



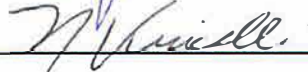







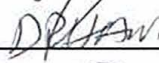



 05232201.PDF
376K

Appendix A

May 11, 2022




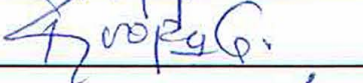
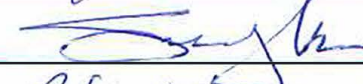
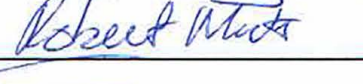




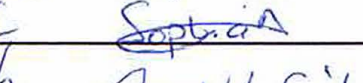
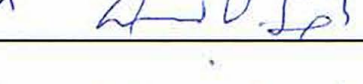
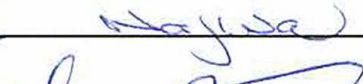
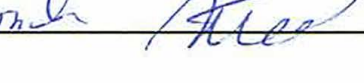
To Mr. Jim Morrison:

We, the residents of the 2200 block of Roxborough Blvd. are against the proposed installation of sidewalks on the West side of this street. We feel that a sidewalk in front of our property will take away from the aesthetics of our property and likely devalue our dwelling.

Address	Name	Signature	Telephone
2203 Roxborough Blvd.	Sarah Atkinson		519-563-7576
2211 Roxborough Blvd.	NANEEM ZAVED		519-560-0481
2219 Roxborough Blvd.	Nick Vincelli		(519) 972-5874
2225 Roxborough Blvd.	SAM OLIVIT		519 977-7590
2231 Roxborough Blvd.	QUANG NGUYEN		519-250-1993
2239 Roxborough Blvd.	JAGJIT MAWRI		226-787-4931
2247 Roxborough Blvd.	Najma Ahmad		519-962990
2253 Roxborough Blvd.	Hameed, Nasser		519 999 584
2259 Roxborough Blvd.	Muhammed Elsayed		519 992 6265
2267 Roxborough Blvd.	TRI HUYNH		519-256-8541
2275 Roxborough Blvd.	DIEP PHAM		519 965-5217
2281 Roxborough Blvd.	Nital Tandel		519-971-0687
2287 Roxborough Blvd.	Muhammad Tawee		226-2602056
2295 Roxborough Blvd.	Mohammad Reza Samei		519 890 0791

May 21, 2022

We, the residents of the 2200 block of Roxborough Blvd. are against the proposed installation of sidewalks on the West side of this street. We feel that a sidewalk in front of the West properties will take away from the aesthetics of our street. In addition, we are against the installation of sidewalks on the East or West side of the street.

Address	Name	Signature	Telephone
2204 Roxborough Blvd.	LOUIS GREENIDGE		519-250-5183
2208 Roxborough Blvd.	NEVARD WALTERS		519 551 0901
2216 Roxborough Blvd.	MARIA BROCKLEBANK		519 564 2388
2222 Roxborough Blvd.	RUPA GANDHI		519-991-42
2230 Roxborough Blvd.	SURESH VIKR		519-250-8399
2236 Roxborough Blvd.	Robert Menton		519 944 4366
2248 Roxborough Blvd.	Ali Elali		519-999-9334
2254 Roxborough Blvd.	TONY MASTROIANI		519-995-9266
2266 Roxborough Blvd.	ALFREDO GUALTIERI		(519) 562-5775.
2272 Roxborough Blvd.	NANDEEM ASLAM		519-984-5786
2278 Roxborough Blvd.	Sophia Ashraf		519 982 9788
2284 Roxborough Blvd.	Anand V. Singh		519-915-2400
2292 Roxborough Blvd.	Najwa El-Kadiri		519-979-3205
2298 Roxborough Blvd.	Mohammed Elkafarh		519-999-0088

Appendix B

LRO # 12 Notice Of Subdivision Agreement
The applicant(s) hereby applies to the Land Registrar.

Received as CE309063 on 2007 12 24 at 12:57
yyyy mm dd Page 1 of 24

Properties

PIN 01555 - 6595 LT
Description BLOCK A PLAN 1110 & PT BLOCK B PLAN 1268 (CREATED BY JUDGE'S ORDER LT3 83049) AS PART 2 ON PLAN 12R20309; WINDSOR
Address ROXBOROUGH / GLENWOOD STREETS
WINDSOR

Applicant(s)

The notice is based on or affects a valid and existing estate, right, interest or equity in land.

Name THE CORPORATION OF THE CITY OF WINDSOR
Address for Service Clerk
Corporate Services - Council Services
Department
City Hall
350 City Hall Square West
Windsor, Ontario, N9A 6S1

This document is not authorized under Power of Attorney by this party.

This document is being authorized by a municipal corporation by Michael Duben for John Skorobohacz, Chief Administrative Officer and Valerie Critchley, Clerk pursuant to CR226/2006.

Party To(s)

Capacity

Share

Name SOUTH WINDSOR PROPERTIES INC.
Address for Service c/o Dillon Consulting
Karl Tanner
3200 Deziel Drive
Windsor, Ontario, N8W 5K8

Statements

This notice is for an indeterminate period
Schedule: See Schedules

Signed By

Sonya Marchand 400 City Hall Square East, Suite 201 Windsor N9A 7K6 acting for Applicant(s) Signed 2007 12 24

Tel 5192556548
Fax 5192556933

Sonya Marchand 400 City Hall Square East, Suite 201 Windsor N9A 7K6 acting for Party To (s) Signed 2007 12 24

Tel 5192556548
Fax 5192556933

Submitted By

THE CORPORATION OF THE CITY OF WINDSOR 400 City Hall Square East, Suite 201 Windsor N9A 7K6 2007 12 24

Tel 5192556548
Fax 5192556933

Fees/Taxes/Payment

Statutory Registration Fee \$60.00
Total Paid \$60.00

File Number

Applicant Client File Number : 12-3601-06 - ZON/2586
Party To Client File Number : ROXBOROUGH / GLENWOOD STREETS

extra

SUBDIVISION

Basic Provisions

B-1. The following are certain basic provisions of this Agreement, which are part of this Agreement, and which are correspondingly referred to in the General Provisions and Special Provisions of this Agreement:

Item	Provision
(a) Name & Address of Corporation:	THE CORPORATION OF THE CITY OF WINDSOR Att'n: City Solicitor 350 City Hall Square West P.O. Box 1607 Windsor, Ontario, N9A 6S1
(b) Name & Address of Owner:	SOUTH WINDSOR PROPERTIES INC. c/o Dillon Consulting 3200 Deziel Drive Windsor, Ontario, N8W 5K8 Att'n: Karl Tanner
(c) Effective date:	April 24, 2006
(d) Type of Agreement:	Subdivision
(e) Description of Lands hereinafter referred to as the subject lands	Block A, Registered Plan 1110 Part of Block B, Registered Plan 1268 (created by Judge's Order #LT383049) designated as Part 2, Plan 12R-20309 P.I.N. 01555 6595 (LT)
(f) Drawings/Maps:	Map No. SDN003/05 attached hereto as Schedule "A"
(g) Authorization:	CR226/2006 adopted on April 24, 2006
(h) Legal Department File Number:	12-3601-06

B-2. This Agreement consists of these Basic Provisions, the attached General Provisions and Special Provisions, as well as any schedules or other attachments referred to herein or therein, and all such material forms part of this Agreement together with all things, terms and provisions so incorporated.

B-3. In the event of any inconsistency or conflict in this Agreement between the Basic Provisions, Special Provisions and General Provisions, then the terms, covenants and conditions of this Agreement shall prevail in the following order:

- (a) Basic Provisions
- (b) Special Provisions
- (c) General Provisions

Amendments bearing later dates shall prevail within each of the above noted categories of this Agreement.

B-4. Any reference in this Agreement to all or any part of any manual, statute, regulation, By-law or Council Resolution shall, unless otherwise stated, be a reference to that manual, statute, regulation, By-law or Council Resolution or the relevant part thereof, as amended, substituted, replaced or re-enacted from time to time.

IN WITNESS WHEREOF the Parties hereto have hereunto affixed their corporate seals duly attested by the hands of their proper signing officers in that behalf respectively.

SIGNED, SEALED AND DELIVERED
in the presence of

CR 226/2006
[Signature]

) **THE CORPORATION OF THE CITY OF WINDSOR:**
) [Signature]
) ~~John Skrobbonatz~~ (Chief Administrative Officer)
) [Signature]
) Valere Critchley (Acting Clerk)
) **SOUTH WINDSOR PROPERTIES INC.:**
) Signature: [Signature]
) Name: TAENG SZKOBKAN
) Office:
) I have the authority to bind the Corporation

SUBDIVISION

Special Provisions

S-1. SCHOOL WARNING CLAUSE - The Owner agrees to insert the following **School Warning Clause** into all Agreements of Purchase and Sale and Leases for lots on the subject lands, making all persons aware that students may not be able to attend the closest neighbourhood school and could be bussed to a distant school.

S-2. FENCING (Lots 42 to 55 as shown on said Schedule "A" annexed hereto)

The Owner further agrees to provide, at the time of construction of Glenwood Avenue, at its entire expense and *prior to the issuance of a construction permit*, a **SECURITY** in the amount of **THIRTEEN THOUSAND, FIVE HUNDRED DOLLARS (\$13,500.00)** to ensure the installation of a six foot (6') high chain link *fence* along the full extend of the rear property boundaries of Lots 42 to 55, as shown on said Schedule "A" annexed hereto, to the satisfaction of the Executive Director of Parks and Facility Operations.

S-3. SIDEWALKS

(1) The Owner further agrees to construct, at its entire expense, a four foot (4') wide concrete *sidewalk* on:

- i) the west side of Roxborough Avenue and
- ii) one side of Glenwood Avenue and Cleary Street;

all according to the City of Windsor Standard Specifications and in a manner satisfactory to the City Engineer and the Executive Director of Parks and Facility Operations.

(2) The Owner further agrees to insert a **Sidewalk Notification Clause** into all Agreements of Purchase and Sale and Leases for lots on the subject lands, making persons aware that a *sidewalk* will be constructed in accordance with paragraph S(3) herein and that the *sidewalk* will be located on the Corporation's lands adjacent to their property and that no structures or excavations are to take place beyond their property line without a written permit or permission of the Corporation.

(3) The Owner further agrees to erect subdivision signs/maps showing the road pattern, the location of community facilities and *sidewalks* and timing of installation.

(4) The Owner further agrees to identify the specific *sidewalk* construction costs in the comprehensive infrastructure bond.

(5) The Owner further agrees to adhere to a specific *sidewalk* construction timetable and schedule, showing the specific location of the *sidewalk(s)* with the provision that *sidewalk(s)* will be constructed no later than when eighty percent (80%) of the construction

permits are issued for the subject lands OR within three (3) years of the installation of roads/ curbs; whichever comes first.

(6) The Owner further agrees to the provision for the retention of bond monies to ensure the repair of the *sidewalk(s)* damaged during construction.

(7) The Owner further agrees to give consideration to the placement of meandering *sidewalks* in such a way as to minimize any negative impact on trees, which are to be retained near front lines.

S-4. CONVEYANCES - The Owner further agrees to gratuitously *convey* to the Corporation, in fee simple and without encumbrance, *prior to the issuance of any construction permits*:

(1) land sufficient to create a 22 metre (72ft.) wide right-of-way on Ojibway Street and to create 15 metre (50ft.) wide right-of-ways on Roxborough and Glenwood Avenues and 2.5 metre (8 ft.) utility easement on each side, to the satisfaction of the City Engineer;

(2) a 0.3 metre (1ft.) wide strip of land along the flankage of Lots 1, 28, 29, and 55 on Schedule "A" attached abutting Cleary Street and Ojibway Street, to prevent vehicular access and ensure the retention of trees and

(3) lands designated natural heritage area located immediately to the north of the subject lands, *in exchange for* parts of closed Partington Avenue and Glenwood Avenue, on the subject lands and previously owned by the Corporation.

S-5(1). GENERAL PROVISIONS - For the purposes of this Agreement, subsection 3(2) is hereby deleted from section G-3, titled *LANDSCAPE AND PARK PROVISIONS* of the attached *General Provisions* and the following inserted in its place and stead of:

"G-3(2). Preservation of Existing Trees - The Owner further agrees, at its entire expense and prior to commencement of any services required under this Agreement:

(1) to provide a *detailed tree preservation report*, to be prepared by a qualified Arborist (ISA) or Registered Professional Forester (RPF), to the satisfaction of the Executive Director of Parks and Facility Operations;

(2) to provide a **SECURITY** in the amount of **NINE THOUSAND DOLLARS (\$9,000.00)**, satisfactory to the Executive Director of Parks and Facility Operations, to ensure ongoing monitoring by an Arborist (ISA) or Registered Professional Forester (RPF) retained by the Owner, and the submission of a bi-weekly report to the Executive Director of Parks and

Facility Operations regarding the implementation of the recommendations contained in the *detailed tree preservation report* as noted paragraph (1) above;

- (3) to provide a **SECURITY** in the amount satisfactory to the Executive Director of Parks and Facility Operations, corresponding to a valuation of individual trees as determined in accordance with International Society of Arboriculture (ISA) criteria and contained in the *detailed tree preservation report* as noted paragraph (1) above, to ensure the preservation of trees identified in the said report and
- (4) to install temporary tree protection fencing, to the satisfaction of the Executive Director of Parks and Facility Operations, in addition to any and all measures recommended by the *detailed tree preservation report* as noted in paragraph (1) above.

S-5(2). **GENERAL PROVISIONS** - For the purposes of this Agreement, subsection 5(6) is hereby deleted from section G-5. titled **PARK DEVELOPMENT** of the attached *General Provisions* and the following inserted in its place and stead :

"G-5(6). **Park Development** - The Owner further agrees to pay to the Corporation, *prior to the issuance of any construction permits* for the lots fronting on Roxborough Avenue, parkland development fees in one (1) payment , and *prior to the issuance of any construction permits* for the lots fronting on Glenwood Avenue, parkland development fees in one (1) payment, all in accordance with the Corporation's Manual of Landscaping Requirements available from the Corporation's Executive Director of Parks and Facility Operations and the Department Fee Schedule approved by the Council of the Corporation from time to time."

S-6. **CLEARY STREET STORM TRUNK SEWER** - The Owner further agrees to construct, at its entire expense, the *Cleary Street Storm Trunk Sewer* along the entire Cleary Street frontage of the subject lands. The cost of the Cleary Street Storm Trunk Sewer is to be cost shared with the Corporation, subject to the approval of the Corporation's Council.

S-7. The Owner further agrees to retain a Biologist to assess the significant habitat of endangered and threatened species, to the satisfaction of the Executive Director of Parks and Facility Operations.

S-8(1). **CLEARY STREET PAVEMENT** - The Owner further agrees to construct, at its

entire expense, Cleary Street with a pavement having 8.5 metre (28ft.) width along the entire Cleary Street frontage of the subject lands.

S-8(2). **OJIBWAY STREET EXTENTION** - The Owner further agrees to extend Ojibway Street eastward to connect to the existing Ojibway Street pavement at the time that Glenwood Avenue is developed. The Owner shall be compensated by the Corporation for a portion of the Ojibway Street construction as determined by the City Engineer and as approved by the Corporation's Council.

S-9. **TRAFFIC CALMING MEASURES** - The Owner further agrees to construct *traffic calming measures* in accordance with the City of Windsor Traffic Calming policy on Ojibway Street as may be required by the City Engineer and Director of Operations.

S-10. **OVERSIZING**

(1) The Owner further agrees to pay to the Corporation, *prior to the issuance of a construction permit*, its share of the cost as determined by the City Engineer of previously oversized services that were constructed to ensure that the subject lands could be serviced. These costs for previously oversized services may be reduced by any amounts owed by the Corporation to the Owner as identified in paragraph S-9.(2) herein.

(2) In the event that the Owner is required to oversize any services in order to service other vacant lands, it is agreed that any over sizing costs to be paid by the Corporation to the Owner shall be based on a cost-sharing scheme *and tender process* satisfactory to the City Engineer. Any cost-sharing scheme agreed to will be subject to the approval by Council. Payment of any over sizing will be based on its inclusion in a Infrastructure Services' Budget subject to Council's approval in a future year.

SITE PLAN CONTROL REQUIREMENTS FOR LOTS 15 TO 55

S-11. The Owner further agrees that for Lots 15 to 55 as shown on Schedule "A":

(1) building additions and/or any accessory buildings and/or temporary structures are prohibited in any side yard containing an existing tree;

(2) building additions and/or any accessory buildings and/or temporary structures or additions to accessory buildings, with a GFA greater than 50 square metres or 10% of the total floor area, as measured at grade, of the existing building, will require Site Plan Approval.

S-12(1). The owner further agrees that no construction activity and/or alterations to the subject lands shall occur and no building permits shall be issued until such time as the application for site plan approval as hereinafter indicated has been approved.

S-12(2). The Owner further agrees to submit an application for Site Plan Control approval for Lots 15 to 55 as shown on said Schedule "A" annexed hereto. The applications will address matters including but not limited to the building footprint of all dwellings; tree preservation reports; bonding; reporting on the non-forested portions and submission of grading and drainage plans, to the satisfaction of the Chief Building Official and the Executive Director of Parks and Facility Operations.

S-13. The Owner further agrees to provide a *detailed tree preservation report* at the time of Site Plan review, to be prepared by a qualified Arborist (ISA) or Registered Professional Forester (RPF), to the satisfaction of the Executive Director of Parks and Facility Operations.

S-14. The Owner further agrees to provide **SECURITY** on a lot by lot basis, *prior to the issuance of a construction permit*, corresponding to a valuation of individual trees as determined in accordance with ISA criteria (International Society of Arboriculture) and contained in the above referenced tree preservation report, or a corresponding percentage thereof as determined by the Executive Director of Parks and Facility Operations, to ensure the preservation of trees identified in the above referenced report, to the satisfaction of the Executive Director of Parks and Facility Operations.

S-15. The Owner further agrees to provide detailed grading and drainage drawings at the time of site plan review, in order to determine the location and orientation of buildings on a lot by lot basis and pertaining to any grading works required for the preservation of trees identified in the above referenced report, to the satisfaction of the Chief Building Official.

S-16. The Owner further agrees that the City Engineer shall not be required to authorize or approve the commencement of constructing of any services under this Agreement until the provisions contained in paragraph S-6 herein have been complied with:

S-17. **CONSTRUCTION PERMIT** - The Owner further agrees that the Chief Building Official shall not be required to issue a construction permit for any lot or block in the subject lands until the following have been complied with:

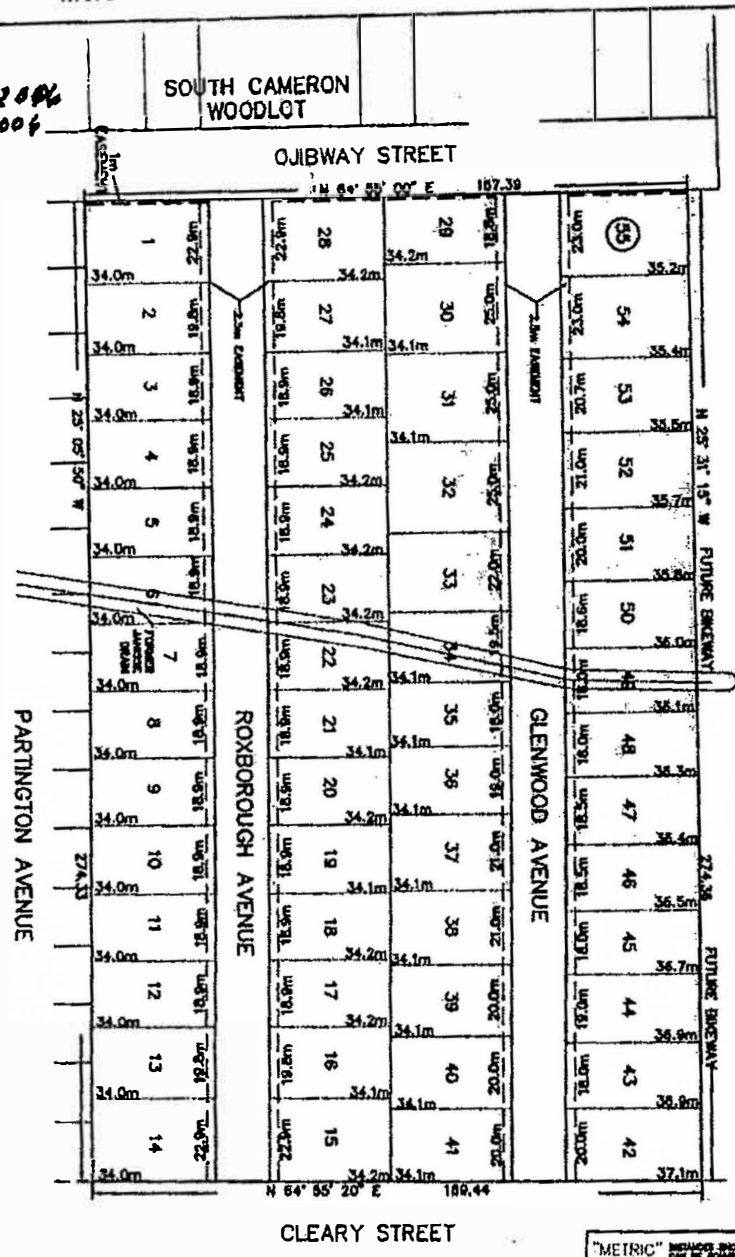
- (a) The Owner shall have constructed curbs and base asphalt on the final

pavement structure fronting the said lots or blocks; and

(b) Paragraphs G-2(4)(a), G-2(15), G-3(1), G-4(1), G-4(2), G-5(1), G-5(2), G-5(3), G-5(4), G-5(6), G-10(1), G-12, G-13(2), S-2, S-4, S-8, S-12 and S-14.

CK 226/2006
April 24, 2006

Schedule "A"



"METRIC" MEASUREMENTS SHOWN ON THIS PLAN ARE IN METERS AND MAY BE CONSIDERED TO PRECEDE ANY OTHER MEASUREMENTS BY 0.3048

APPLICANT'S DRAFT PLAN OF SUBDIVISION
APPLICANT: SOUTH WINDSOR PROPERTIES INC.



Building & Development Department

DATE: Feb, 2006
MAP NO. SDN-003/05-2

SUBDIVISION

General Provisions

G-1. CONSULTING ENGINEER

The Owner shall employ, at its own expense, a Consulting Engineer registered by the Professional Engineers of Ontario:

- (a) to design and submit to the City Engineer engineering drawings of,
- (b) to prepare and administer any contract necessary for the construction of,
- (c) to obtain from municipal, provincial and federal authorities any approvals necessary for,
- (d) to submit to the City Engineer, prior to the commencement of construction, a report showing existing elevations and the proposed method of drainage of the lands served by,
- (e) to be responsible for all survey and layout work required for construction of,
- (f) to maintain for the client's purposes all records of construction of,
- (g) to submit to the City Engineer all required as-built details, elevations, and drawings in mylar copy and digital data in copy format, as well as details of private drain connections of,
- (h) to be responsible for the co-ordination of, and
- (i) to visit the site of the said works as requested by the City Engineer for any reason related to.

All services required under this Agreement.

G-2. SERVICES

G-2(1). The Owner shall supply, construct and install the following services at its own expense, unless otherwise provided herein, in accordance with the manner, location and design shown in the said engineering drawings and otherwise in accordance with the terms of this Agreement. No such work shall be carried out until the said engineering drawings have been approved by the City Engineer.

G-2(2). **Storm Sewers** - The Owner agrees to construct storm sewers with necessary appurtenances including catchbasins and service connections from the said storm sewers to the front property line of each building unit or block. All work to be to the satisfaction of the City Engineer.

G-2(3). **Sanitary Sewers** - The Owner further agrees to construct sanitary sewers with necessary appurtenances and service connections from the said sanitary sewers to the front property line of each building unit or block. All work to be to the satisfaction of the City Engineer.

G-2(4). **Storm Detention Scheme**

(a) The Owner further agrees to retain a Consulting Engineer, *prior to the issuance of a construction permit*, for the design and preparation of drawings for an internal storm water detention scheme to service the subject lands. The purpose of the said storm water detention scheme will be to ensure that storm water drainage being directed to the Corporation's storm sewer, combined sewer or ditch, as the case may be, from the subject lands in their improved state shall be restricted to no greater than the present flow from the subject lands.

(b) Upon approval of the drawings by the City Engineer, the Executive Director of Parks and Facility Operations and the Chief Building Official, the Owner further agrees to construct at its entire expense the said storm detention scheme in accordance with the approved drawings, and to the satisfaction of the Chief Building Official.

G-2(5). **Waste Disposal Sites** - The Owner further agrees that any evidence of former waste disposal activity encountered during the construction on the subject lands shall be brought to the attention of the City Engineer. The Owner's Consulting Engineer shall make an assessment of any hazards the subject lands may present. The Owner further agrees to remove and/or eliminate such hazards, at his entire expense and to the satisfaction of the City Engineer. No work shall be carried out in the affected area until agreement has been reached between the Owner and the City Engineer.

G-2(6). **Pavements** - The Owner further agrees to construct pavements, including curbs and gutters, driveway approaches and the necessary drainage facilities, according to City of Windsor standard specifications. Pavements may be 7.4 metres (24 feet) in width, as shown in Standard City Drawing AS-228. The Owner further agrees that cul-de-sac pavements shall have a minimum radius of 9.5 metres (31 feet) and that temporary cul-de-sacs and barricades shall be installed at temporary dead-ended streets. The Owner further agrees that one (1) full winter shall elapse following the laying of base asphalt prior to the laying of surface asphalt. All work to be to the satisfaction of the City Engineer.

G-2(7)(i). **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:

- (a) a minimum thickness of four and one-half inches (4½") of Portland Cement Concrete on an approved uniform sub-base; or

- (b) a minimum of six inch (6") thick, two-course asphaltic concrete on an approved uniform sub-base; or
- (c) a minimum thickness of nine inches (9") of compacted Granular "A" base with a minimum three inch (3") thick surface of two-course asphaltic concrete.
- (d) 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 the subject lands;

All work to be to the satisfaction of the City Engineer.

G-2(7)(ii). **Transformers near Driveways** - The Owner further agrees that driveways and driveway approaches shall not be constructed closer than 1 metre from the edge of an electricity transformer. Any owner of a lot whose driveway or driveway approach has been constructed closer than 1 metre from the edge of a transformer, shall pay on demand to the utility for the cost of relocating the transformer to comply with this requirement.

G-2(8). **Communication/telecommunication** - The Owner further agrees to arrange with communication/telecommunication providers for the installation of sufficient wire-line underground communication/telecommunication infrastructure services to the subject lands in accordance with the terms, conditions, standards and specifications of the communication/telecommunication providers, and to locate switching stations to the satisfaction of the City Engineer, and where such switching stations are located in a municipal park, also to the satisfaction of the Executive Director of Parks and Facility Operations. In the event that such communication/telecommunication infrastructure is not available, then the Owner shall pay all expenses for the connection to and/or extension of the existing communication/telecommunication infrastructure, or for rearrangement or relocation of such communication/telecommunication infrastructure, as required.

G-2(9). **Street Lighting** - The Owner further agrees to construct and install street lighting including all poles, wiring fixtures and conduits in accordance with the design, location and specifications of Enwin Powerlines Limited and to the satisfaction of the City Engineer. Should decorative poles be requested, the Owner shall provide extra poles and/or funds in accordance with Council Resolution 743/2000.

G-2(10)(i). **Water Services** - The Owner further agrees to construct and install water services in accordance with the design, location and specifications of The Windsor Utilities Commission - Water Division.

G-2(10)(ii). **Electrical Services** - The Owner further agrees to construct and install electrical services in accordance with the design, location and specifications of the Enwin Powerlines Limited.

G-2(11). **Canada Post Community Mailbox Program** - The Owner further agrees to consult with Canada Post respecting the Community Mailbox Program and if a community mailbox is required, to locate such boxes to the satisfaction of the City Planner, the City Engineer and the Executive Director of Parks and Facility Operations, to show the location on the draft plan of subdivision. In addition, the Owner shall pay all expenses for rearrangement or relocation of Canada Post Services as required.

G-2(12). **Benchmarks** - The Owner further agrees to install permanent Benchmarks in accordance with Standard City of Windsor Drawing AS-104, supplied by the City Engineer's Department. The benchmarks shall be located as specified by the City Engineer. The vertical elevation shall be established by an Ontario Land Surveyor to second order accuracy as defined by the current Ontario Specifications and Ontario Guidelines for Vertical Control Surveys.

G-2(13). **Existing Watercourses and Natural Land Drainage** - The Owner further agrees that no natural watercourses shall be blocked, abandoned or otherwise altered during the course of construction of this development unless approved by the City Engineer. No natural land drainage shall be cut off without adequate provision made for its interception to the satisfaction of the City Engineer.

G-2(14). **Drainage and Flood Proofing** - The Owner further agrees to follow all drainage and flood proofing recommendations of the Essex Region Conservation Authority (ERCA) may have with respect to the subject lands, based on final approval by the City Engineer.

G-2(15). **Fire Hydrants and Turnarounds**

(a) The Owner further agrees to submit to the Fire Chief and the City Engineer for their approval, *prior to the issuance of any construction permits*, plans for fire hydrants and temporary turnarounds.

(b) Once approved, the Owner further agrees to install said fire hydrants and temporary turnarounds to the satisfaction of the Fire Chief and the City Engineer.

G-2(16). **Pavement Markings, Signage and Traffic Signals** - The Owner further agrees to pay to the Corporation the Corporation's cost of installing public highway signage, striping, off-site road improvements, traffic signals and associated works as determined by the Executive Director - Public Works, Operations and City Engineer.

G-2(17). **Dirt and Debris** - The Owner further agrees to keep the public highways adjacent

to the subject lands free from dirt and debris caused by the construction on the subject lands. The Owner further agrees that, within twenty-four (24) hours of being notified by the Corporation, to clean-up the streets adjacent to the subject lands and unassumed streets within 50 metres of the subject lands and/or take dust control measures at the Owner's entire expense, failing which, the Corporation may carry out or cause to have carried out the said work at the entire expense of the Owner.

G-2(18). **Repair of Highway** - The Owner further agrees that any curbs, gutters, pavements, sidewalks, or landscaped areas on the public highway which are damaged during construction on the subject lands shall be restored by the Owner at its expense, and to the satisfaction of the City Engineer. Any driveway approaches which become redundant following the development of the subject lands shall be closed and this area restored to the satisfaction of the City Engineer.

G-2(19). **Street Opening Permits** - The Owner further agrees to obtain street opening permits for sewer taps, drain taps, curb cuts and driveway approaches from the City Engineer prior to the commencement of any construction on the public highway.

G-2(20). **Hydro Lines Warning** - The Owner understands that an electrical distribution line operating at below 50,000 volts (electrical conductors, or energized conductors) might be located within the subject lands or abutting the subject lands. Section 186 of Construction Projects being Ontario Regulation 213/91, pursuant to the *Occupational Health and Safety Act*, R.S.O. 1990, c.0.1, requires that no object be brought closer than 3 metres (10 feet) to the energized conductor. The Owner further understands that it is the Owner's responsibility to be aware, and to make all personnel on the subject lands aware, that all equipment and personnel must come no closer than the distance specified in this Regulation. The Owner further understands that the Owner should also be aware that the electrical conductors can raise and lower without warning, depending on the electrical demand placed on the line. The Owner further agrees to post warning signs on the wood poles supporting the electrical conductors stating "DANGER - Overhead Electrical Wires" in all locations where personnel and construction vehicles might come in close proximity to the energized conductors.

G-2(21). **Traffic Calming** - The Owner further agrees to construct all required traffic calming devices, including traffic circles, roundabouts, median islands, chicanes, curb radius reductions, bump outs, lane narrowings and any other required traffic calming device, to the satisfaction of the Manager of Transportation Planning. The design of all traffic calming devices shall follow the Transportation Association of Canada's guide to neighbourhood traffic calming.

G-3. LANDSCAPE AND PARK PROVISIONS

G-3(1). **Trees** - The Owner further agrees to pay to the Corporation, *prior to the issuance of any construction permits*, in connection with trees required for the subject lands, the amount set out in accordance with the Corporation's Manual of Landscaping Requirements available from the Corporation's Executive Director of Parks and Facility Operations and the Department Fee Schedule approved by the Council of the Corporation from time to time.

G-3(2). **Preservation of Existing Trees** - The Owner further agrees to preserve those existing trees on the subject lands and/or adjacent public right-of-way and include preservation guidelines on the approved construction documents for the protection of the said trees during demolition and construction of the proposed development all to the satisfaction of the Executive Director of Parks and Facility Operations.

G-3(3). **Topsoil**

(a) The Owner further agrees that all unpaved portions of street allowances shall be graded and further agrees to supply and replace any topsoil removed therefrom during construction operations to the satisfaction of the Executive Director of Parks and Facility Operations.

(b) The Owner further agrees to retain the topsoil removed from the street right-of-way pavement areas for parks purposes and deliver same pursuant to Section 10.7 of the Corporation's Manual of Landscaping Requirements.

(c) The Owner further agrees to distribute the top soil removed from the all unpaved portions of street allowances, over any lands to be conveyed to the Corporation for parkland pursuant to the provisions of this agreement, in accordance with the lot grading plan specified in G-4(1) herein.

G-4. BUILDING

G-4(1). **Elevation, Grades and Drainage Plans** - The Owner further agrees to adhere to the elevations, grades and drainage plans as approved by the City Engineer, the Executive Director of Parks and Facility Operations and the Chief Building Official on a lot grading plan for the subject lands, including any lands to be conveyed to the Corporation for parkland. The Owner further agrees to provide each purchaser of a lot in the subject lands with an approved individual lot grading plan, which shall be presented to the Chief Building Official, *prior to the issuance of a construction permit* for the said lot.

G-4(2). **Lot Grading Plan** - The Owner further agrees to submit to the satisfaction of the

Chief Building Official, the City Engineer, the Executive Director of Parks and Facility Operations and ERCA in regulated areas throughout, a lot grading plan covering the subject lands for their approval, *prior to the issuance of any construction permits* for the subject lands. The Owner further agrees to have the approved elevation as per the lot grading plan on each lot verified by an Ontario Land Surveyor at the following stages of construction:

- (a) *Prior to the pouring of footings* (top of forms elevation); and
- (b) Following completion of construction.

Where the finished grade of a lot deviates from the original lot grading plan presented to and accepted by the Chief Building Official, the City Engineer and ERCA in regulated areas throughout, the Owner shall either submit a new lot grading plan to the satisfaction of the Chief Building Official, the City Engineer and ERCA or regrade the lands to the elevations indicated on the original lot grading plan.

G-4(3). **Internal Drainage** - The Owner further agrees to provide internal drainage for each building lot located on the subject lands in the locations and according to the specifications approved by the Chief Building Official.

G-4(4). **Placing of Fill** - The Owner further agrees to obtain permits from ERCA in regulated areas throughout for any construction or placing of fill on the subject property, subject to final approval from the Chief Building Official and the City Engineer as necessary.

G-4(5). **Construction of Model Homes**

It is further agreed that once the municipal services referred to in this Agreement are under construction, the Owner may be allowed to construct model homes on up to ten percent (10%) of the Lots shown on the draft plan of subdivision or relotting plan as approved by the City Planner, to a maximum of twelve (12) model homes per phase of the development of the subject lands on the following terms and conditions, namely:

- (a) that model homes shall be constructed on lots within 152.4 metres (500 feet) of an active fire hydrant;
- (b) that a Class "B" road be constructed in order that fire trucks have access to each model home prior to the general public being permitted to tour the structures, all to the satisfaction of the Fire Chief;
- (c) that the Owner releases and forever discharges the Corporation from any and all manner of actions, causes of action, claims and demands for damages, loss or injury, costs (as between a solicitor and own client, including counsel fees) and charges whatsoever, occasioned to, or supplied by in respect of any matter or thing in consequence of or in

connection with, or arising out of any fire in or about the said model homes, save and until the said Class "B" road referred to in subparagraph (b) hereof has been constructed;

(d) that the Chief Building Official will not undertake a final inspection of the said model homes save and until the construction and acceptance on to maintenance by the City Engineer of all municipal services referred to in this Agreement;

(e) that draft plan approval has been received from the Corporation;

(f) that this Agreement has been registered against the subject lands; and

(g) a sign permit application has been submitted to the Chief Building Official for a subdivision sign which includes sidewalk locations.

G-5. CONVEYANCES AND CONTRIBUTIONS

G-5(1). **Development Charges** - The Owner further agrees to pay, *prior to the issuance of a construction permit*, the appropriate Development Charges in accordance with the Corporation's Development Charges By-Law.

G-5(2)(a). **Land Dedication for Public Highway Purposes** - The Owner further agrees to dedicate to the Corporation on the registered subdivision plan, all public highways as shown on the approved draft plan of subdivision.

G-5(2)(b). The Owner shall arrange to have all public highways named and obtain street numbers for all lots, all to the satisfaction of the Corporation.

G-5(3). **Easement** - The Owner further agrees to gratuitously convey to the Corporation and/or utility companies such as, but not limited to, Bell Canada, Union Gas Limited, The Windsor Utilities Commission - Water Division, Enwin Powerlines Limited and Cogeco Cable Systems Inc., *prior to the issuance of any construction permits*, any municipal and/or utility easements required by the Corporation and/or the said utility companies.

G-5(4). **Reserves** - The Owner further covenants and agrees that dead-ended highways shall terminate in a 0.3 metre reserve blocks. The Owner further agrees to gratuitously convey to the Corporation those 0.3 metre reserve blocks, in fee simple and without encumbrance and *prior to the issuance of any construction permits*, in order that the Corporation may hold the aforesaid reserve blocks, until required for future highway purposes or for the development of the adjacent lands.

G-5(5). **Parkland Conveyance** - The Owner further agrees to gratuitously convey to the Corporation, in fee simple and without encumbrance, *prior to the issuance of any construction permit*, lands for park purposes as shown on the approved draft plan of subdivision or to the

satisfaction of the City Planner and the Executive Director of Parks and Facility Operations, pursuant to Section 51.1 of the Planning Act, R.S.O. 1990.

G-5(6). **Park Development** - The Owner further agrees to pay to the Corporation, *prior to the issuance of any construction permits*, parkland development fees in one (1) payment in accordance with the Corporation's Manual of Landscaping Requirements available from the Corporation's Executive Director of Parks and Facility Operations and the Department Fee Schedule approved by the Council of the Corporation from time to time.

G-5(7). **Surveys and Land Descriptions** - All surveys, plans, or descriptions of land to be conveyed to the Corporation and/or utility companies shall be at the entire expense of the Owner.

G-6. COMPLETION OF WORK

Rear-yard drainage and driveway approaches shall be installed contemporaneously with the construction of dwellings on each building lot, upon the direction of the Chief Building Official and the City Engineer, respectively. Except as aforesaid, all works required hereunder in each stage of construction approved by the City Engineer shall be completed within twenty-seven (27) months of the date of this Agreement, provided however, that the said completion date may be extended with the approval of the City Engineer. Each one (1) year extension granted by the City Engineer will be conditional upon the recalculation of all outstanding monies in this Agreement owed to the Corporation by the Owner and likewise owed to the Owner by the Corporation. Recalculation will constitute the addition of a simple interest charge based on the average annual rate of debentures issued by the Corporation in each one (1) year period prior to the terminal date being so extended for a one (1) year period.

G-7. SPECIFICATIONS AND MATERIALS

G-7(1). All work relative to this Agreement on land owned by the Corporation or on any lands to be conveyed hereunder to the Corporation shall be carried out by a contractor competent in the type of construction involved. The latter shall be subject to the approval of the City Engineer. All work or detail required for the completion of construction under this Agreement and not shown in the engineering drawings, shall adhere to the latest Corporation's specifications and standards.

G-7(2). In the event that the Owner shall call for tenders for any of the work required herein, such tenders shall be called on the basis of the specifications prescribed under this Agreement and the Owner shall provide the City Engineer with a copy of the tender and an

executed copy of the contract sent to each successful tenderer for any such work.

G-7(3). All material to be incorporated into the work required herein shall be tested from time to time, at the Owner's expense, as may be required by the City Engineer.

G-8. INSPECTION OF WORK

It is understood by the Owner that the work on land owned by the Corporation or on any lands to be conveyed hereunder to the Corporation carried out under this Agreement must be inspected and approved but not supervised by the Corporation's inspectors, but that no charge will be made by the Corporation for such inspections. The Owner shall give the City Engineer forty-eight (48) hours' notice of the commencement of such work; shall make every effort to proceed expeditiously to the completion of all work undertaken without delay or interruptions; shall submit to the Corporation a work schedule to be followed in construction of the services required herein; shall co-operate fully with the inspectors aforesaid by making all parts of the work accessible to them and shall organize the work operation in such a manner as to permit inspections to be carried out in the most efficient manner during regular working hours as far as possible. The Corporation likewise upon receipt of reasonable notice shall co-operate with the Owner in arranging to have inspectors available to carry out, without delay, such inspections as may be necessary.

G-9. ACCEPTANCE OF WORK

G-9(1). The performance by the Owner of its obligations under this Agreement on land owned by the Corporation or on any lands to be conveyed hereunder to the Corporation to the satisfaction of the City Engineer shall be a condition precedent to the acceptance by the Corporation of the services and works required herein.

G-9(2). *Prior to the acceptance* by the Corporation of the said services and works, the Owner shall furnish the Corporation with a statutory declaration to the effect that the Owner has paid all accounts that are payable in connection with the installation and maintenance of such works and that there are no outstanding claims relating thereto.

G-9(3). Upon completion of the services to be constructed or installed in public lands and upon acceptance thereof by the City Engineer or by the appropriate representative of The Windsor Utilities Commission, such services shall become the property of the Corporation or The Windsor Utilities Commission as the case may be, and the Corporation shall thereupon permit such services to be incorporated with the appropriate existing municipal services at the expense of the Owner or its assignee. This paragraph shall not require the Corporation to

maintain or in any way be responsible for driveway approaches, private sewer connections or any other private services which may be installed in public lands.

G-10. PERFORMANCE BOND

G-10. The Owner shall deposit with the Corporation a Performance Bond, Letter of Credit which is automatically extended, or other security in form satisfactory to the City Solicitor and in an amount equal to fifty percent (50%) of the total cost of construction or provision of all services required under this Agreement on land owned by the Corporation or on any lands to be conveyed hereunder to the Corporation. The said cost of construction of services shall be based upon the contract or contracts mentioned in paragraph G-7 herein, unless such construction shall be carried out by the Owner in which event the cost shall be estimated by the City Engineer. No Performance Bond, Letter of Credit which is automatically extended, or other security shall be released until the Owner has filed a Maintenance Bond, Letter of Credit which is automatically extended, or other security in accordance with paragraph G-11 herein, covering the services in respect of which such Performance Bond, Letter of Credit which is automatically extended, or other security was deposited.

G-11. MAINTENANCE BOND

The Owner shall be responsible for all materials, equipment and work on land owned by the Corporation or on any lands to be conveyed hereunder to the Corporation for a minimum of one (1) year following completion and acceptance thereof by the City Engineer. The Owner shall further deposit a Maintenance Bond, Letter of Credit which is automatically extended, or other security in form satisfactory to the City Solicitor and in an amount equal to twenty-five percent (25%) of the total cost of the work required herein. The Maintenance Bond, Letter of Credit which is automatically extended, or other security shall be released after final inspection of the works is conducted and the works are accepted subject to the satisfaction of the City Engineer.

G-12. CONSTRUCTION LIEN ACT

Inasmuch as the Owner is obliged at its entire expense and not at the expense of the Corporation, to make improvements to the highway, the Owner shall deposit with the Corporation, in order to satisfy the requirements of Section 17(4) of the Construction Lien Act, a security in form satisfactory to the City Solicitor and in an amount satisfactory to the City Engineer, for the estimated amount of the holdbacks (under part IV of the Construction Lien Act)

that would have been required were the improvements made at the expense of the Corporation. Upon the forty-sixth (46th) day following the completion of the said work and provided that the Corporation has received no notice of claim or lien for the supply of services or materials for the improvement of the streets or highways, the Corporation shall redeliver the bond or letter of credit hereinbefore mentioned to the Owner.

G-13. INDEMNITY AND INSURANCE

G-13(1). The Owner further agrees to indemnify and save the Corporation harmless from and against all loss or damage, expense, claims, suits and liability on account of any and all damage to or loss or destruction of any property (including without limitation, the work hereby covered and all property of the Owner and the Corporation), or injury to or death of any person (including without limitation, employees of the Owner and the Corporation) arising directly or indirectly out of or in connection with the negligent performance or unlawful or non-performance of any obligation of the Owner under this Agreement on land owned by the Corporation or on any lands to be conveyed hereunder to the Corporation.

G-13(2). During the construction of the works on land owned by the Corporation or on any lands to be conveyed hereunder to the Corporation required herein, and during the maintenance period, the Owner further agrees to maintain:

1. A policy of public liability and property damage insurance, in the amount of **FIVE MILLION DOLLARS (\$5,000,000.00)** per occurrence and containing endorsements showing the Corporation as an additional named insured and have a cross-liability clause, and as to be in form satisfactory to the Manager of Purchasing and Risk Management.
2. If deemed necessary by the Manager of Purchasing and Risk Management, a policy to provide environmental pollution liability insurance, in the amount of **TWO MILLION DOLLARS (\$2,000,000.00)** exclusive of interest or costs, on a claims-made basis or such other limit as the Corporation may reasonably require and containing endorsements showing the Corporation as an additional named insured, to cover third party bodily injury and property damage claims arising out of sudden and accidental pollution, including but not limited to unexpected and unintentional spill, discharge, emission, dispersal, leakage, migration, release or escape of pollutants. The coverage is not to be subject to the

one hundred and twenty (120) hour reporting period and is not to be limited to hostile fire only, and is to be in form satisfactory to the Manager of Purchasing and Risk Management.

3. A policy to provide proof of auto liability insurance, in the amount of **TWO MILLION DOLLARS (\$2,000,000.00)** per occurrence.

The said insurance policies shall not be altered, cancelled or allowed to lapse without thirty (30) days prior written notice to the Corporation. If the said insurance policies are cancelled or changed in any manner that would affect the Corporation as outlined in coverage specified in the policy for any reason, thirty (30) days prior written notice by registered mail must be given by the insurer to the Corporation.

Before commencing any work on land owned by the Corporation or on any lands to be conveyed hereunder to the Corporation required herein, the Owner further agrees to provide the Manager of Purchasing and Risk Management with a certified copy of said such policies.

G-14. GENERAL

G-14(1). The Owner shall repair forthwith, at its own expense, any damage done by its servants, agents, contractors or sub-contractors to any land or property of the Corporation during the course of, or arising in any way out of the construction or installation of the work required under this Agreement.

G-14(2). This Agreement may be registered against the subject lands described herein.

G-14(3). This Agreement shall enure to the benefit of and be binding upon the Parties hereto and their respective successors and assigns.

G-14(4). The City Engineer, the Executive Director of Parks and Facility Operations, the Chief Building Official, the City Planner, the Fire Chief, the City Solicitor, the Executive Director - Public Works, Operations and the Manager of Purchasing and Risk Management which may be set out in this Agreement, are those of the Corporation.

Appendix B

CR226/2006

That the application of South Windsor Properties Inc. (K. Tanner, agent) for draft plan of subdivision approval to permit 55 single-unit dwellings for lands described as Block A Registered Plan 1110 and Part Block B Registered Plan 1268, now designated as Part 2, Reference Plan 12R-20143 located north of Cleary Street and east of Partington Avenue **BE APPROVED** on the following basis:

1. This approval applies to the draft plan of subdivision, as shown on Map No. SDN-003/05-2, which provides for the construction of single unit dwellings;
2. That the draft plan approval shall lapse on April 24, 2009 (3 years from date of approval);
3. That the owner enters into a subdivision agreement and site plan control agreement with the Corporation of the City of Windsor, such agreements to provide for the following matters:
 - A. The owner shall agree to include all items as set out in the results of circularization the EER Addendum report and other relevant matters set out in CR233/98 (Standard Subdivision Agreement).
 - B. The street naming and numbering shall be to the satisfaction of the Corporation of the City of Windsor following the end of the appeal period for the draft plan of subdivision.
 - C. That the owner agrees to provide for conveyances to the Corporation of the City of Windsor along the southern limit of the Ojibway Street in order to increase the width of the right-of-way to the satisfaction of the City Engineer.
 - D. That prior to issuance of building permits for lots 42 to 55 inclusive, the Owner agrees to install 6-foot high chain link fencing along the full extent of the rear property boundaries of Lots 42 through 55 inclusive, to the satisfaction of the Executive Director of Parks and Facility Operations.
 - E. Payment of cash-in-lieu of land conveyance for park purposes pursuant to Section 51.1 of the Planning Act to the satisfaction of the Executive Director of Parks and Facility Operations prior to the registration of the final plan of subdivision.
 - F. Payment of parkland development fees in accordance with the Corporation's Manual of Landscape requirements as amended.
 - G. The owner agrees to an exchange of lands owned by the Corporation of the City of Windsor, including the partial stopping up and closing of Partington and Glenwood Avenues (Registered Plans 1110 and 1268) for lands owned by the applicant in the designated natural heritage area located immediately to the north.

- H. The owner agrees to install a sidewalk on the west side of Roxborough Avenue, one sidewalk on each of Glenwood Avenue and Cleary Street and on both sides of Ojibway Street in compliance with the requirements of CR436/2004 addressing such matters as notification, signage and timing of installation. Consideration will be given the placement of meandering sidewalks in such a way as to minimize any negative impact on trees, which are to be retained near front lines.
- I. Warning clause registered on title as requested by the local school boards stating that purchasers are to be advised that students may not be able to attend the closest neighbourhood school and students may be bussed to a distant school.
- J. The owner agrees that no construction activity and/or alterations to the subject lands shall occur and no building permits shall be issued until such time as an application for site plan approval has been approved and that the east side of proposed Roxborough and both sides of Glenwood be designated areas of site plan control.
- K. That the owner agrees to submit one application for site plan control approval for the eastern one half of Roxborough Avenue (Lots 15-28 inclusive) and a second application to address both sides of Glenwood Avenue (Lots 29-55 inclusive). The applications will address matters including but not limited to the building footprint of all dwellings; tree preservation reports; bonding; reporting on the non-forested portions and submission of grading and drainage plans to the satisfaction of the Chief Building Official, Executive Director of Parks and Facility Operations and the Essex Region Conservation Authority.
- L. That the owner agrees to provide a detailed tree preservation report at the time of site plan review, to be prepared by a qualified Arborist (ISA) or Registered Professional Forester (RPF), to the satisfaction of the Executive Director of Parks and Facility Operations.
- M. That the owner agrees to provide bonds on a lot-by-lot basis prior to issuance of a building permit, corresponding to a valuation of individual trees as determined in accordance with ISA criteria (International Society of Arboriculture) and contained in the above-referenced tree preservation report, or a corresponding percentage thereof as determined by the Executive Director of Parks and Facility Operations, to ensure the preservation of trees identified in the above-referenced report to the satisfaction of the Executive Director of Parks and Facility Operations.
- N. That the owner agrees to provide detailed grading and drainage drawings at the time of site plan review, in order to determine the location and orientation of buildings on a lot-by-lot basis and pertaining to any grading works required for the preservation of trees

identified in the above-referenced report, to the satisfaction of the Chief Building Official.

- O. That the owner agrees that for Lots 15-55 inclusive, building additions and / or any accessory buildings and / or temporary structures are prohibited in any side yard containing an existing tree.
- P. That the owner agrees that for Lots 15-55 inclusive, building additions and / or temporary structures and / or any accessory buildings or additions to accessory buildings, with a GFA greater than 50 square metres or 10% of the total floor area, as measured at grade, of the existing building will require Site Plan Approval.
- Q. That the owner agrees to provide engineering drawings for all roads, sidewalks, and services included in the attached Plan of Subdivision, *prior to issuance of a road construction permit*, to the satisfaction of the Executive Director of Parks and Facility Operations
- R. That the owner agrees to provide a detailed tree preservation report *prior to issuance of a road construction permit*, to be prepared by a qualified Arborist (ISA) or Registered Professional Forester (RPF), to the satisfaction of the Executive Director of Parks and Facility Operations.
- S. That the owner agrees to provide a bond prior to issuance of a road construction permit, to the satisfaction of the Executive Director of Parks and Facility Operations, to ensure ongoing monitoring by an Arborist or Registered Professional Forester retained by the owner and the submission of a bi-weekly report to the Executive Director of Parks and Facility Operations regarding the implementation of the recommendations contained in the above-referenced tree preservation report.
- T. That the owner agrees to provide a bond prior to issuance of a road construction permit, corresponding to a valuation of individual trees as determined in accordance with ISA criteria (International Society of Arboriculture) and contained in the above-referenced tree preservation report, to ensure the preservation of trees identified in the said report to the satisfaction of the Executive Director of Parks and Facility Operations.
- U. The owner agrees to the conveyance of 0.3 metre (1 foot) reserves along the flankage of lots abutting Cleary Street and Ojibway Street to prevent vehicular access and ensure the retention of trees.

V. That the owner agrees to retain a biologist to assess the significant habitat of endangered and threatened species to the satisfaction of the City of Windsor.

Carried.

Councillor Zuk voting nay.

Appendix C



Nick Vincelli

sidewalks on 2200 block of Roxborough Blvd.

Nick Vincelli

Fri, May 20, 2022 at 10:56 AM

To: "Cooke, Michael" <mcooke@citywindsor.ca>

Cc: "Morrison, Jim" <jmorrison@citywindsor.ca>

May 20, 2022

Dear Mr. Cooke:

I am contacting you to follow up on our conversation that we had last Friday May 13, 2022. You had indicated to me that you were to "investigate" why so much time had elapsed between the initial construction (development) of the road and where we stand today.

I have not received any feedback as of yet. In the meantime, I have researched the Development Manual put out by the City of Windsor.

In section 7.1.2 on page 36, part (e) , it states " The Developer shall adhere to a specific sidewalk construction timetable and schedule, showing the specific location of the sidewalk(s) with the provision that sidewalks will be constructed when eighty percent (80%) of construction permits are issued for the subject lands or within 3 years of the installation of roads/curbs; whichever comes first"

I know that it took more than 3 years for 80% of construction permits to be issued for homes on this street, which means that that sidewalks should have been put in within 3 years of the installation of roads/curbs. Personally, I have been on this street for 12 years. It would appear that the City of Windsor is not following its own policy.

As indicated to you, the residents of the 2200 block of Roxborough Blvd. are in favour of the City completing the top layer of asphalt and repairing any curbs BUT they are vehemently opposed to the construction of sidewalks on the west side of the road.

I have attached a list of signatures of the residents of the 2200 block of Roxborough Blvd. indicating their opposition.

Please contact me at your earliest convenience.

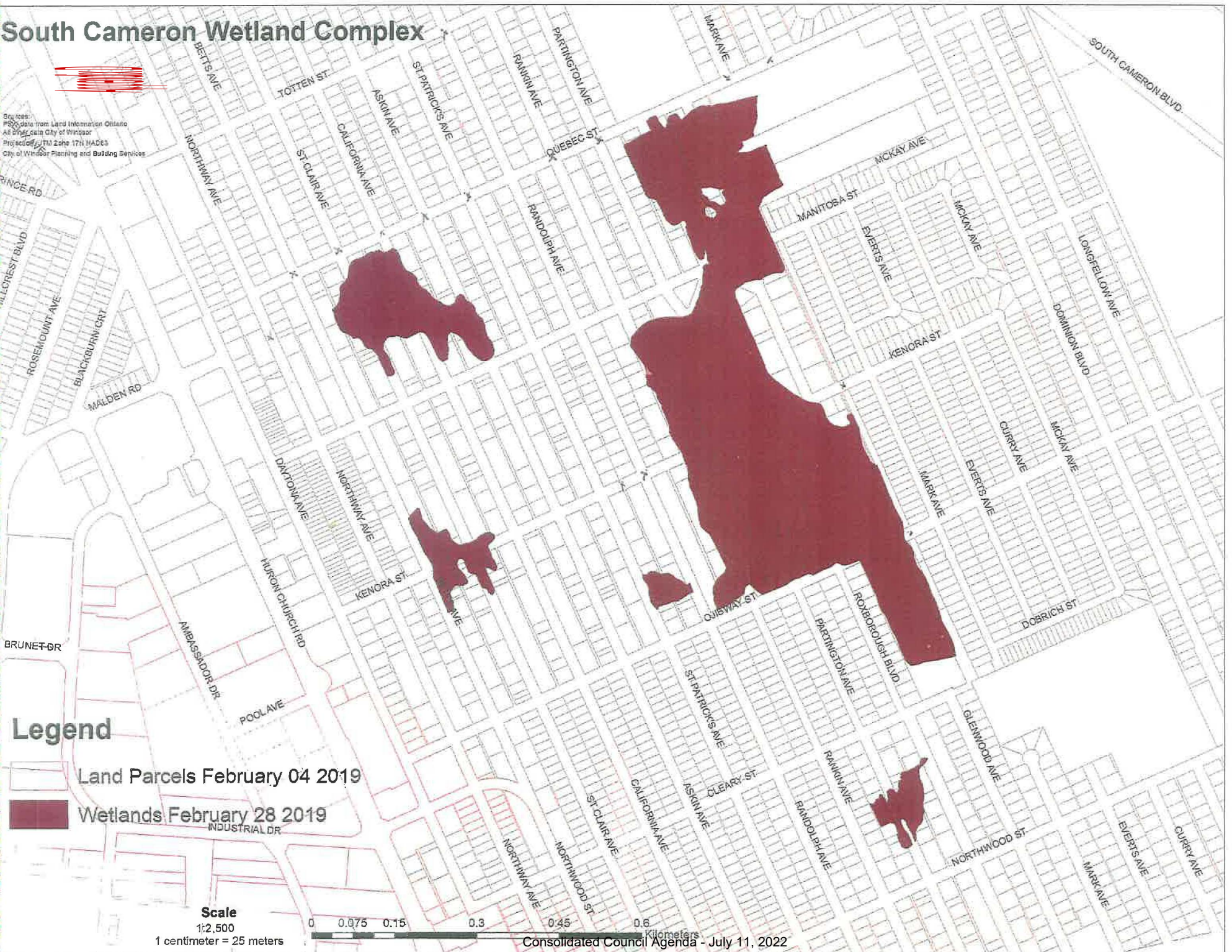
Sincerely, I remain

Nick Vincelli

 05202201.PDF
177K

South Cameron Wetland Complex

Sources:
 PDS data from Land Information Ontario
 All other data City of Windsor
 Projected UTM Zone 17N NAD83
 City of Windsor Planning and Building Services



Legend

- Land Parcels February 04 2019
- Wetlands February 28 2019

Scale
 1:2,500
 1 centimeter = 25 meters



July 11, 2022
City Council Meeting
Item 8.5 – Written Submission

From: JJ Manku
Sent: July 3, 2022 10:51 AM
To: clerks <clerks@citywindsor.ca>
Subject: Opposition to sidewalk installation

Please be advised on item 8.5 vide city council meeting dated july/11/2022.

That being a resident of roxborough blvd. We oppose the installation of sidewalk on west side as it destroys expensive landscaping and other infrastructure installed that makes the whole street beautiful and appealing.

Sidewalk installation will impact driveway parkings resulting in overcrowded street with vehicles.

Concluding this mail with a reminder that we dwell in a democracy and such tyrannical orders should be scrapped.

Sincerely
JJ Manku

July 11, 2022
City Council Meeting
Item 8.5 – Written Submission

From: reza samei
Sent: July 7, 2022 11:35 PM
To: clerks <clerks@citywindsor.ca>
Subject: opposition to sidewalk installation

Hello,

My name is Mohammad Reza Samei. I reside at 2295 Roxborough Blvd. I am strongly opposed to the proposed installation of sidewalks on the West side of Roxborough Blvd. We do not require more concrete replacing the grass, which will also limit our parking spots on our driveway and force us to park on the street and crowding the street. Furthermore the timelines to install the sidewalks have not been met. We have landscaped our yard and do not need further disruptions. I would appreciate your attention to our concerns.

Sincerely,
Mohammad Reza Samei

Submission: Petition in Opposition to Sidewalk Installation on the Roxborough Blvd. Between Ojibway St. and Cleary St. Ward 10

I want to highlight that 100% of the residents oppose this initiative, as indicated in the submitted petition. I may reiterate that we all want to preserve our environments and don't want to shrink green areas by putting concrete unnecessarily. Moreover, our street is the most secluded with minimal traffic and closed at both ends - it should be the least priority per enunciated criterion.

The city may be aware that 98% of the streets in ours and surrounding neighborhoods, including the area south of EC Expressway, are without sidewalks- majority of streets are even decades old.

All the streets north and south of Northwood are without sidewalks. It makes no sense that the city wants to install sidewalks on this isolated street, but all the connecting streets to Northway in the 2300 block (between Cleary and Northwood) don't have sidewalks. Pedestrians from 2200 block would have to get back on the road again in the next 2300 block to access Northwood, which makes no logic.

Nadeem Javed
2211 Roxborough Blvd

July 11, 2022
City Council Meeting
Item 8.16 – Written Submission

From: Kelly White
Sent: July 8, 2022 11:28 AM
To: clerks <clerks@citywindsor.ca>
Subject: Item No. 8.16 closure of alley

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

I am writing with respect to the closure of the southerly half of the alley between Brant Street & Wyandotte Street.

I understand the alley will be approved for closure. My concerns still stand, particularly regarding noise and foot traffic, not vehicular traffic.

It is unfortunate that the representative of the Rosati Group who attended the last council meeting chose to address my, and my neighbour's concerns in an offhand, dismissive manner which hardly gave me or my neighbour any assurance that moving forward the property owner would behave in a courteous neighbourly fashion.

I believe this alley closure is something that might be considered good for the neighbourhood and bad for the neighbours.

However, as this seems to be moving forward, what measures are in place to prevent noise levels after midnight, as per city noise by-law 6716? This noise by-law certainly isn't being upheld on the 500 block of Kildare most of the time.

Regards,
Kelly White

MAR-07-00 15:28 FROM:ERCA

ID:

15197768688 PAGE 3719

**UPPER GRAND MARAIS DRAIN
(WALKER ROAD TO TOURANGEAU ROAD)
ADDENDUM NO. 2
TO
FLOOD DAMAGE REDUCTION ALTERNATIVES
FOR THE TURKEY CREEK WATERSHED**

March 1993
Project No. 016056

MacLAREN ENGINEERS
SNC-LAVALIN INC.

TABLE OF CONTENTS

LETTER OF TRANSMITTAL

<u>Section</u>		<u>Page No.</u>
1.0	INTRODUCTION	1
	1.1 General	1
	1.2 Authorization and Terms of Reference	1
	1.3 Study Area	1
2.0	STUDY RESULTS	2
	2.1 Field Reconnaissance and Survey	2
	2.2 Mapping	2
	2.3 Existing Conditions	2
	2.4 Sub-Catchment Areas	3
	2.5 Design Flows	3
	2.6 Major Constrictions	4
	2.7 Flood Damage	5
	2.8 Other Considerations	5
3.0	CONCLUSIONS AND RECOMMENDATIONS	7
	3.1 Recommendations	8
	3.2 Summary	11

UPPER GRAND MARAIS DRAIN FLOOD CONTROLS ADDENDUM REPORT

1.0 INTRODUCTION

1.1 General

Recently, a report was prepared for the Essex Region Conservation Authority which outlined the investigations, predicted the flood levels and flood damages and identified measures for reducing the existing flood potential on the Turkey Creek Watershed. The report, entitled "Flood Damage Reduction Alternatives for the Turkey Creek Watershed" did not include the study of upper portion of the Grand Marais Drain east of Howard Avenue. Subsequently, the section between Howard Ave and Walker Road was subject to a study carried out for the City of Windsor.

1.2 Authorization and Terms of Reference

By a letter dated November 5, 1991, MacLaren Engineers was authorized to carry out a study and prepare an addendum report which will address only the upper portion of the Grand Marais Drain from Walker Road to Pillette Road, which lies within the Turkey Creek Watershed. The scope of the study was to determine existing flood damages; identify measures for reducing flood potential and to make recommendations in this regard which are consistent with the previous studies.

1.3 Study Area

The principal area of interest consists of the Grand Marais Drain between Walker Road and Tourangeau Road. The entire watershed, and particularly the area upstream of Howard Avenue was needed to be considered in detail in formulating our recommendations.

2.0 STUDY RESULTS

2.1 Field Reconnaissance and Survey

Field data obtained during MacLaren's Stormwater Management Alternatives Report (1989) was reviewed and, where applicable, was used as an aid for the HEC-2 computer modelling. The previous data included sizes of existing bridges and culverts, invert elevations and road grades. Photographs of these crossings were also included in the previous field surveys and were reviewed.

During this study, several field surveys were conducted to supplement previous surveys and/or obtain additional information as regards existing conditions.

2.2 Mapping

The most current mapping was used for the floodline mapping and to obtain first floor elevations for dwellings and structures in or near the floodplain for input to the flood damage computation model.

2.3 Existing Conditions

Mapping for this area show that a significant area of development has been subjected to flooding - particularly during the flood event of October 1981.

The physical characteristics of the existing drain through this reach are as follows:

- | | | |
|------------------|---|---|
| Depth: | - | varies (1.0 m to 2.2 m) |
| | - | generally not deep enough for adequate sewer outlet |
| Sideslopes: | - | steep (1.5 horizontal/1 vertical typical) |
| | - | naturally vegetated |
| Invert Gradient: | - | approximately 0.13 percent typical |

This section of the Grand Marais Drain is as a result of channelization, improvements and cleaning carried out in past years to improve agricultural use of the tributary land.

The catchment tributary to this reach has undergone substantial urbanization since approximately 1950, which has increased both the amount of runoff and rate at which it occurs. By comparison, no major improvements to the drain have been carried out since that time.

The area along the drain has been identified in the previous floodline study as a flood prone area. In fact, extensive flood damage has been experienced on several occasions in past years, particularly in 1981.

2.4 Sub-Catchment Areas

The study area has been divided into ten sub-catchment areas for purposes of analysis. These are shown on Figure 1 and existing land uses are summarized in Table 1.

2.5 Design Flows

Based on the sub-catchment discretization outlined above, we have carried out hydrologic/hydraulic calculations to determine 1:100 year flood flows under existing conditions having regard for the restricted outlet capacity provided for lands lying south of the Canadian Pacific rail line and of the E.C. Row Expressway.

These computed flows, using the AES 30% distribution, agree well with the flows used in computing flood elevations presented in our Addendum No. 1 Report "Floodway Analysis/Stormwater Management Guidelines".

These design flows were also used for the functional design study on the Grand Marais Drain for the section between Howard Avenue and Walker Road.

As the study area is quite small, we considered it prudent to determine flood flows using the Chicago rainfall distribution in order to ensure that the higher flows generated would not exceed the design hydraulic capacity of the channels proposed to be enlarged in the area upstream of Howard Avenue.

The following design flows are recommended, are based on current development levels and are consistent with our previous studies:

Howard Avenue to Langois Boulevard	17.0 m ³ /s	
		(Avg. Flow 15.4 m ³ /s)
Langois Boulevard to Walker Road	13.7 m ³ /s	
Walker Road to Casson Transport	10.0 m ³ /s	
Upstream of Central Avenue	6.7 m ³ /s	- 835.3 2.10 2.20 2.30

Runoff from a fully developed watershed would result in flows exceeding these design capacities and consequently stormwater management detention is required to maintain future flows within the design capacities. As noted in Table 1, the total area of land tributary to the Grand Marais Drain upstream of Howard is 895 ha and of which approximately 147 ha is undeveloped. Further, upstream of Central, the total tributary area is 196 ha, of which 77 ha is undeveloped.

484 acre

We would note that in developing recommendations in this regard, as well as in computing flood flows, we have assumed that industrial/commercial developments will have on-site controls to limit runoff rates to those equivalent from residential land uses.

2.6 Major Constrictions

Two major constrictions to the passage of design flows were determined:

- culvert at Central Avenue/Casson Transport;
- culvert at Plymouth Avenue on Pilette No. 2 Drain.

In addition, existing channel depths upstream of Walker Road and in particular, upstream of Central Avenue preclude the existing water course from being an adequate outlet for storm sewers.

2.7 Flood Damages

One of our study tasks, was to characterize the type of development in the previously identified damage zones lying upstream of Walker Road.

We have computed flood damages using the FLDAM model developed for the Ministry of Natural Resources. All dollar values have been updated to 1992 values.

The scenarios modelled were:

- with Plymouth culvert as existing; existing Pillette No. 1; existing conditions downstream of Central;
- with Plymouth culvert enlarged and existing Pillette No. 1 deepened; existing conditions downstream of Central.

The results of these analyses are given in Table 2 which shows:

i)	Present value of flood damages prevented by replacing the Plymouth culvert and deepening the Pillette No. 1 to Tourangeau.	\$149,600
ii)	Present value of flood damage prevented by carrying out necessary channelization downstream of Central Avenue and stormwater detention upstream of Central.	<u>\$168,000</u>
	TOTAL	\$317,600

2.8 Other Considerations

The City has expressed concern about:

- i) the effectiveness of existing stormwater management ponds;
- ii) the impact of providing additional ponds vis-a-vis:
 - a) future maintenance;
 - b) effectiveness;
 - c) ramifications to developers of relatively small parcels.

It is for these reasons that investigations were required to ascertain the feasibility of constructing a single, central stormwater detention facility to compensate for future development and to permit the abandonment of existing small ponds for the purposes of flow control in the Grand Marais Drain itself.

In carrying out these investigations, we have been guided by the following principles:

- i) the maximum flow to be discharged to downstream of Howard Avenue should not exceed $17 \text{ m}^3/\text{s}$ under regional-type storm conditions;
- ii) the design capacities of various reaches of channel should not be exceeded under local, high intensity rainfall conditions. (See Section 2.5)

3.0 CONCLUSIONS AND RECOMMENDATIONS

The basic philosophy for Turkey Creek improvements downstream are that 1:100 year flood flows to the downstream area would be controlled to the existing 1:100 year flow which was based on the 1989 extent of development. In order to achieve this, outlet flows at Howard Avenue would need to be controlled to 17 m³/s. This flow was determined previously through use of the OTTHYMO model and is fundamental to the proposed Turkey Creek project currently being undertaken by the Authority.

This current study has determined that if the entire area upstream of Howard Avenue were allowed to discharge uncontrolled runoff, the peak 1:100 year flow at Howard Avenue (future conditions) would reach approximately 24.2 m³/s under 'regional-type' rainfall conditions and 30.9 m³/s under high-intensity, local rainfall conditions. Computed flows at selected points are given in Table 1, assuming uncontrolled and controlled conditions.

As noted in Table 1, the total area of land tributary to the Grand Marais Drain upstream of Howard is 895 ha and of which approximately 147 ha is undeveloped. Further, upstream of Central, the total tributary area is 196 ha, of which 77 ha is undeveloped.

We would note that in developing recommendations in this regard, as well as in computing flood flows, we have assumed that industrial/commercial developments will have on-site controls to limit runoff rates to those equivalent from residential land uses.



Our recommendations to reduce the outlet 1:100 year flows at Howard Avenue to 17 m³/s under full development conditions are as follows. These recommendations are not independent of one another and in particular, recommendation b) is contingent upon the implementation of recommendation c).

17 m³/s ... 633045

3.1 Recommendations

- a) Lands to the south of the Canadian Pacific Railroad (CPR) east of Walker Road will require stormwater management facilities to reduce flows to the capacity of the existing culverts under the E.C. Row Expressway and under the CPR. As these culverts are effective flow control devices, the storage to be provided south of the CPR is only that which would be required to control local flooding. The culverts to be maintained are shown on the Plan located in the pocket at the end of this report.
- b) Lands lying between Howard and Central Avenue north of the E.C. Row Expressway/CPR will not require stormwater detention facilities. Existing facilities can be abandoned provided they are not required to reduce flows in the secondary system that is tributary to the Grand Marais Drain.
- c) Lands north of the CPR and east of Central will require stormwater detention to reduce outlet flows not only for new development, but also as compensation for allowing developments downstream to discharge uncontrolled.

The total storage volume of the pond is recommended to be 70,000 m³ to control the outflow from a fully developed area upstream of Central to 2 m³/s. With this controlled outflow, downstream flows would be controlled within the limits imposed by the principles cited above.

It is recommended that this pond be of the 'wet-type' to effect a measure of pollution reduction of stormwater runoff. The permanent pond would have a total volume of 10,000 m³.

It must be remembered that the total area north of the CPR/E.C. Row Expressway benefits as:

- i) existing stormwater ponds west of Central Avenue could be abandoned;

- ii) developments that proceed and are west or east of Central would not require individual storm detention facilities.

Finally, we note that areas south of the E.C. Row Expressway/CPR would not benefit from this stormwater detention facility.

We have shown on the Plan (inside rear cover of Report) the general location and shape of the proposed pond. In Table 3, we have presented a range of width-length relationships for the proposed facility to satisfy ultimate requirements. The estimated final cost of the facility is \$400,000, exclusive of land acquisition costs.

We recommend that the initial volume of the pond be 35,000 m³ with 5,000 m³ as a permanent pond. Pond size should be increased by 350 m³/ha of development that occurs north of the E.C. Row Expressway/CPR line (104 ha) with 50 m³/ha adding to the permanent pond. Pond outflow should be controlled to a maximum of 2 m³/s at its top water elevation.

- d) The channel between Walker Road and the downstream end of the culvert through Casson Transport should be widened, deepened and graded to match the section recommended for between Howard and Walker Road as follows:

- bottom width 2.5 m
- side slopes 3:1
- grade 0.045%

The estimated cost of this work is \$300,000. The work would not entail replacement of any of the existing structures. This work is required for both flood control upstream of Central and for accommodating development for existing and future direct contributing lands.

e) The channel (Pilette No. 1) upstream of Central to Tourangeau Avenue should be widened, deepened and graded as follows:

- bottom width 2 m
- side slopes 3:1
- grade 0.045%

The estimated cost of this work is \$130,000. This work (as well as f) below) is required for both flood control and for providing outlet capacity for tributary lands.

f) As well, the culvert at Plymouth Avenue would require replacement at an estimated cost of \$200,000.

We note that, provided the local drainage systems are extended to the Pilette No. 1 Drain, the existing Grand Marais Drain could be filled in and abandoned.

Regarding e) and f) above, the undersized culvert at Plymouth (Pilette No. 1) and on the Grand Marais Drain result in flood damages commencing at a return frequency of 1:10 years, i.e. water reaches elevation 608 to 608.5.

With the replacement of the Plymouth Culvert and improvement to Pilette No. 1, which then becomes the major drainage outlet, commencement of flood damages would be reduced to a frequency of approximately 1:50 years.

Consequently, improving the Pilette No. 1 system would reduce the amount of storage (back-up) that now occurs at the lower flow ranges. By shifting storage to a higher flow range, more for effective attenuation should result, thereby reducing somewhat flood levels. Therefore, a reduction in the Authority's regulatory flood datum (including freeboard) to 610.0 could be considered as reasonable if these components were to proceed without downstream channel improvements and storage facilities in place.

3.2 Summary

The works recommended are as follows:

1.	Improve channel from Walker Road to Casson Transport	\$300,000
2.	Replace Plymouth Avenue Culvert	\$200,000
3.	Improve Pillette No. 1 Drain	\$130,000
4.	Construct Stormwater Retention Pond (initial capacity 35,000 m ³)	\$200,000
	TOTAL	\$830,000

The flood damage reduction benefits resulting from these works are:

a)	Replace Plymouth Avenue Culvert/improve Pillette No. 2 Drain	\$149,600
b)	Improve Channel - Walker Road to Casson Transport and initial Stormwater Detention Pond	\$168,000
	TOTAL	\$317,600

It should be noted that should the channelization works from Walker to Casson be constructed before the works from Howard and Walker, then some temporary constriction at Walker may be necessary.

These proposed works will remove from risk of flooding 74 houses under 1:100 year design flow conditions. However, the City should ensure the minor drainage system tributary to the recommended works is adequate.

The final works recommended is the enlargement of the stormwater detention pond to its ultimate size of 70,000 m³ to compensate for future development being allowed to discharge uncontrolled. The cost of the enlargement is estimated to be \$200,000.

*70,000 m³ / 3.33 m³/s = 21,021 s = 5.84 hours - Duration of detention
of 2.22 m³/s*

TABLE 1 LAND USE AND FLOWS

LAND USE:	Residential ha	Comm/Ind ha	Undeveloped ha	Open Space ha	Totals ha
Area 1	73.1	26.9	35.5		135.5
Area 2		19.4	41.4		60.8
Area 3		57.3			57.3
Area 4A		56.0			56.0
Area 4B		20.0	29.0		49.0
Area 4A1	18.5	35.7	14.4		68.6
Area 6	144.6	4.0	3.2		151.8
Area 7	66.0	15.8	14.0	6.5	102.3
Area 8	55.1	39.2		8.0	102.3
Area 9	62.1	39.4	9.9		111.4
Totals	419.4	313.7	147.4	14.5	895.0

FLOWS: (future) Location	AES 30% 1:100 year		CHICAGO 1:100 year		DESIGN m3/s
	Uncontrolled m3/s	Controlled m3/s	Uncontrolled m3/s	Controlled m3/s	
U/S Howard	24.2	15.3	30.9	18.7	17.0
D/S Walker	19.4	10.5	24.8	12.6	13.7
D/S Casson	15.1	6.2	19.2	7.0	10.0
U/S Central	5.3	2.0	6.7	2.0	6.7

TABLE 2. PRESENT VALUE OF FLOOD DAMAGES

A: Existing Conditions

Return period	Diff.	Damages	Average Damages (Total)	Expected Annual Damages
1	1.00	\$0.0	\$0.0	\$0.0
2	0.50	\$0.0	\$0.0	\$0.0
5	0.20	\$0.0	\$0.0	\$0.0
10	0.10	\$0.0	\$0.0	\$0.0
20	0.05	\$155.7	\$77.9	\$3.9
50	0.02	\$215.4	\$185.6	\$5.6
100	0.01	\$361.9	\$288.7	\$2.9
1000	0.001	\$361.9	\$361.9	\$3.3

EXPECTED ANNUAL DAMAGE (\$ 1000's) \$15.6
 EXPECTED ANNUAL DAMAGE (\$ 1000's) PREVENTED \$12.3
 PRESENT VALUE (7% - 50yrs) \$1000's \$170.4
 PRESENT VALUE (3% - 50yrs) \$1000's \$317.6

**B: Existing Conditions D/S Central
Plymouth Ave. Culvert/U/S Channel Improved**

Return period	Diff.	Damages	Average Damages (Total)	Expected Annual Damages
1	1.00	\$0.0	\$0.0	\$0.0
2	0.50	\$0.0	\$0.0	\$0.0
5	0.20	\$0.0	\$0.0	\$0.0
10	0.10	\$0.0	\$0.0	\$0.0
20	0.05	\$0.0	\$0.0	\$0.0
50	0.02	\$200.2	\$100.1	\$3.0
100	0.01	\$361.9	\$281.1	\$2.8
1000	0.001	\$361.9	\$361.9	\$3.3

EXPECTED ANNUAL DAMAGE (\$ 1000's) \$9.1
 EXPECTED ANNUAL DAMAGE (\$ 1000's) PREVENTED \$5.8
 PRESENT VALUE (7% - 50yrs) \$1000's \$80.2
 PRESENT VALUE (3% - 50yrs) \$1000's \$149.6

Robert Tomas, B.A., J.D.
Barrister • Solicitor • Notary Public

5155 Tecumseh Road East
Windsor, Ontario
N8T 1C3

Phone: (519) 944-2220
Fax: (519) 944-2420
Email: rtomas@cogeco.net

July 7, 2022

VIA EMAIL (kstuart@citywindsor.ca)

Windsor City Council
c/o Council Services Department
350 City Hall Square West
Windsor, Ontario
N9A 6S1

Re: Windsor City Council Meeting of July 11, 2022
Agenda Item 11.1 - Bernard Road Subdivision- NOC Development Inc.
Cost Sharing/Oversizing/Servicing-Ward 5
Council Report: C 104/2022

Dear Mayor and Members of City Council:

I act as counsel for Financial Request of Canada Ltd., the Owner/Developer of Lots 62 to 69 (Plan 12M-319) referenced as the "Bernard Road Benefitting Properties" in the Council Report for Agenda Item 11.1 scheduled for consideration by Council at its metering of July 11, 2022.

This correspondence shall serve as a request on behalf of my client that consideration of Agenda Item 11.1 **be deferred to the August 8th, 2022 meeting of Council.**

The basis for the deferral request is as follows:

- I) The underlying basis and calculations used by the Engineering Dept. to support the recommendation to Council that my client's share of servicing costs for the Bernard Road Development be set at **\$364,443.38** has **not** been provided to my client nor to its consulting engineer firm (Haddad Morgan & Associates) despite repeated requests for full disclosure of this information.
- ii) In the absence of production by the Engineering Dept. of the calculation(s) and formula(s) utilized to determine the equitable allocation of servicing costs among the respective Developers, my client's consulting engineer is unable to complete an analysis and prepare submissions to Council with respect to this matter.

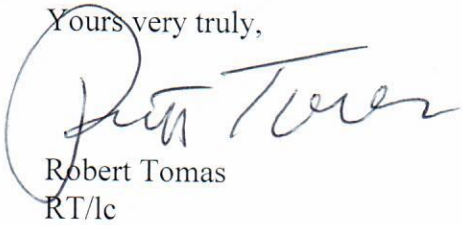
-2-

-2-

iii) If deferral is granted by Council, it is further requested that the Engineering Dept. be directed to forthwith provide my client's consulting engineer with the complete basis for its calculation(s) and recommendation(s) for the apportionment of servicing costs for the proposed development.

Thank you for your consideration.

Yours very truly,

A handwritten signature in cursive script, appearing to read "Robert Tomas". The signature is written in black ink and is positioned to the right of the typed name. A small circle is drawn around the first few letters of the signature.

Robert Tomas
RT/lc

cc: Catherine Girgis P. Eng. (Haddad Morgan & Associates Ltd.)