

## City Council Meeting

**Date:** Monday, February 14, 2022

**Time:** 1:30 o'clock p.m.

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

All members will be participating electronically and will be counted towards quorum in accordance with Procedure By-law 98-2011 as amended, which allows for electronic meetings during a declared emergency. The minutes will reflect this accordingly.

**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

<b>Item #</b>	<b>Item Description</b>
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1.	<b>ORDER OF BUSINESS</b>
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| 1.1. | In the event of the absence of the Mayor, Councillor Kaschak has been Appointed Acting Mayor for the month of February, 2022 in accordance with By-law 176-2018, as amended. |
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2.	<b>CALL TO ORDER</b>
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READING OF LAND ACKNOWLEDGEMENT

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

3.	<b>DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF</b>
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4.	<b>ADOPTION OF THE MINUTES</b>
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5.	<b>NOTICE OF PROCLAMATIONS</b>
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**Flag Raising Ceremony**

“International Mother Language Day” – Tuesday, February 22, 2022

6.	<b>COMMITTEE OF THE WHOLE</b>
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7.	<b>COMMUNICATIONS INFORMATION PACKAGE</b> (This includes both Correspondence and Communication Reports)
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|------|---|
| 7.2. | 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 ( <b>C 18/2022</b> ) |
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| 7.3. | Placement of Question on the October Municipal Ballot ( <b>CM 2/2022</b> ) |
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8. **CONSENT AGENDA**

- 8.1. Acquisition of Firefighter Protective Ensembles (Bunker Gear) - City Wide (**C 7/2022**)
- 8.2. Approval to create a By-Law required for Audit and Accountability Fund grant agreements (**C 19/2022**)
- 8.3. Application to demolish residential dwelling located at 653 Bridge Avenue, which is subject to Demolition Control By-law 131-2017 (Ward 2) (**C 15/2022**)

CONSENT COMMITTEE REPORTS

- 8.4. Minutes of the Windsor Essex County Environment Committee of its meeting held November 18, 2021 (**SCM 34/2022**) (**SCM 400/2021**)
- 8.5. Minutes of the Transit Windsor Advisory Committee of its meeting held November 30, 2021 (**SCM 35/2022**) (**SCM 2/2022**)
- 8.6. Essex Region Conservation Authority 2022 Fee Schedule (**SCM 36/2022**) (**SCM 12/2022**)
- 8.7. Request for Funding | Sewer, Pavement, and Watermain Rehabilitation on Arthur Road from Ontario Street South to Via Rail Tracks (**SCM 37/2022**) (**S 159/2021**)

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

10. **PRESENTATIONS AND DELEGATIONS**

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

- 11.1. Windsor Public Library - Facility Plan Implementation and Temporary Relocation of Main Branch - Project Completion Report - City Wide (**C 104/2021**)  
**Clerk's Note:** Administration providing additional information memo (**AI 3/2022**)
- 11.2. Draft By-law for Municipal Licensing of Short Term Rentals - City Wide (**C 16/2022**)
- 11.3. WFRS Next Generation 911 Telecommunications - Pre-Approval - City Wide (**C 12/2022**)
- 11.4. 2022 Construction Projects Pre-Commitment - Wards, 4, 7, 9 & 10 (**C 13/2022**)

12. **CONSIDERATION OF COMMITTEE REPORTS**
  - 12.1. (i) Report of the Special In-Camera meeting or other Committee as may be held prior to Council (if scheduled)
  
13. **BY-LAWS** (First and Second Reading)
  
14. **MOVE BACK INTO FORMAL SESSION**
  
15. **NOTICES OF MOTION**
  
16. **THIRD AND FINAL READING OF THE BY-LAWS**
  
17. **PETITIONS**
  
18. **QUESTION PERIOD**
  
19. **STATEMENTS BY MEMBERS**
  
20. **UPCOMING MEETINGS**

Development & Heritage Standing Committee  
Monday, February 7, 2022  
4:30 p.m., Zoom Video Conference

Property Standards Committee  
Thursday, February 10, 2022  
4:00 p.m., Zoom video conference

Windsor Accessibility Advisory Committee  
Tuesday, February 22, 2022  
10:00 a.m., Zoom Video Conference



Environment, Transportation and Public Safety Standing Committee  
Wednesday, February 23, 2022  
4:30 p.m., Zoom Video Conference

21. **ADJOURNMENT**



**Council Report: C 18/2022**

**Subject: 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**

**Reference:**

Date to Council: February 14, 2022  
Author: Shelby Askin Hager  
Commissioner, Legal and Legislative Services  
519-255-6100 ext 6424  
shager@citywindsor.ca

Aadil Nathani  
Executive Initiatives Coordinator  
519-255-6100 ext 6404  
anathani@citywindsor.ca

Legal Services, Real Estate & Risk Management  
Report Date: January 31, 2022  
Clerk's File #: AB2022

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

**Recommendation:**

That the report of the Commissioner of Legal and 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", **BE RECEIVED** for information.

**Executive Summary:**

n/a

**Background:**

At the Council meeting of October 4, 2021, Councillor Costante asked the following question:

CQ 24-2021

## **Assigned to Licence Commissioner:**

Asks Administration to report back on the possibility of having a city-wide bylaw to require all property owners to maintain their properties free from rodents and further researching best practices from other municipalities

## **Discussion:**

### **The Vermin Issue**

Vermin, especially rats, are extremely adaptive animals that survive on various food sources. Like most wild animals, rat populations are cyclical and tend to rise to a peak, plateau and then decline, before repeating. The rat population in Windsor, as well as in many municipalities in Ontario appears to be peaking or plateauing at the current time, especially in residential neighbourhoods. The Environmental Services Division suggests that the rat population in Windsor seems to be plateauing at this time and could decrease in two years.

The COVID-19 pandemic has impacted the visibility of the rat population as it has led to an environmental change. Rats had to adapt in order to find food –the pandemic has meant that restaurants are not operating at the same capacity and, as a result, rats are in many cases being pushed out of commercial areas with a high volume of restaurants and an abundant food supply and into neighbourhoods. Other impacts include climate change and development leading to the disturbance or destruction of natural habitats for rats.

The specific challenge faced here is that the property on which rats are found and are creating a nuisance is not always the property where the rats have established a burrow or are finding food; these survival tools need to be eliminated in order to address the problem.

In Windsor, the Environmental Services department estimates that it would have dealt with approximately 800 rat-related calls twenty years ago. Over the last five years, they report a spike in the number of calls per year, going up to approximately 1700 rat-related calls annually, resulting from an apparent rat population boom. This represents less than 1% of properties in Windsor, but that does not mean the impact is not significant for those property owners.

The Building Department reports that approximately 100 out of the 1200 complaints they receive yearly may have rat or vermin related issues inside buildings that are either reported or discovered upon investigation. This amounts to approximately 8% of all complaints the Building Department deals with in any given year.

By-law Enforcement also deals with this issue, although to date these matters have not been specifically identified as “rat complaints”. With the exception of the few complaints received related to violations of the Feeding of Wildlife By-law, rat-related complaints tend to fall under general property condition complaints related to yard maintenance and refuse preparation and storage. In 2021, by-law enforcement dealt

with approximately 7,600 yard condition complaints, some of which clearly would have included conditions that would attract rats. This information gap is being remedied in 2022 by adding the ability to specifically track complaints related to rats. This will give the City a better picture of where rat issues tend to be localized, and how well our programmes and approaches are working.

## Existing By-laws

The City of Windsor has three existing by-laws that address the issue of rodents (see Appendix “A” for relevant excerpts):

- **Feeding of Wildlife By-law** prohibits people from feeding anything other than domestic pets and songbirds, and from creating situations that attract wildlife including rats, skunks, and raccoons.
- **Yard Waste By-law** prohibits people from allowing conditions to persist on their properties that offer food or shelter to vermin like rats.
- **Property Standards By-law** prescribes requirements for the maintenance of buildings on property, including the requirement to keep them free from pests.

These by-laws offer the City a solid regulatory framework to adequately address the issue of rodents, and key to their effectiveness is the manner in which they are being enforced. Administration has examined the issue in order to create an enforcement process that will maximize the utility of these by-laws and provide relief to property owners affected by rodents.

While many by-laws grant the City the ability to enter onto private property to remedy a deficient situation, including the by-laws noted, the challenge with rats is that the most effective means of getting rid of rats is to bait a rat burrow. Doing this, however, involves the placement of dangerous poison on a person’s land. Unless the property owner consents to this action, then the City cannot do so.

Administration has researched less-dangerous means of rat elimination that could be safely undertaken without consent, and has found that there are methods that may work, but they are costly and not always effective.

As noted in the attached Appendix B outlining municipal rat programmes, the City of Windsor already has the most robust municipal rat removal program in Ontario, as well as three existing by-laws which can address these issues.

## Enforcement Approach

When a property owner is willing, the City can easily work with them to engage rat control, however for non-compliant properties, the City must take a different approach.

The by-law enforcement division has recently begun to serve “Notices to Comply” under the **Feeding of Wildlife By-law** or **Yard Waste By-law**, along with specific directions

as to how to comply – this may include removing food sources and garbage, shelters, and removal of these animals from the property. It is necessary to ensure focus is placed on eliminating food sources, garbage, and nesting sites in order to address the underlying factors that attracted the rats in the first place.

Failure to observe the requirements of the Notice to Comply can lead to prosecution under the Provincial Offences Act. The City also has the ability to rectify the situation itself at the property owner's expense. While the City cannot place poison on the properties without consent, the City can attempt to engage in humane removal of the rats. This is a much more costly endeavour than baiting the rats, and when faced with the option to allow baiting or to pay the costs of humane removal while also facing prosecution, property owners are given an incentive to work with the City in ridding the property of vermin.

## **Other Opportunities**

### *Education.*

Understanding what sort of environments allow rats – and other nuisance wildlife – to thrive allows people to make choices that reduce the likelihood of facing a rat infestation and also provides information about services available to assist with this issue. A public information campaign would not only make homeowners better equipped to deal with the problem but it would also provide awareness of the baiting program which many residents may not realize is a fully funded program. An in-house programme can be prepared within current means.

### *Outdoor/Feral Cats*

Another option that has been suggested to assist in controlling the rat population is the use of outdoor cats. This has been attempted in other municipalities across the North America. The Windsor/Essex County Humane Society does have a 'working barn buddy' program where feral cats are vaccinated and sprayed or neutered before being adopted to live as outdoor cats. These cats are not able to adapt to indoor life and may stay in barns, garages, sheds or other outdoor shelters.

The Windsor Essex Humane Society will only adopt these cats out to people who wish to own them and act as their caregivers; it is not a programme the City could engage in, although individual homeowners may be interested. From the consultation with the Humane Society, Administration understands that these cats will not generally hunt rats due to their size, which means they will not reduce the population to any great extent, nor do they address the underlying drivers of rat infestation. Finally, outdoor cats also have significant impacts on the local cat and bird populations in the neighbourhoods in which they are released.

### *Information Management*

As noted above, data about rat complaints has historically not been collected by the City and instead has been captured within the broader category of yard condition complaints. This leads to a poorer understanding of the prevalence and location of the problem, as well as the impact and benefit of any mitigation methods. Administration

will add tools that allow separate tracking of rat complaints as a means of measuring and managing this issue.

**Risk Analysis:**

There are no risks to receiving this report, and no risks posed by the newly-implemented enhanced enforcement process. While an objective look at the numbers of complaints received regarding rats seems low relative to other matters, the full extent is not known due to the broad nature of the data collected previously, and the impact on affected property owners is significant. As a result, By-law Enforcement has developed a new process to address these complaints and is working to enhance reporting to allow a clearer view of rat-based complaints and statistics.

The creation of an information campaign coupled with stepped-up enforcement may result in more residents taking advantage of the rat baiting programme, leading to increased wait times for service. Currently, the wait time is approximately four weeks as a result of COVID-related staffing impacts. While it is anticipated that these staffing impacts will resolve, clear communications to residents about when they may expect service will be very important. Overall, an increased uptake in the service may, over time, lead to a decreased demand if the residents pair rat baiting with ensuring that properties are not welcoming to rats.

**Financial Matters:**

There are no additional financial impacts arising from this report.

**Consultations:**

- Dana Paladino, Deputy City Solicitor
- Craig Robertson, Licence Commissioner (A)
- Rob Vani, Manager of Inspections/Deputy Chief Building Officer
- Anne-Marie Albidone, Manager of Environmental Services
- Jason Moore, Senior Manager of Communications
- Melanie Coulter, Executive Director, The Windsor/Essex County Humane Society

**Conclusion:**

The City of Windsor has sufficient regulatory tools to deal with rat problems on private property, and is evolving its enforcement process to ensure those tools are effective. An information campaign about co-existing with urban wildlife would also be beneficial to arm residents with important information about making their properties unappealing to these animals.

**Approvals:**

Name	Title
Aadil Nathani	Executive Initiatives Coordinator, Office of the City Solicitor

Name	Title
Shelby Askin Hager	City Solicitor and Corporate Leader, Economic Development and Public Safety
Craig Robertson	Licence Commissioner (A)
Steve Vlachodimos	City Clerk
Jason Reynar	Chief Administrative Officer

**Notifications:**

Name	Address	Email

**Appendices:**

- 1 Appendix A - By-laws
- 2 Appendix B - Bait Programmes

## APPENDIX “A” – RELEVANT SECTIONS OF CITY BY-LAWS

### *Feeding of Wildlife by law 67-2021*

- Section 2.2: No person shall place any food, pet food or feeding device on any property in a manner that attracts wildlife or a wild animal.
- Section 2.3: No owner or occupier of land shall place or allow any feeding device or other material to be placed outdoors or on any public or private property for the purpose of attracting or feeding wildlife or a wild animal.
- Section 2.4: No person shall feed any bird other than a song bird. No person shall feed a song bird unless the following feeding requirements are met by the person: (b) The food or pet food intended for the song bird is placed in a bird feeding device that is sufficiently above grade as to not attract or be accessible by wildlife or wild animals; and... (d) spillage of food or pet food upon the ground is removed by the person or property owner or occupier forthwith and disposed of in such a manner that it does not attract wildlife, wild animals, feral or stray domestic animals.
- Section 2.6: Every property owner or occupier shall promptly remove any feeding device, food or pet food place on the owner’s or occupier’s property in violation of this By-law.
- Section 2.7: Every property owner or occupier shall promptly remove any device placed on the owner’s or occupier’s property to which wildlife or wild animals are attracted or from which wildlife or wild animals actually feed.
- Section 3.1: Every property shall be kept free of rodents, vermin, insects and other pests.
- Section 3.2: No owner or occupier of property shall permit or allow offensive odours that have as their source compost, pet food or food to be emitted or escape from the property and which odour attracts or could attract wildlife, wild animals, rodents, vermin, insects or other pests to the property.

### *Yard Waste by law 3-2006*

- Section 3.1.4: Every owner or occupant of property shall maintain the property free from rodents, vermin or other pests and free from conditions that may attract such.



*Property Standards by law 9-2009*

- Schedule 'A', Part 1, Section 1.6: In every building or structure, the foundations, piers, posts or other similar supports shall be maintained in good repair and structurally sound. Where necessary, foundation walls shall be extended to a depth of 1,070 mm below finish grade, provided with subsoil drains at the footings, shored, waterproofed, and treated or repaired to prevent moisture penetration or footing settlement. Every foundation wall basement cellar or crawlspace shall be maintained so as to protect the building against deterioration, including that due to weather, water entry, dry rot, and infestation by rodents, vermin or insects. The perimeter of slab on grade type foundations shall be maintained to prevent rodent infestation.
  
- Schedule 'A', Part 1, Section 1.7: All exterior walls shall be maintained in a watertight condition and in good repair so that they remain straight, level and plumbed (unless otherwise designed), presenting an appearance that is uniform and neat in the opinion of the Officer and free from any damaged, defective, unsecured or deteriorated materials and any conditions that may result in the infestation of rodents, vermin, or insects. Appropriate measures shall be taken to remove any stains or other defacement occurring on the exposed finished exterior surfaces and, where necessary, to restore the surface and adjacent areas to, as near as possible, their appearance before the staining or defacement occurred.
  
- Schedule 'A', Part 1, Section 1.45: Every multiple dwelling property owner, and every occupant in that part of a property that he or she controls, shall maintain the property free from rodents, vermin, termites, injurious insects and other pests, and from conditions which might encourage infestation by such pests. Methods used for exterminating rodents or insects or both shall be in accordance with the provisions of the Pesticides Act, R.S.O 1990, Chapter P.11, as amended, and all regulations enacted pursuant thereto.
  
- Schedule 'A', Part 4, Section 4.1.1: In addition to the minimum standards for the maintenance and occupancy of property set out elsewhere in this bylaw, the owner of a vacant building shall:
  - (b) Ensure that the property is kept free of rodents, vermin and other harmful pests and any conditions that would allow such pests to harbour in or about the building.

## **APPENDIX “B” – BAIT PROGRAMMES**

The City of Windsor has a rat baiting program that has existed for twenty years and is administered by Environmental Services. Our current program has approximately \$140,000 of funding annually and we do not charge a user fee. This is a volunteer program that residents are encouraged to use and program administrators carry no authority to bait a property without consent from the owner or occupier.

Other municipalities have also turned to or considered municipal programs to tackle rising rat populations. However, no other large or mid-size municipality offers any rat control or baiting program at no cost to their residents. Sault Ste. Marie was the only other municipality that offered a free baiting program, however, it was discontinued in 2018.

Most municipalities offer a capped rebate. In Mississauga, the residential rat control program currently being piloted caps the rebate provided at 50% up to a total of \$200 annually (attached at Appendix ‘E’). Mississauga allocated approximately \$4 million for this pilot program. The same rebate of 50% up to \$200 annually was provided in the municipalities of Welland, St. Catharines and Niagara Falls in 2018-19 for the baiting of rats on the outside of any property. The municipality of Ajax is also considering implementing the same rebate scheme within their 2022 budget.

Other municipalities, such as Oshawa, have considered and decided against dealing with rats extermination or baiting themselves. Instead, of a municipal program, Oshawa decided to focus on public education, enforcement of trash-related by-laws and tracking rat complaints from residents.

Municipalities such as Toronto and Oakville have no residential rat removal program or rebate. Both Toronto and Oakville regulate vermin and rats through their respective Property Standards by-laws.

In Toronto, the municipality addresses food and garbage related complaints at residential buildings, only if these issues are not addressed by a landlord. The City of Toronto will not bait and kill or capture rats on private property. The City of Toronto will bait and kill rats but only at city controlled facilities such as Nathan Phillips Square, or at parks and nature spaces controlled by the municipality. Furthermore, the City of Toronto will investigate rodent complaints but only at food establishments, institutions (like hospitals, and senior or child care facilities) or schools.

In Oakville, the municipality has no program for rat baiting and no rebate scheme, nor will the municipality recommend exterminators to residents seeking them. However, the municipality provides a fact sheet to residents’ concerned about rats on their property which contains information regarding humane extermination and preventative measures to keep rats away.



**Subject: Placement of Question on the October Municipal Ballot-City Wide**

**Reference:**

Date to Council: February 14, 2022  
Author: Terri Knight Lepain  
519-255-6100 Ext. 6578  
tknightlepain@citywindsor.ca  
Council Services  
Report Date: January 31, 2022  
Clerk's File #: ACEE/14248

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

**Recommendation:**

That the report from the City Clerk regarding the placement of a question on the municipal ballot for the October 24, 2022 citywide election **BE RECEIVED** for information.

**Executive Summary:**

N/A

**Background:**

The *Municipal Elections Act, 1996* provides the necessary statutory authority for the submission of by-laws and questions to the electorate by municipal councils, local boards and the Minister of Municipal Affairs and Housing. The procedures that council must follow for the placement of a question on the municipal ballot are outlined in the *Act*.

**Discussion:**

Under the authority of the *Municipal Elections Act, 1996* Council may pass a by-law to allow its electors to provide their assent to a "proposed by-law" or a "question", within Council's jurisdiction.

The by-law that authorizes the submission of the question to the electors must be passed before March 1 in the year of a regular election. If the intent were to place a question on the 2022 municipal ballot, the last date to enact the by-law providing the authority to move forward with the ballot question would be at the February 28, 2022 Council Meeting. It should be noted that the City Clerk must give 10 days' notice to the public and the Minister of Municipal Affairs and Housing of the intention to pass the by-law and hold one public meeting to consider the matter.

The last time a question appeared on the City of Windsor ballot was the 1997 election where two questions were asked:

- Do you believe that the casino industry has been positive for Windsor's economy?
- Are you in favour of a second permanent commercial casino in Windsor?

If a question is to be submitted to the electorate for the October ballot, the question must relate to a matter within the jurisdiction of the municipality and must not be deemed to be of provincial interest. The question must be clear, concise and neutral and must be answerable by either "yes" or "no". [*Municipal Elections Act, 1996 s. 8.1(2)*]

Regulation 425/00 describes "matters of provincial interest", in which the municipality cannot ask a question:

1. Any matter for which the municipality does not have the authority to implement all aspects of the results of the question.
2. Any matter for which the municipality requires an action by the Province of Ontario in order to implement the results of the question.
3. Gaming sites as defined in the Ontario Lottery and Gaming Corporation Act, 1999.
4. Municipal restructuring including the consideration, investigation, discussion and negotiation of municipal restructuring.

After Voting Day, once the votes have been tabulated, the results of a question are binding on the municipality provided **at least 50 percent of the eligible electors in the municipality vote on the question and more than 50 percent of the votes are in favour of those results.**

This aspect of the legislation is perhaps the most challenging for the vast majority of municipalities. Given the fact that typically Windsor's voter turnout in municipal elections ranges between 35 - 46%, there exists a real challenge to garner sufficient numbers to make the referendum binding.

Where the results are determined to be binding on the municipality, Section 8.3(1) states:

- (a) if an affirmative answer received the majority of the votes, the municipality shall do everything in its power to implement the results of the question in a timely manner; and
- (b) if a negative answer received the majority of the votes, the municipality shall not do anything within its jurisdiction to implement the matter which was the subject of the question for a period of four years following voting day.

If one of four area school boards wishes to submit a question to their electorate, the Board may pass a resolution to this effect and must submit both the resolution and the question to the City Clerk on or before **May 1, 2022** in order to have the question

appear on the municipal ballot for that School Board. The question must be within the local board's jurisdiction. [s. 8(2) *Municipal Elections Act*]

**Risk Analysis:**

If Council wishes to place a question on the 2022 municipal ballot, the issue must be discussed and decided at the February 28, 2022 Council Meeting. The City Clerk must give 10 days' notice to the public and the Minister of Municipal Affairs and Housing of the intention to pass the by-law and hold one public meeting to consider the matter. The last day to give this notice is February 18, 2022.

**Climate Change Risks**

**Climate Change Mitigation:**

N/A

**Climate Change Adaptation:**

N/A

**Financial Matters:**

Expenditures incurred by the City Clerk for public notification, public meeting, and communications to the public would be funded by the Municipal Election budget. However, Council should be aware that to place a question on the October ballot could ultimately place Council in a position of considerable expenditures if the results are binding and the majority voted "yes" to a question that involved the expenditure of public money.

**Consultations:**

N/A

**Conclusion:**

The information contained in this report is intended to make Council aware of the *Municipal Elections Act* should Council wish to consider the placement of a question on the October ballot.

**Planning Act Matters:**

N/A

**Approvals:**

Name	Title
Terri Knight Lepain	Manager of Records & Elections, FOI Coordinator
Steve Vlachodimos	City Clerk

Name	Title
Shelby Askin Hager	City Solicitor, Commissioner Legal & Legislative Services
Jason Rayner	Chief Administrative Officer

**Notifications:**

Name	Address	Email
Greater Essex County District School Board	451 Park Street West Windsor, Ontario, N9A 6K1	<a href="mailto:director@publicboard.ca">director@publicboard.ca</a>
Conseil Scolaire Viamonde	116 Cornelius Parkway Windsor, Ontario, M6L 2K5	<a href="mailto:bernardj@csviamonde.ca">bernardj@csviamonde.ca</a>
Windsor Essex Catholic District School Board	1325 California Avenue Windsor, Ontario, N9B 3Y6	<a href="mailto:director@wecdsb.ca">director@wecdsb.ca</a>
Conseil Scolaire Catholique Providence	7515 Forest Glade Drive Windsor, Ontario, N8T 3P5	<a href="mailto:picaiose@cscprovidence.ca">picaiose@cscprovidence.ca</a>

**Appendices:**



**Subject: Acquisition of Firefighter Protective Ensembles (Bunker Gear) - City Wide**

**Reference:**

Date to Council: February 14, 2022  
Author: Jamie Waffle  
Deputy Fire Chief  
519-253-3016 ext.272  
jwaffle@citywindsor.ca  
Fire and Rescue Services  
Report Date: January 14, 2022  
Clerk's File #: AE2022

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

**Recommendation:**

THAT the City Council **APPROVE** the award of RFP 124-21, Firefighting Protective Ensembles (Bunker Gear), to A.J. Stone Company Ltd. as the successful proponent, for a term of five (5) years, to an upset limit of \$633,940 (excluding HST); and,

THAT the CAO and City Clerk **BE AUTHORIZED** to execute the agreement with A.J. Stone Company Ltd., satisfactory in form to the City Solicitor, in financial content to City Treasurer, and in technical content to the Fire Chief.

**Executive Summary:**

N/A

**Background:**

Windsor Fire & Rescue Services regularly replaces firefighter bunker gear due to wear and tear on the equipment that occurs under normal working conditions. As the five-year term under the current contract purchase order was ending, Windsor Fire & Rescue Services, in conjunction with the City's Purchasing and Risk Management Division, started the RFP process to ensure competitive pricing, quality of product, and adherence to the Purchasing By-Law is achieved.

**Discussion:**

Purchasing issued RFP #124-21 requesting pricing on the purchase of two hundred and forty sets of Firefighter Bunker Gear over the five year term November 1, 2021- October 31, 2026.

The RFP closed and a total of 3 proponents were evaluated.

The fire department assembled a Bunker Gear RFP committee to review the submissions and determine which bids met the proposal requirements. An extensive evaluation matrix was used to score the proposals. All proponents were provided a copy of the evaluation criteria and the corporate RFP process was followed. The Bunker Gear is comprised of a coat and pants and is part of an overall encapsulating ensemble that includes a helmet, boots and gloves. The Bunker Gear is constructed in three layers consisting of an outer shell, moisture barrier and thermal liner, each serving a specific purpose. All sets are custom fit for each user and constructed in compliance with the most current NFPA 1971 and 1851 standards. All vendors evaluated met the minimum specifications in the technical and financial categories, and A.J. Stone Company Ltd. received the highest overall rating during the RFP evaluation.

**Risk Analysis:**

There is a high risk associated with not replacing the existing bunker gear as per wear and tear or the useful life schedule. The NFPA standard requires all bunker gear to be retired once it is ten years old. Not continuing the replacement plan results in a significant safety risk to staff and the City would fail to meet the obligation as an employer to provide staff with necessary protective equipment as required by the OH&S Act. Bunker gear helps to protect firefighters from harmful exposures of heat, steam and carcinogenic agents when it is in good working condition.

There is also a moderate risk in financial impact if contract is not obtained but replacement schedule is adhered to where fluctuating prices in a free market will make it more expensive to purchase bunker gear.

**Climate Change Risks:**

N/A

**Climate Change Mitigation:**

N/A

**Climate Change Adaptation:**

N/A

**Financial Matters:**

A.J. Stone will provide two hundred and forty (240) bunker gear sets over the five-year period, beginning November 1, 2021 through October 31, 2026, at an upset limit of \$633,940 (excluding HST).

The table below outlines the annual expenditures over the next 5 years. This will be absorbed through Operating budget (001-5111-5146-02942-0191110) and Reserve Account 1774 if shortfall occurs in any of the five years. The operating budget of \$185,000 is established not only for the bunker gear but the entire ensemble that includes a helmet, boots and gloves. Annual variances are transferred to a Reserve 1774; Replacement of Firefighter PPE (Bunker Gear) which was set up specifically for



this kind of transaction that allow operating department the flexibility to optimize replacement of the gear and minimize impact to the Operating budget. Reserve balance as of November 31, 2021 is \$75,834.

<b>A.J. Stone Company Ltd.</b>	<b>Units</b>	<b>Price/Unit</b>	<b>Total</b>
Year 1; Nov 1, 21-Oct 31, 2022	50	2,398.00	119,900.00
Year 2; Nov 1, 22-Oct 31, 2023	40	2,495.00	99,800.00
Year 3; Nov 1, 23-Oct 31, 2024	45	2,620.00	117,900.00
Year 4; Nov 1, 24-Oct 31, 2025	50	2,750.00	137,500.00
Year 5; Nov 1, 25-Oct 31, 2026	55	2,888.00	158,840.00
<b>Total cost</b>			<b>633,940.00</b>

**Consultations:**

Monika Schneider, Financial Planning Administrator

Alex Vucinic, Purchasing Manager

Kate Tracy, Legal Counsel

**Conclusion:**

This acquisition is an important part of the ongoing replacement schedule of the Windsor Fire & Rescue Service firefighter bunker gear. The replacement schedule is critical allowing firefighting PPE to remain in serviceable condition and provide the needed protection to keep firefighters safe when entering burning structures and responding to emergencies.

**Planning Act Matters:**

N/A

**Approvals:**

<b>Name</b>	<b>Title</b>
Steve Laforet	Fire Chief
Shelby Askin Hager	Commissioner, Legal & Leg. Services
Joe Mancina	Chief Financial Officer
Jason Reynar	Chief Administrative Officer

**Notifications:**

<b>Name</b>	<b>Address</b>	<b>Email</b>
Karen Revel	Purchasing	krevel@citywindsor.ca

**Appendices:**

N/A



**Subject: Approval to create a By-Law required for Audit and Accountability Fund grant agreements**

**Reference:**

Date to Council: February 14, 2022  
Author: Averil Parent  
Asset Coordinator  
aparent@citywindsor.ca  
519-255-6100 ext.6126  
Asset Planning  
Report Date: 2022-01-31  
Clerk's File #: GPG2022

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

**Recommendation:**

That City Council **PASS** a by-law authorizing the execution of Audit & Accountability Fund grant agreements and any other agreements required by Her Majesty the Queen in Right of Ontario for funding by the Audit & Accountability Fund program; and further, That three readings of the respective by-law **BE CONSIDERED** and **APPROVED** at the February 14, 2022 meeting of City Council.

**Executive Summary:**

N/A

**Background:**

The Audit and Accountability Fund is a program administered by the Province of Ontario supporting modernization of Municipal services. Funding helps large municipalities find better and more efficient ways to operate and save taxpayers' dollars.

On October 28<sup>th</sup>, 2021 the City of Windsor submitted a grant application to receive funding from the Province through the program's Intake 3 phase in the amount of \$127,000 to support a Digitization of Forms and Workflow project.

On January 28, 2022 the City received notification that the application to the Audit and Accountability Fund Intake 3 for a Digitization of Forms and Workflow Project had been successfully awarded funding.

As a condition of receiving the funding, the Ministry of Municipal Affairs and Housing requires that the City enter into an agreement with the Ministry concerning the grant funding to be provided. The Ministry requires that this agreement be signed and returned by March 1<sup>st</sup> 2022.

**Discussion:**

The agreement that the Ministry requires as a condition of the funding was provided with limited time in which to execute it. A by-law is required to provide confirmation of authority for Administration and the Mayor, to sign and bind the Corporation.

Given the expedited timelines to execute the agreement, the by-law is also before City Council –at the same time this report is being considered, for Council’s approval. It is anticipated that the province will continue to require Transfer Payment Agreements or similar agreements to be signed as part of any future intake phases of the Audit and Accountability Fund and the by-law is intended to address those future needs as well.

As requests are brought forward to City Council in the future to make submissions to future grants, a request for a by-law will also be made at that time so as to ensure we are positioned to avoid challenges to agreement timelines in the future.

**Risk Analysis:**

If this by-law is not passed the City risks not receiving funding of \$127,200 for the awarded Audit and Accountability Fund Intake 3 grant.

**Climate Change Risks**

**Climate Change Mitigation:**

There is no climate change mitigation risk associated with this grant opportunity.

**Climate Change Adaptation:**

There is no climate change adaptation risk associated with this grant opportunity.

**Financial Matters:**

As stated the City’s ability to execute the agreements for this grant is required in order to obtain the funding. Without these funds the City will not be able to proceed with the project awarded under Audit and Accountability Fund Intake 3.

**Consultations:**

Aaron Farough – Legal Counsel

**Conclusion:**

This report and related by-law are provided on relatively short notice as it is driven by the timelines and requirements of the grant provider, which are outside of the control of the City. As these funds are necessary to move forward with the project, approval of the report and passage of the by-laws is strongly recommended.

**Approvals:**

Name	Title
Melissa Osborne	Senior Manager, Asset Planning
Shelby Askin-Hager	Commissioner, Legal & Legislative Services
Joe Mancina	Commissioner, Corp. Services/CFO
Jason Reynar	Chief Administrative Officer

**Notifications:**

Name	Address	Email

**Appendices:**



**Subject: Application to demolish residential dwelling located at 653 Bridge Avenue, which is subject to Demolition Control By-law 131-2017 (Ward 2)**

**Reference:**

Date to Council: February 14, 2022  
Author: Greg Atkinson, Senior Planner  
519-255-6543 ext. 6582  
gatkenson@citywindsor.ca

Tracy Tang, Planner II – Revitalization & Policy Initiatives  
519-255-6543 ext. 6449  
ttang@citywindsor.ca  
Planning & Building Services  
Report Date: January 27, 2022  
Clerk's File #: SB2022

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

**Recommendation:**

- I. THAT the Chief Building Official **BE AUTHORIZED** to issue a demolition permit for the residential dwelling located at 653 Bridge Avenue to facilitate redevelopment of the property; and,
- II. THAT the Chief Building Official **BE DIRECTED** to require, as a condition of the demolition permit, that:
  1. Redevelopment be substantially complete within two years of demolition permit issuance; and,
  2. If redevelopment, including construction of a new building, is not substantially complete within two years of the commencement of demolition the maximum penalty (\$20,000) shall be entered on the collectors roll of the property; and,
- III. THAT the City Solicitor **BE DIRECTED** to register a notice of condition # 2 in the land registry office against the property.

## **Executive Summary: N/A**

### **Background:**

Following a two-year interim control by-law study, a suite of new policies and regulations were approved by Council on August 28, 2017 that aims to prevent demolition of buildings along the City's traditional commercial streets for use as surface parking.

The new Official Plan policies and zoning by-law regulations apply within the City's Business Improvement Areas and other mainstreet areas such as Ouellette Avenue between Wyandotte Street and Tecumseh Road. The policies apply to new or expanded parking areas (i.e. creation of 5 or more parking spaces) and generally:

- Prohibit new and expanded off-street parking areas abutting traditional commercial streets;
- Require new and expanded off-street parking areas to be located behind buildings;
- Permit rezoning of residential properties within 75 metres of traditional commercial streets for off-street parking use subject to criteria;
- Prohibit new vehicle access from traditional commercial streets where access from a side street or alley exists; and
- Require screening and landscaping of parking areas.

Demolition Control By-law 131-2017 was also approved by Council to encourage orderly development and prevent speculative demolition of residential dwellings in the vicinity of traditional commercial streets.

The property subject of this application is designated for Residential use in the City's Official Plan and zoned Residential District 1.3 (RD1.3), which permits one single unit dwelling and existing semi-detached or duplex dwellings.

### **Discussion:**

The City has received an application to demolish a detached residential dwelling located at 653 Bridge Avenue (see Appendix A). The owner (Taiping Jin) proposes to demolish the existing dwelling and replace it with a larger detached dwelling.

Demolition Control By-law 131-2017 applies to properties containing a residential dwelling unit located within 100 metres (328 feet) of traditional commercial streets, which includes properties north and south of Wyandotte Street West and Erie Street (See Appendix B). The By-law prohibits demolition of any residential property in the demolition control area unless a permit is issued by Council.

The By-law allows Council to attach a condition to a demolition permit requiring redevelopment to be substantially completed within a specified timeframe (i.e. must be at least two years from demolition permit issuance). If the condition is not met, the City

may impose a fee of up to \$20,000 for each dwelling unit that is demolished and may put the fee on the tax roll of the subject property.

The subject property is located at 653 Bridge Avenue. A one-storey, 61 square metre (661 square foot), detached dwelling constructed in approximately 1925 is on the property. The parcel is 346 square metres in size (i.e. 37.5 feet by 99.5 feet). The property is not listed on the Municipal Heritage Register.

The proposed drawings (Appendix C) show a larger detached dwelling, i.e. 149 square metres (1608 square feet) with 7 bedrooms, 7 bathrooms, and 2 cooking areas. The proposed drawings conform to the Zoning By-law.

### **Risk Analysis:**

There is little risk associated with approval of the requested demolition. A building permit application for the new dwelling was submitted (and fees paid), however it is placed in DRAFT status until required approvals (i.e. Demolition Control Area By-law exemption) are complete. The owner has demonstrated there is a redevelopment plan for the property and is expected to construct a new dwelling within the two-year time frame set out in the recommendations section.

If the new dwelling is not substantially complete within two years of demolition permit issuance, a penalty in the amount of \$20,000 will be added to the tax roll of the property.

With a large number of bedrooms and bathrooms near the University neighbourhood—there is a risk of the house being used as a lodging house, which is not permitted under the RD1.3 zoning. A building permit is required for the new construction, and any new construction approval must conform to the zoning of the property. Inspections will be undertaken as part of the permit issuance process for new development.

### **Climate Change Risks**

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

The proposed residential redevelopment implements Environmental Master Plan Objective C1: Encourage in-fill and higher density in existing built areas. While the proposal won't increase the residential density—the larger dwelling will make efficient use of the property within an area that has excellent access to public transit and other amenities.

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

The proposed residential redevelopment may be affected by climate change, in particular with respect to extreme precipitation and an increase in days above 30 degrees. While not the subject of this report, any new construction would be required to meet the current provisions of the Building Code, which would be implemented through the building permit process.



**Financial Matters:**

The current assessed value of the property is \$59,000 and municipal tax levy is \$960.75. The assessment is anticipated to increase once the new dwelling is constructed.

**Consultations:**

Staff from the Planning, Building, and Legal Departments has been consulted in the preparation of this report.

**Conclusion:**

The demolition of the existing residential dwelling at 653 Bridge Avenue will facilitate the construction of a slightly larger dwelling. The proposed redevelopment conforms to the Zoning By-law, constitutes orderly development, and the requested demolition is not considered speculative.

It is recommended that Council grant the requested demolition permit and that a condition be imposed requiring the redevelopment to be substantially complete within two years of demolition permit issuance.

**Planning Act Matters: N/A**

**Approvals:**

Name	Title
Michael Cooke	Manager of Planning Policy / Deputy City Planner
Thom Hunt	City Planner
Joe Baker	Manager of Permits / Deputy CBO
John Revell	Chief Building Official
Wira Vendrasco	Deputy City Solicitor
Shelby Askin Hager	City Solicitor / Commissioner of Legal and Legislative Services
Jason Reynar	Chief Administrative Officer

**Notifications:**

Name	Address	Email
Gefu Zhu		sunstone.international@gmail.com

**Appendices:**

- 1 Appendix A - Location Map
- 2 Appendix B - Demolition Control Area
- 3 Appendix C - Proposed Dwelling 653 Bridge Ave (Not Approved for Construction)
- 4 Appendix D - Site Photos



# LOCATION MAP : 653 BRIDGE AVENUE



SUBJECT PROPERTY







**SCHEDULE B : DEMOLITION CONTROL BY-LAW**

WYANDOTTE STREET WEST



DEMOLITION CONTROL BY-LAW BOUNDARY AREA

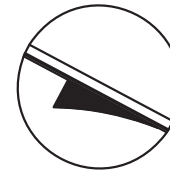
Regular City Council Meeting - February 14, 2022

PROPERTIES INCLUDED IN DEMOLITION CONTROL BY-LAW

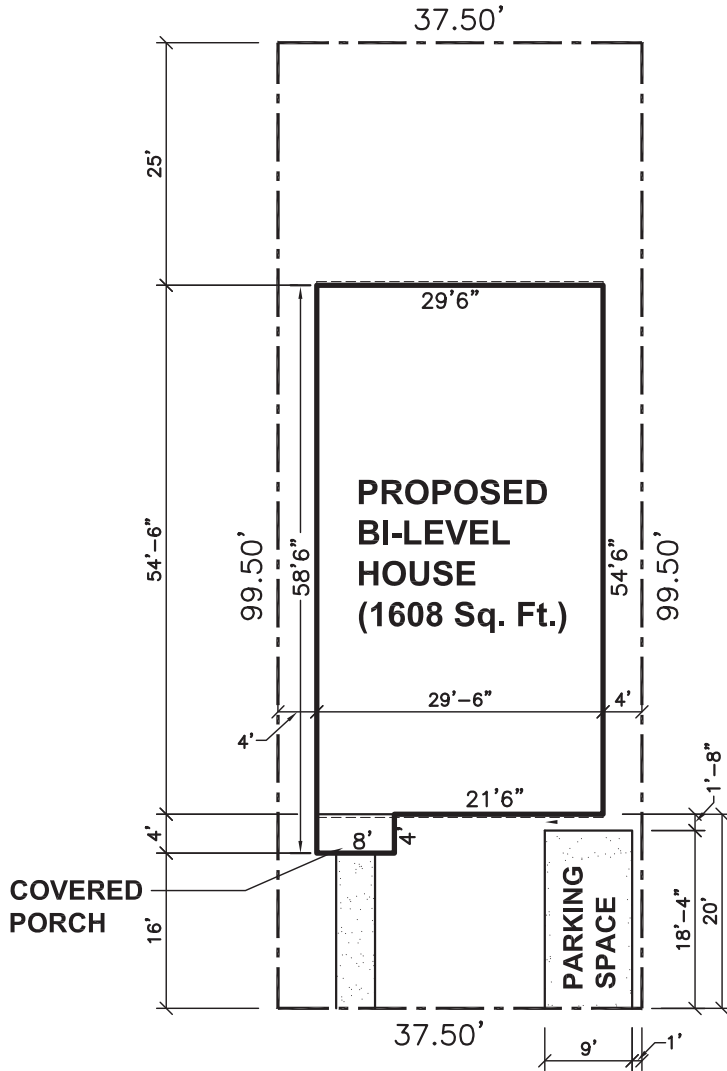
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JUNE 2017

Not Approved for Construction

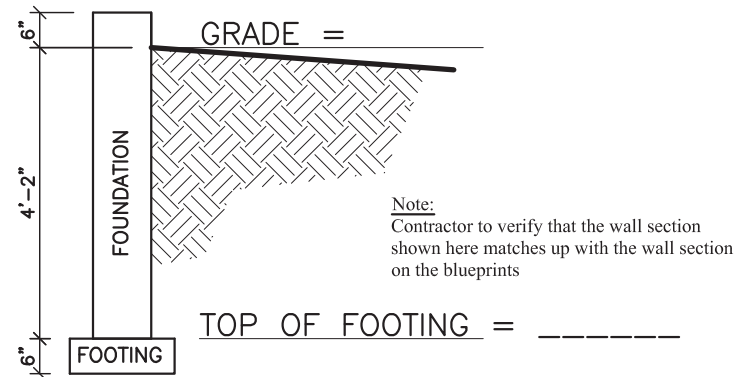


SITE PLAN  
PLAN 369, LOT 251 & PART 250  
CITY OF WINDSOR



**653 Bridge Ave**

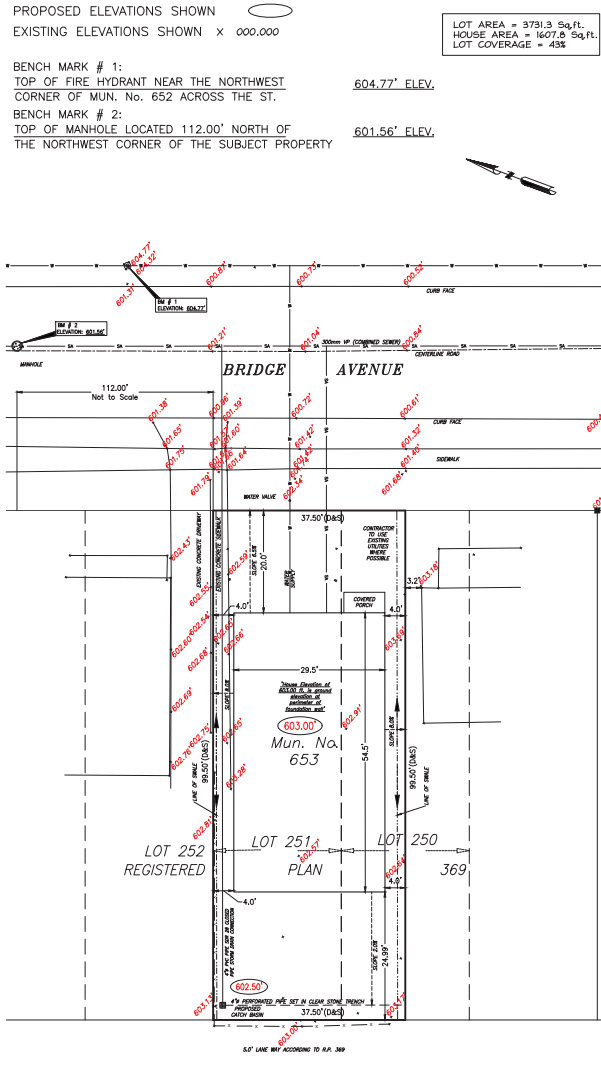
**TOTAL LOT AREA:** 3731.25 Sq' Ft. ±  
**HOUSE AREA:** 1639.75 Sq' Ft.  
**LOT COVERAGE:** 43.95 % ±



Note: Contractor to verify all setbacks, zoning and building location prior to construction. Please notify designer if there is an errors on the site plan or Regular City Council Meeting February 14, 2022 matched up with grade plan

SITE PLAN-1

FOR: WINSTAR HOMES Inc.  
DATE: NOV. 26/ 2021



PROVIDE CLEANOUTS EVERY 15 m MAX. AND AT PROPERTY LINE.

STORM CONNECTION TO MUNICIPAL SEWER TO BE CONNECTED TO REAR YARD DRAINAGE AND KEEPING TILE CONNECTED THROUGH SUMP.

SANITARY CONNECTION TO BE CONNECTED TO MUNICIPAL COMBINED SEWER ONLY.

CONTRACTOR TO USE EXISTING UTILITIES WHERE POSSIBLE.

NOTE 1:  
THE MINIMUM SUMP PUMP DISCHARGE ELEVATION SHALL BE 300mm BELOW THE GRADE AT THE FRONT AND BACK OF THE HOUSE.

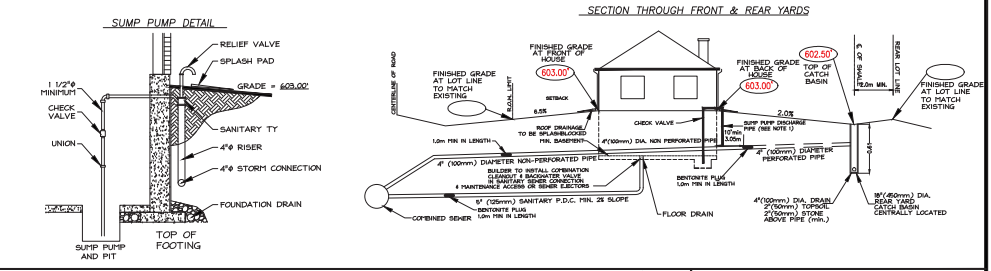
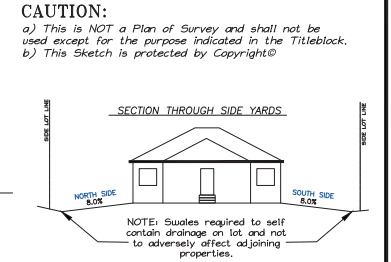
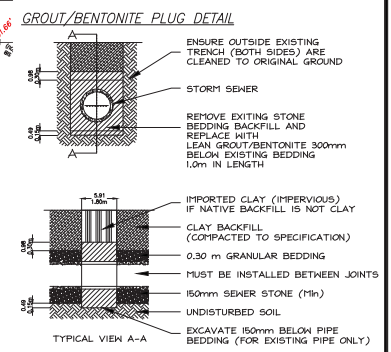
NOTE 2:  
THE SANITARY HYDRAULIC GRADE LINE ELEVATION (INCLUDING 6" (150mm) FREEBOARD) IS N/A IF THE BASEMENT FLOOR IS CONSTRUCTED BELOW THIS ELEVATION AND/OR IS BELOW THE ELEVATION SPECIFICALLY REQUIRED FOR A GRAVITY CONNECTION OF THE BASEMENT SANITARY PLUMBING, A SEWAGE EJECTOR PUMP WILL BE REQUIRED TO SERVICE THE BASEMENT FLOOR DRAIN(S) AND ALL BASEMENT PLUMBING FIXTURES.

NOTE 3:  
ALL UTILITIES ARE APPROXIMATE LOCATIONS ONLY AND MUST BE VERIFIED PRIOR TO BEGINNING CONSTRUCTION.

NOTE 4:  
CONTRACTOR TO VERIFY ALL ELEVATIONS AND BENCHMARKS BEFORE CONSTRUCTION.

NOTE 5:  
OWNER TO OBTAIN MUNICIPAL APPROVAL FOR LOT COVERAGE OF 43%.

NOTE 6:  
HOUSE ELEVATION OF 603.00 FT. IS GROUND ELEVATION AT PERIMETER OF FOUNDATION WALL.



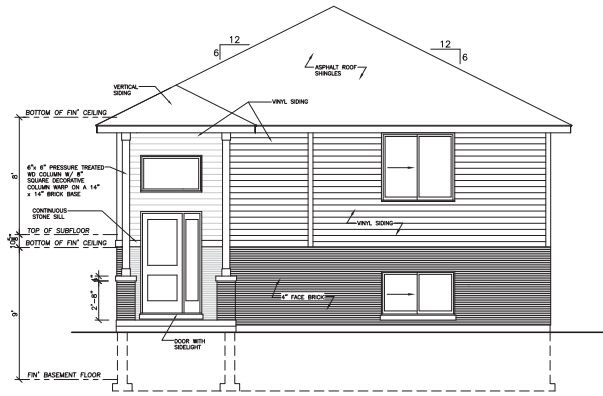
SKETCH FOR GRADING PERMIT  
MUN. No. 653 BRIDGE AVENUE  
SCALE: IMPERIAL; N.T.S.  
CITY: WINDSOR

NOTE: Sketch is an original if embossed by the surveyor's seal, or if it is a PDF certified in an electronic version.

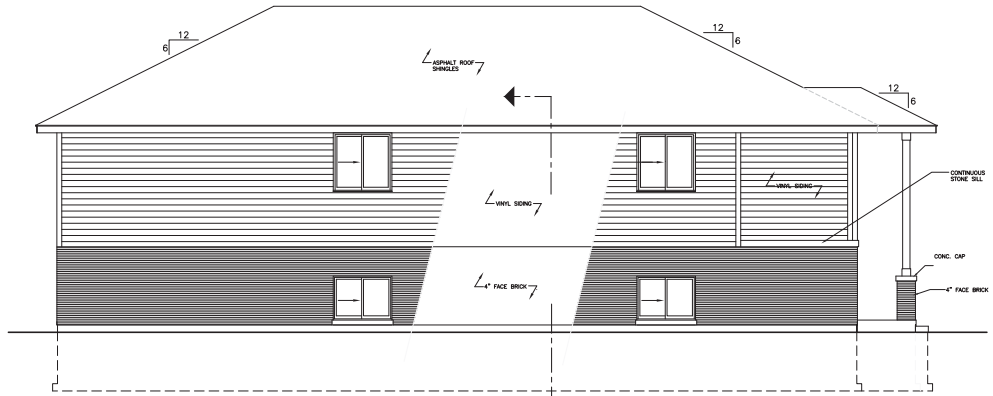
Total Tech Surveying Inc.  
341 Tebel St. N.  
Units 2 & 3  
Essex, ON N3M 2K3  
(519) 776-9081

N. E. SUTHERLAND P. Eng., O.L.S., C.L.S.  
© TOTAL TECH SURVEYING INC.  
2021-1-441  
REV. 2021-1-441

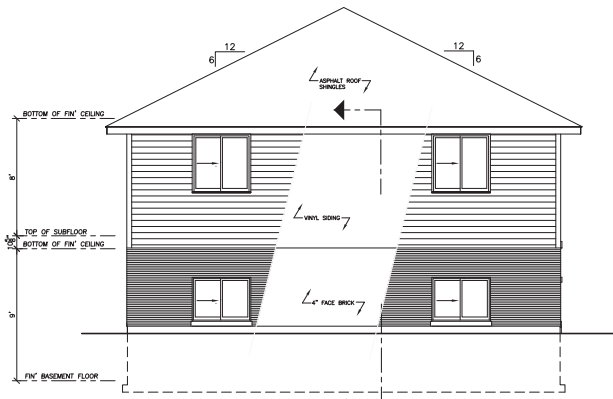
NOTE: THESE DIMENSIONS ARE ONLY TO BE USED TO OBTAIN A BUILDING PERMIT. SECTIONS OF STRUCTURAL MEMBERS SUCH AS: ROOF TRUSSES, STEEL AND BRICK LAMINATED BEAMS, SHALL BE PROVIDED BY THE MANUFACTURERS SPECIFICATIONS.



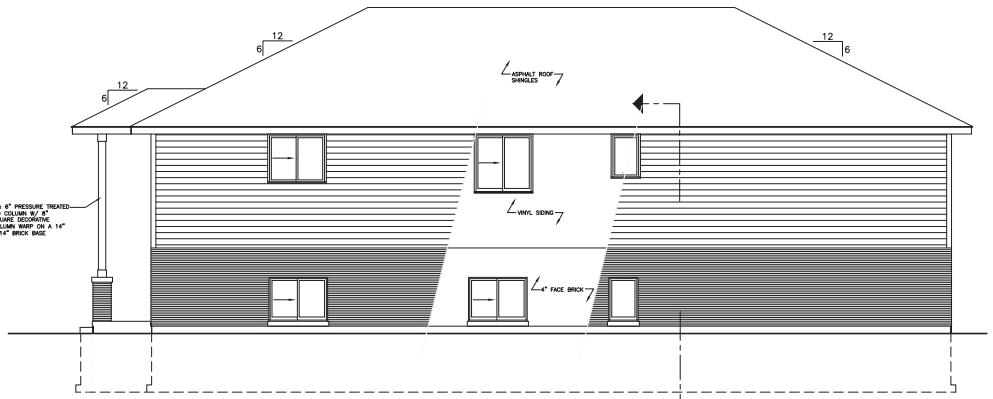
1 FRONT ELEVATION  
A-2 SCALE: 1/4" = 1'-0"



3 LEFT ELEVATION  
A-2 SCALE: 1/4" = 1'-0"



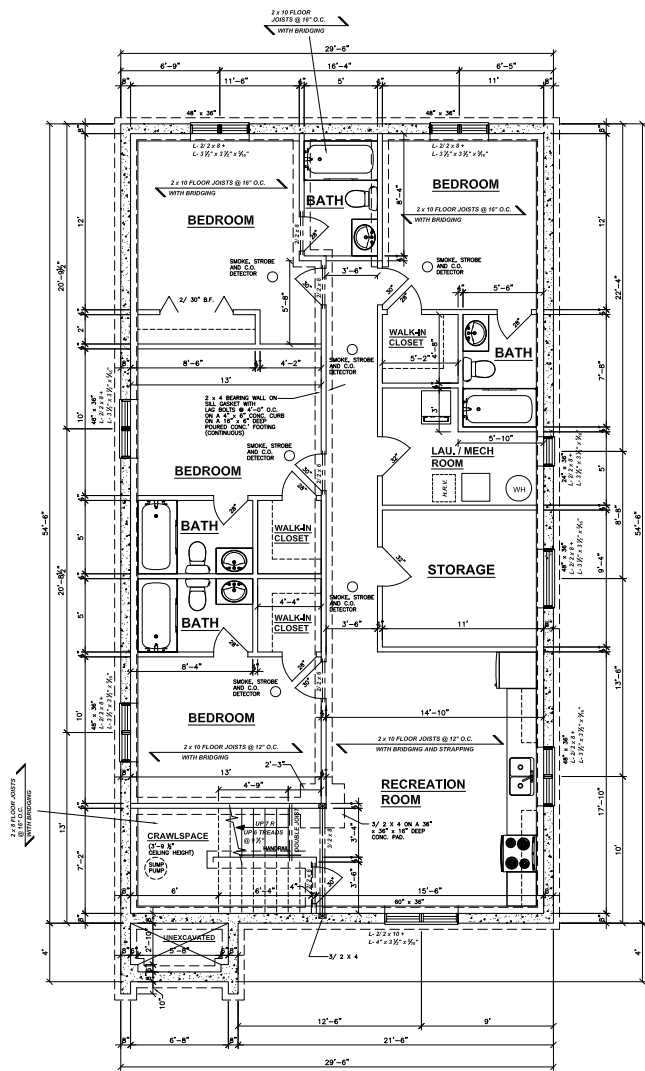
2 REAR ELEVATION  
A-2 SCALE: 1/4" = 1'-0"



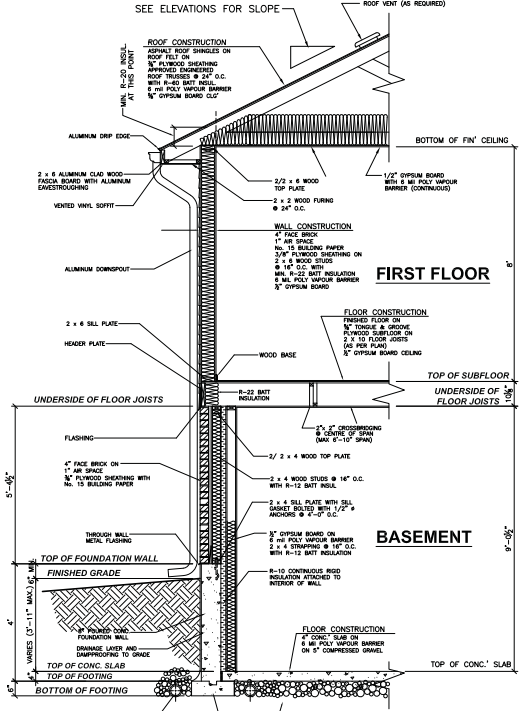
4 RIGHT ELEVATION  
A-2 SCALE: 1/4" = 1'-0"

<p><b>C MATTHEWS design</b> 6 - 2557 Dougall Ave, Suite 1600 WINDSOR ONTARIO, CANADA N9X 1T5 (519) 916 - 3275 E-MAIL: cmatthewsdesignwindsor@gmail.com</p>	<p><b>BCIN</b> 38359 DESIGNS © C.MATTHEWS DESIGN 2021</p>	<p>PROJECT: PROPOSED BI-LEVEL HOUSE HOUSE (1607 Sq. Ft.) FOR: WINSTAR HOMES Inc.</p>	<p>DRAWN BY: C.D.M.</p>
		<p>TITLE: ELEVATIONS</p>	<p>DATE: DEC. 21 / 2021</p>
		<p>SCALE: 1/4" = 1'-0"</p>	<p>DWG. No. A-2</p>
		<p>JOB No. 2151D</p>	

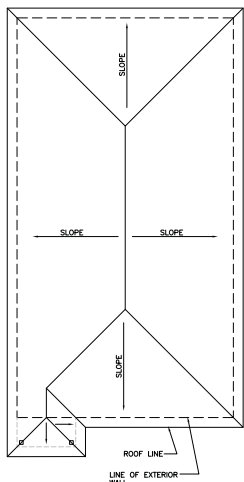
NOTE: THESE DIMENSIONS ARE ONLY TO BE USED TO OBTAIN A BUILDING PERMIT. SIZES OF STRUCTURAL MEMBERS SUCH AS ROOF TRUSSES, STEEL AND WOOD LAMINATED BEAMS, SHALL BE PROVIDED BY THE MANUFACTURERS' SPECIFICATIONS.



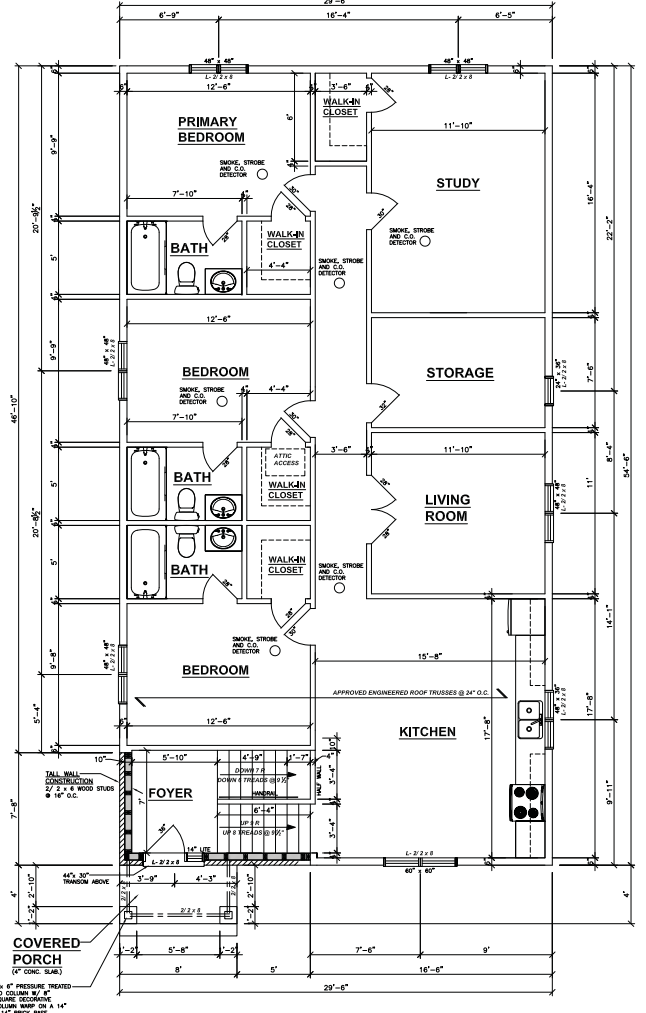
1 FOUNDATION PLAN  
A-1 SCALE: 1/4" = 1'-0"



2 WALL SECTION  
A-1 SCALE: 1/2" = 1'-0"



3 ROOF PLAN  
A-1 SCALE: 1/8" = 1'-0"



4 FIRST FLOOR PLAN  
A-1 SCALE: 1/4" = 1'-0"  
AREA: 54 Sq. Ft.

**MATTHEWS design**  
6 - 2557 Dougall Ave, Suite 1600  
WINDSOR ONTARIO, CANADA  
N9X 1T5  
(519) 915-3275  
E-MAIL: c.matthewsdesignwindsor@gmail.com

**BCIN**  
38359  
DESIGNS © C.MATTHEWS DESIGN 2021

PROJECT: PROPOSED BI-LEVEL HOUSE  
HOUSE (1607 Sq. Ft.)  
FOR: WINSTAR HOMES Inc.  
TITLE: FOUNDATION PLAN, FIRST FLOOR PLAN, ROOF PLAN AND WALL SECTION

DRAWN BY: C.D.M.  
DATE: DEC. 21 / 2021  
SCALE: AS SHOWN  
JOB No. 2151D  
DWG. No. A-1



Appendix D – Site Photos (Google Streetview, December 2020)





**Committee Matters: SCM 34/2022**

**Subject: Minutes of the Windsor Essex County Environment Committee of its meeting held November 18, 2021**

Moved by: Councillor Francis  
Seconded by: Councillor McKenzie

Decision Number: **ETPS 876**

THAT the minutes of the Windsor Essex County Environment Committee of its meeting held November 18, 2021 **BE RECEIVED**.

Carried.

Report Number: SCM 400/2021  
Clerk's File: MB2021

**Clerk's Note:**

1. The recommendation of the Advisory Committee and Standing Committee are the same.
2. Please refer to Item 7.1. from the Environment, Transportation & Public Safety Standing Committee Meeting held January 26, 2022.
3. To view the stream of this Standing Committee meeting, please refer to:  
<http://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20220131/-1/7301>



**Committee Matters: SCM 400/2021**

**Subject: Minutes of the Windsor Essex County Environment Committee of its meeting held November 18, 2021**

## Windsor-Essex County Environment Committee

Meeting held November 18, 2021

A meeting of the Windsor-Essex County Environment Committee is held this day commencing at 4:30 o'clock p.m. via Zoom video conference, there being present the following members:

Councillor Chris Holt, Chair  
Deputy Mayor Leo Meloche  
Deputy Mayor Gord Queen  
Kari Banar  
Derek Coronado  
Katie Kuker  
Michael Schneider  
Richard St. Denis  
Radwan Tamr

***Also present are the following resource personnel:***

Kevin Webb, Manager Environmental Quality  
Karina Richters, Supervisor Environmental Sustainability & Climate Change  
Karen Kadour, Committee Coordinator

**1. Call to Order**

The Chair calls the meeting to order at 4:32 o'clock p.m. and the Committee considers the Agenda being Schedule A attached hereto, matters which are dealt with as follows:

**2. Declaration of Conflict**

None disclosed.

**3. Minutes**

Moved by R. St. Denis, seconded by Deputy Mayor Leo Meloche,  
That the minutes of the Windsor Essex County Environment Committee of its meeting held June 24, 2021 **BE ADOPTED** as presented.  
Carried.

**4. Presentation – Alex Simakov, BW Solar**

At the request of the presenter, the presentation is deferred to the next meeting.

**5. Business Items**

**5.1 WECEC 2021 Operating Budget**

The following expenditures from the WECEC 2021 Operating Budget are proposed:

- Increase the funding for the Pat on the Back Awards from \$2,000 to \$2,500
- University of Windsor guest speaker - \$2,000
- Remaining funds to be equally split for tree planting in Windsor-Essex

K. Richters advises that currently there are four applications for the Pat on the Back Awards. R. Tamr, K. Banar and R. St. Denis volunteer to review the applications.

R. St. Denis indicates that in 2019, the remaining funds were dedicated to ordering trees for Earth Day and he asks if those trees were ordered. In terms of the Pat on the Back Awards, he suggests rather than increasing the prize, to allow an opportunity for more individuals to receive an award.

K. Richters responds that in 2019, WECEC spent \$1,700 for the 2020 Earth Day event, which did not occur due to COVID-19. Currently, there are approximately 277 trees, which reside at the City's horticulture division and they are waiting for an opportunity to do a public planting. In terms of the Pat on the Back Awards, a motion was previously approved by WECEC for \$2,000, and it is WECEC's decision if they wish to increase the budget to support more community groups. She adds that a poster outlining how WECEC funds were utilized in 2021 will be highlighted at the next Earth Day event.

Deputy Mayor Leo Meloche suggests an upset limit be determined for the Pat on the Back Awards. He remarks that he is in favour of tree planting and wants to ensure an equal split of the trees between the City and the County.

Moved by Deputy Mayor G. Queen, seconded by Deputy Mayor L. Meloche,  
That **APPROVAL BE GIVEN** to the following expenditures from the WECEC 2021 Operating Budget:

University of Windsor Guest Speakers	\$2,000
Pat on the Back Awards	\$4,000
Website Domain Renewal and maintenance	\$ 600
Remainder of funds for tree planting in Windsor-Essex	

Carried.

K. Banar voting nay.

K. Banar remarks that a precedent is being set for future Pat on the Back Awards and notes that as schools are not functioning as before, WECEC will not receive many applications.

D. Coronado refers to his draft motion relating to the 2022 Budget Deliberations of Council as follows:

WHEREAS The U.N. IPCC sixth assessment report has noted that climate change impacts of heat and flooding may be amplified in cities;

WHEREAS The City of Windsor and County of Essex have both declared a climate emergency;

WHEREAS The City of Windsor and County of Essex have not implemented their Community Energy Plan and Regional Energy Plan, respectively;

WHEREAS the City of Windsor has not hired a fulltime administrator for the Community Energy Plan, implemented the Deep Energy Efficiency Retrofit (DEER) component of the plan nor enhanced the Office of Environmental Sustainability and Climate Change to respond to the climate emergency;

THEREFORE BE IT RESOLVED that the City of Windsor and County of Essex:

1. expand funding for the climate emergency in their 2022 budgets;
2. the City of Windsor hire a fulltime coordinator of the Community Energy Plan;
3. the City of Windsor provide funding to implement the DEER;
4. the City of Windsor expand its Climate Reserve Fund;
5. the City of Windsor expand the funding of the Environmental Sustainability and Climate Change office;
6. the County of Essex provide funding to accelerate the implementation of its Regional Energy Plan; and,
7. the County of Essex hire a fulltime coordinator of the Regional Energy Plan.

Discussion ensues regarding the foregoing draft motion and K. Richters advises that the Deep Energy Retrofit Program (DEEP) has received grant funding for 2022

Moved by D Coronado, seconded by R. St. Denis,

That the following 2022 budget items **BE SUPPORTED** by City Council:

1. That the City of Windsor provide funding to implement the DEER;
2. That the City of Windsor expand the funding of the Environmental Sustainability and Climate Change office;

Carried.

## 5.2 WECEC Domain and Maintenance Expenditures

The WECEC domain and maintenance expenditures were approved in Item 5.1.

**6 Date of Next Meeting**

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

**7. Adjournment**

There being no further business, the meeting is adjourned at 5:10 o'clock p.m.

---

**CHAIR**

---

**COMMITTEE COORDINATOR**



**Committee Matters: SCM 35/2022**

**Subject: Minutes of the Transit Windsor Advisory Committee of its meeting held November 30, 2021**

Moved by: Councillor Francis  
Seconded by: Councillor McKenzie

Decision Number: **ETPS 877**

THAT the minutes of the Transit Windsor Advisory Committee of its meeting held November 30, 2021 **BE RECEIVED**.

Carried.

Report Number: SCM 2/2022  
Clerk's File: MB2021

**Clerk's Note:**

1. The recommendation of the Advisory Committee and Standing Committee are the same.
2. Please refer to Item 7.2. from the Environment, Transportation & Public Safety Standing Committee Meeting held January 26, 2022.
3. To view the stream of this Standing Committee meeting, please refer to: <http://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20220131/-1/7301>





**Committee Matters: SCM 2/2022**

**Subject: Minutes of the Transit Windsor Advisory Committee of its meeting held November 30, 2021**

## Transit Windsor Advisory Committee

Meeting held November 30, 2021

A meeting of the Transit Windsor Advisory Committee is held this day commencing at 4:00 o'clock p.m. via Zoom video conference, there being present the following members:

Councillor Kieran McKenzie, Chair  
Councillor Rino Bortolin  
Councillor Jeween Gill  
Councillor Chris Holt  
Bernie Drouillard  
Nathanael Hope

### ***Regrets received from:***

Ryan Hooley

### ***Also present are the following resource personnel:***

Tyson Cragg, Executive Director, Transit Windsor  
Steve Habrun, Manager Operations, Transit Windsor  
Jason Scott, Supervisor Planning, Transit Windsor  
Karen Kadour, Committee Coordinator

### **1. Call to Order**

The Chair calls the meeting to order at 4:00 o'clock p.m. and the Committee considers the Agenda being Schedule A attached hereto, matters which are dealt with as follows:

### **2. Declaration of Conflict**

None disclosed.

### **3. Adoption of the Minutes**

Moved by Councillor Gill, seconded by Councillor Holt,  
That the minutes of the Transit Windsor Advisory Committee of its meeting held February 16, 2021 **BE ADOPTED** as presented.  
Carried.

#### 4. Business Items

##### 4.1 Transit Resumption of Service Progress Report

T. Cragg advises that Transit Windsor resumed full service (minus the tunnel operation) as of September 5, 2021. From a ridership perspective, are at approximately fifty percent ridership. With the return to full service, the ridership went from forty percent to fifty percent.

Councillor Bortolin states there are trends that Transit Windsor follows, i.e. students coming back to high school and the university every day and asks if Administration has a projection of where ridership will be by January/February 2022 because of those changes.

T. Cragg responds based on projections provided by the university, they will be at a sixty percent level of on campus attendance as of January 2022, and the college will be at seventy-five percent attendance, which will have an impact on ridership as well. We are still at a capacity limitation as advised by the Health Unit, so to get the level of ridership (loads on the buses previously had) in the current environment is not possible. It all depends upon the uptake when students return and if there is any change with respect to the capacity.

N. Hope refers to the working people who use transit (early morning and late shifts) and asks for the percentage of ridership from this group.

S. Habrun responds they do not have ridership broken down that granular at this point.

The Chair asks if ridership since the beginning of September 2021 has fluctuated and did you reach sixty percent or was it fifty percent since Labour Day.

T. Cragg responds that fifty-two percent was the highest reached over the weekly summaries, which is consistent with other transit agencies across the country.

In response to a question asked by the Chair regarding the uptake of Route 518, T. Cragg responds it is strong and has exceeded expectations. Ridership has been in the 1500 to 1800 range over the course of a week.

Moved by Councillor Holt, seconded by Councillor Bortolin,  
That the verbal update from the Executive Director, Transit Windsor regarding the transit resumption of service progress report **BE RECEIVED**.  
Carried.

#### 4.2 Transit Windsor Budget Request 2022 Budget

T. Cragg advises that the Transit Windsor 2022 Budget presentation went before the Environment, Transportation & Public Safety Standing Committee on November 24, 2021. The budget was endorsed with an amendment to a motion to provide additional information for the Council Deliberations with respect to non-administration recommended Route 418X as well as some other options to provide service to the Lancer Centre.

Councillor Holt asks if the request for six diesel buses is in the Capital Plan.

T. Cragg responds that the budget issue of Route 418X is not recommended, and as a result there is no capital request for those buses.

Councillor Bortolin notes that Transit Windsor put forward many recommendations plus the Master Plan implementation of 418X, the creation of a fleet reserve and the addition of a fleet specialist, and asks if this is accurate.

T. Cragg concurs that this is accurate. They are presently at fifty percent ridership and not where they were when the Master Plan was envisioned almost two years ago and that is why the 418X was not recommended by Administration.

Councillor Bortolin states that if the intent is to adhere to the Master Plan without losing pace, these items would be moving forward and asks if that is a fair comment.

T. Cragg responds in an ideal world, yes.

Councillor Bortolin advises that he sees a 4.82 percent increase over \$750,000 for last year's budget, but for the most part, those increases are focused on budget salary and fuel increases. He asks if that is accurate.

T. Cragg responds that is related to inflationary increases, contractual increases with respect to collective agreements, but it also includes the annualization of Route 518X which also is included in that percentage.

Councillor Bortolin indicates that the 518X will be moving forward. He asks if there is enough in the Capital Plan to ensure that we are keeping pace with the Master Plan.

T. Cragg responds that there is a significant amount of investment over the next ten years in the range of \$63M of which money that can be leveraged with Federal/Provincial grants, ICEP. He adds that twenty-four new buses will be arriving in 2022, which is approximately fifteen percent of the fleet that is being replaced.

Councillor Bortolin asks if we wanted to introduce the 418X which was the promised route to the Lancer Centre, there was mention that six new buses would be required. He questions if ICIP funding could be accessed for this purchase.

T. Cragg responds from a technical perspective, because of the lead time (up to a year) in order to procure buses, it would be difficult to get the fleet available to do that route.

Councillor Bortolin refers to the hours that we have buses on the road and asks if the City of Windsor is below average, or at the top of the pack. He notes that statistics from CUTA in 2019 indicated that Windsor was 1.2 revenue hours per capita, which is the lowest in the province and asks if this is accurate.

T. Cragg responds that this is accurate.

The Chair states that Route 418X is critical because it must be in place before alterations can be made to the Transway 1C and the Crosstown 2.

T. Cragg responds that the Master Plan is a full scale revamp of the system, so there is an order where pieces can be put in the Route 418X is that next step.

The Chair alludes to electric buses and asks if this Committee should determine whether there is a preference for electric buses and if there is a cost benefit analysis.

T. Cragg responds that electrification is the direction the industry is moving in and there are definitely benefits from a climate change perspective. From their perspective, the industry is not quite there and there are many options relating to electric bus procurement along with a purchase cost consideration (\$1M to 2.6M a bus).

T. Cragg provides the following as it relates proposed increases to the Tunnel Bus fare:

- Transit Windsor took over the Tunnel bus in 1982 under Windsor Chartabus Inc. from the Tunnel Corporation
- Upon taking this over, assumed could be run on a cost recovery basis, i.e. break even with no subsidy involved.
- Over the years, the fares have not kept pace with the cost of the operation, tunnel fares or tolls.
- During the pandemic when the service was shut down, they were provided an opportunity to undertake an examination of this operation.
- Looked at the nature of the ridership with the tunnel bus. The average tunnel bus rider is not a Transit Windsor rider.
- Losing approximately \$6. a head from every round trip going through the tunnel.
- Refers to Niagara Falls (WEGO) and notes there is a \$9. fare going up to \$10. in 2022.
- Their Leamington service is another comparison and is \$10. each way.
- Want to match the fares to the cost of the operation.
- The commuter pass is still in place and the increase to that is minimal.

Moved by Councillor Holt, seconded by Councillor Bortolin,  
That the Transit Windsor 2022 Budget request including both the recommended and not recommended budget issues **BE SUPPORTED**.  
Carried.

#### **4.3 Transit Garage Transit Feasibility Study Progress Report/Fleet Electrification**

T. Cragg advises that the Consultant is in the process of working through the Feasibility Study. The current garage that they are in is showing its age and part of the Master Plan is to examine the existing facility. He adds that electrification was discussed in the preceding item.

Councillor Bortolin asks for the plans from a capital perspective.

T. Cragg responds that there are funds in the capital budget for years 2023, 2024 and 2025 that are leveragable funds which is part of the \$63M commitment over the next ten years.

The Chair asks for an opportunity to view the Feasibility Study upon completion.

Moved by Councillor Bortolin, seconded by Councillor Gill,  
That the verbal update regarding the transit garage Transit Feasibility Study **BE RECEIVED**.  
Carried.

#### **4.4 Equity Diversity Inclusion Training Update**

T. Cragg reports that currently there is not an Equity Diversity and Inclusion program at Transit Windsor. He notes that once resource is in place, the program will be developed and delivered to staff.

Councillor Bortolin asks if city staff can assist in this.

T. Cragg responds that as seventy percent of their staff are operators, they want to deliver a program tailored to transit operations.

The Chair indicates that there is a Diversity Advisory Committee.

Moved by Councillor Holt, seconded by N. Hope,  
That the Transit Windsor Equity Diversity Inclusion Training **BE REFERRED** to the Diversity Committee for review and comment.  
Carried.

**5. New Business**

T. Cragg remarks that we are fortunate in the City of Windsor that both the Environment, Transportation and Public Safety Standing Committee and City Council maintain the level of funding that they have. There are many municipalities where their council have taken steps to cut service because of the reduction of ridership.

**6. Date of Next Meeting**

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

**7. Adjournment**

There being no further business, the meeting is adjourned at 5:19 o'clock p.m.

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CHAIR

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COMMITTEE COORDINATOR



**Committee Matters: SCM 36/2022**

**Subject: Essex Region Conservation Authority 2022 Fee Schedule**

Moved by: Councillor Francis  
Seconded by: Councillor McKenzie

Decision Number: **ETPS 878**

THAT the Essex Region Conservation Authority 2022 Fee Schedule **BE RECEIVED**.  
Carried.

Report Number: SCM 12/2022  
Clerk's File: GP2022

**Clerk's Note:**

1. Please refer to Item 7.3. from the Environment, Transportation & Public Safety Standing Committee Meeting held January 26, 2022.
2. To view the stream of this Standing Committee meeting, please refer to:  
<http://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20220131/-1/7301>





**Committee Matters: SCM 12/2022**

**Subject: Essex Region Conservation Authority 2022 Fee Schedule**

Clerk's File: GP2022

# 2022 Fee Schedule



No.	Category	Detail	2021	2022	HST 2022	2022 Total
<b>WATERSHED MANAGEMENT SERVICES</b>						
<b>Floodplain Regulations and Related Development Applications</b>						
1	Requests for information on regulations for property transaction (lawyers, owners, purchasers or agents). Expedited responses may be available for a 50% surcharge.		\$197.75	<b>\$180.00</b>	\$ 23.40	<b>\$ 203.40</b>
2	Applications for renewal of existing permits within one calendar year of expiration of original permit.		\$115.00	<b>\$150.00</b>	-	<b>\$ 150.00</b>
3	Placing or grading of fill within regulated areas, light repair of existing breakwalls, placement of armourstone less than 2 tonnes/metre, clearance letters and other minor works, minor revisions to existing approvals (Revisions that are not considered minor are subject to the full application fee).		\$150.00	<b>\$200.00</b>	-	<b>\$ 200.00</b>
4	Completing files required for approvals complying with standard review protocols (i.e. DART, Hydro One, Standard/routine utility works), and applications for new building construction in approved plans of subdivisions.		\$200.00	<b>\$200.00</b>	-	<b>\$ 200.00</b>
5	Technical evaluations (elevation, setback survey or site report; property evaluation for tax assessment; ecological evaluation and/or report).		\$875.75	<b>\$775.00</b>	\$ 100.75	<b>\$ 875.75</b>
6	Alteration to waterways/shorelines including breakwalls armourstone repairs exceeding 4 tonnes/meter, crossings, outlets, etc. (not requiring engineering or other detailed analysis).		\$500.00	<b>\$500.00</b>	-	<b>\$ 500.00</b>
7	Alteration to waterways/shorelines including breakwalls, crossings, outlets, etc. (requiring engineering or other detailed analysis) and docks		\$800.00	<b>\$800.00</b>	-	<b>\$ 800.00</b>
8	Applications for new building construction including renovations for sites not directly abutting shorelines or watercourses, and for additions not impacting setback.		\$500.00	<b>\$500.00</b>	-	<b>\$ 500.00</b>
9	Applications for building construction sites directly abutting shorelines or watercourses (including additions impacting on setback).		\$800.00	<b>\$1,000.00</b>	-	<b>\$ 1,000.00</b>
10	Application for NON-habitable garage/storage building <64 m <sup>2</sup> , for small building additions, small accessory structures-armourstone breakwall repairs between 2 and 4 tonnes/metre.		\$250.00	<b>\$250.00</b>	-	<b>\$ 250.00</b>
11	Applications involving more than one regulated activity, or those requiring engineering studies/designs, environmental studies.		\$1,400.00	<b>\$1,400.00</b>	-	<b>\$ 1,400.00</b>
12	Applications where work has proceeded without authorization and/or prior to application of permit.		Double normal fee			<b>Double normal fee</b>
13	Development proposals involving multiple dwelling units (more than 5 lots) and townhomes, where stormwater management or other engineering evaluations are required.	Base cost	\$ 2,000.00	<b>\$2,000.00</b>	-	<b>\$ 2,000.00</b>
13a	Development proposals involving multiple dwelling units (more than 5 lots) and townhomes, where stormwater management or other engineering evaluations are required.	Cost per additional lot	\$ 300.00	<b>\$300.00</b>	-	<b>\$ 300.00</b>
13b	Development proposals involving multiple dwelling units (more than 5 lots) and townhomes, where stormwater management or other engineering evaluations are required.	Maximum	\$ 5,000.00	<b>\$5,000.00</b>	-	<b>\$ 5,000.00</b>
14	Condominium Building proposals where stormwater management or other engineering evaluations are required	Base cost (single condominium building)	\$ 2,500.00	<b>\$2,500.00</b>	-	<b>\$ 2,500.00</b>
14a	Condominium Building proposals where stormwater management or other engineering evaluations are required.	More than one condominium building	\$ 4,000.00	<b>\$4,000.00</b>	-	<b>\$ 4,000.00</b>
15	Commercial/industrial/institutional/Greenhouse developments where stormwater management or other engineering evaluations are required.	Base cost (up to one hectare)	\$ 1,750.00	<b>\$2,000.00</b>	-	<b>\$ 2,000.00</b>
15a	Commercial/industrial/institutional/Greenhouse developments where stormwater management or other engineering evaluations are required.	Cost per additional hectare	\$ 400.00	<b>\$400.00</b>	-	<b>\$ 400.00</b>
15b	Commercial/industrial/institutional/Greenhouse developments where stormwater management or other engineering evaluations are required.	Maximum	\$ 4,000.00	<b>\$4,000.00</b>	-	<b>\$ 4,000.00</b>
16	Infrastructure and Recreational Projects proposals involving one or more regulated activities or those requiring specific engineering design and or Environmental studies.	Base Cost for projects less than 20ha	\$ 2,500.00	<b>\$2,500.00</b>	-	<b>\$ 2,500.00</b>
16a	Infrastructure and Recreational Projects proposals involving one or more regulated activities or those requiring specific engineering design and or Environmental studies.	Maximum Cost for multidisciplinary activities and/or projects larger than 20 ha	\$ 6,500.00	<b>\$6,500.00</b>	-	<b>\$ 6,500.00</b>
17	Input/review/comment on full Environmental Impact Assessments (EIAs) done by consultants.		\$ 1,025.00	<b>\$1,025.00</b>	-	<b>\$ 1,025.00</b>
18	Input/review/comment on scoped EIAs done by consultants.		\$ 500.00	<b>\$500.00</b>	-	<b>\$ 500.00</b>
19	Technical review and clearance where EIA or site visit is not required.		\$ 150.00	<b>\$150.00</b>	-	<b>\$ 150.00</b>

No.	Category	Detail	2021	2022	HST 2022	2022 Total
20	Input, review, clearances on substantial drainage proposals (multiple crossings, significant bank stabilization, in defined areas of environmental concern, etc.).		\$ 800.00	\$800.00	-	\$ 800.00
21	Input, review, clearances on other drainage proposals under the Drainage Act (single crossing, minor bank stabilization).		\$ 500.00	\$500.00	-	\$ 500.00
<b>Other Development Services</b>						
22	Survey services.		\$ 480.25	\$425.00	\$ 55.25	\$ 480.25
23	Technical review fee assessed on resubmission of previously reviewed technical or environmental studies.		\$ 250.00	\$250.00	-	\$ 250.00
24	Review of applications made under a Minsters Zoning Order (Fee includes review of 2 major studies and 2 project meetings. Additional fees to be charged per report as appropriate and consistent with the current fee schedule, additional charges (\$/hr) for Project Team Meetings beyond the 2 already included, plus any other additional expenses to enable cost recovery).			\$25,000.00	-	\$ 25,000.00
<b>Watershed Planning</b>						
<b>Planning Act Applications</b>						
25	Minor Variance (up to 3 requests)		\$ 115.00	\$200.00	-	\$ 200.00
26	Combined Consent with Minor Variance		\$ 250.00	\$375.00	-	\$ 375.00
27	Consent applications on a single application (up to 3 requests)		\$ 200.00	\$300.00	-	\$ 300.00
28	Combined Consent with Zoning By-Law Amendment		\$ 250.00	\$400.00	-	\$ 400.00
29	Combined Official Plan Amendment and Zoning By-law Amendment (where an OPA is submitted with a ZBA, the ZBA fee is waived)		\$ 275.00	\$400.00	-	\$ 400.00
30	Major Official Plan Amendment		\$ 300.00	\$400.00	-	\$ 400.00
31	Minor Official Plan Amendment		\$ 200.00	\$275.00	-	\$ 275.00
32	Major Zoning By-Law Amendment (E.g., Industrial, Commercial, Institutional, Subdivision etc.)		\$ 300.00	\$400.00	-	\$ 400.00
33	Minor Zoning By-Law Amendment (E.g., Single Family Residence)		\$ 200.00	\$275.00	-	\$ 275.00
34	Site Plan Control		\$ 200.00	\$200.00	-	\$ 200.00
35	Draft Plan of Subdivision/Condominium Approval		\$ 300.00	\$300.00	-	\$ 300.00
36	Clearance Letters for Subdivision/Condominium Approval (applies to each phase of subdivision requested)		\$ 115.00	\$150.00		\$ 150.00
37	Input and review of relevant EAs and Master Plans	Base cost	\$ 1,500.00	\$1,500.00		\$ 1,500.00
<b>CONSERVATION SERVICES</b>						
<b>Conservation Areas</b>						
<b>Conservation Areas Annual Pass</b>						
38	Seasonal Conservation Area Pass	valid 1 year from purchase	\$ 75.00	\$ 70.80	\$ 9.20	\$ 80.00
38a	Key Fob	Refundable Deposit	\$ 10.00	\$ 10.00	-	\$ 10.00
<b>Holiday Beach Conservation Area</b>						
<b>Daily Permits</b>						
39	Daily vehicle permit	per vehicle	\$ 10.00	\$ 8.85	\$ 1.15	\$ 10.00
40	Special events	per vehicle	\$ 15.00	\$ 13.27	\$ 1.73	\$ 15.00
<b>Camping</b>						
41	Group camping (i.e. Scouts Canada, etc.)	flat rate per night	\$ 60.00	\$ 53.10	\$ 6.90	\$ 60.00
41a	Group camping (i.e. Scouts Canada, etc.)	plus cost per person	\$ 2.00	\$ 1.77	\$ 0.23	\$ 2.00
42	Seasonal camping - 2022 fees approved in 2020 (Seasonal camping \$500 deposit required fall 2021 to reserve 2022 site)	15 amp service	\$ 2,327.80	\$ 2,260.00	\$ 293.80	\$ 2,553.80
43	Seasonal camping - 2022 fees approved in 2020 (Seasonal camping \$500 deposit required fall 2021 to reserve 2022 site)	50 amp service	\$ 2,327.80	\$ 2,260.00	\$ 293.80	\$ 2,553.80
44	Seasonal camping Outdoor Winter Storage 2021/2022		\$ 180.80	\$ 180.00	\$ 23.40	\$ 203.40
45	Overnight (Friends & Family Camping) limited to Seasonal Campers	20 amp service per night	\$ 42.00	\$ 50.00	\$ 6.50	\$ 56.50
46	Overnight (Friends & Family Camping) limited to Seasonal Campers	50 amp service per night	\$ 47.00	\$ 55.00	\$ 7.15	\$ 62.15
47	Overnight (Friends & Family Camping) limited to Seasonal Campers	add'l vehicle per night	\$ 10.00	\$ 8.85	\$ 1.15	\$ 10.00
48	<b>Seasonal camping - 2023</b> (Seasonal camping \$500 deposit required fall 2022 to reserve 2023 site)	15 amp service		\$ 2,460.00	\$ 319.80	\$ 2,779.80
48a	<b>Seasonal camping - 2023</b> (Seasonal camping \$500 deposit required fall 2022 to reserve 2023 site)	50 amp service		\$ 2,460.00	\$ 319.80	\$ 2,779.80
49	Outdoor Winter Storage 2022/2023			\$ 200.00	\$ 26.00	\$ 226.00
<b>Facilities Rental</b>						
50	Property Rental (Wedding, etc.)	per event	\$ 1,130.00	\$ 1,000.00	\$ 130.00	\$ 1,130.00
<b>Cottage Rental</b>						
51	Peak Season Nightly - 2 night minimum (Summer months; Holiday Weekends)		\$ 254.25	\$ 230.00	\$ 29.90	\$ 259.90
52	Peak Season Weekly (Summer months; Holiday Weekends)		\$ 1,440.75	\$ 1,300.00	\$ 169.00	\$ 1,469.00
53	Shoulder Season Nightly - 2 night minimum (late Fall/Winter/Spring)		\$ 169.50	\$ 200.00	\$ 26.00	\$ 226.00
54	Shoulder Season Weekly (late Fall/Winter/Spring)		\$ 988.75	\$ 1,000.00	\$ 130.00	\$ 1,130.00
55	Cleaning Fee		\$ 141.25	\$ 125.00	\$ 16.25	\$ 141.25
56	Damage Deposit	Refundable Deposit	\$ 200.00	\$ 200.00	\$ 26.00	\$ 226.00

No.	Category	Detail	2021	2022	HST 2022	2022 Total
<b>Hillman Marsh Conservation Area</b>						
<b>Daily Permits</b>						
57	Daily vehicle permit	per vehicle	\$ 6.00	\$ 5.31	\$ 0.69	\$ 6.00
58	Special Events	per vehicle	\$ 10.00	\$ 8.85	\$ 1.15	\$ 10.00
<b>Camping</b>						
59	Group camping (i.e. Scouts Canada, etc.)	per night	\$ 50.00	\$ 53.10	\$ 6.90	\$ 60.00
59a	Group camping (i.e. Scouts Canada, etc.)	plus cost per person	\$ 2.00	\$ 1.77	\$ 0.23	\$ 2.00
60	Property Rental (Wedding, etc.)	per event	\$ 1,130.00	\$ 1,000.00	\$ 130.00	\$ 1,130.00
<b>John R. Park Homestead Conservation Area</b>						
<b>Daily Permits</b>						
61	Historic House Tour (dependant on available staffing)	Adult		\$ 5.31	\$ 0.69	\$ 6.00
61a	Historic House Tour (dependant on available staffing)	Child 3-12/Senior 65+		\$ 3.54	\$ 0.46	\$ 4.00
61b	Historic House Tour (dependant on available staffing)	Family maximum	\$ 7.00	\$ 17.70	\$ 2.30	\$ 20.00
62	Admission Special Events	Adult		\$ 7.08	\$ 0.92	\$ 8.00
62a	Admission Special Events	Child 3-12/Senior 65+	\$ 5.00	\$ 5.31	\$ 0.69	\$ 6.00
62b	Admission Special Events	Family maximum	\$ 25.00	\$ 26.55	\$ 3.45	\$ 30.00
63	Organized Group Tours (pre-booked, minimum 10 participants, during staffed hours; regular admission does not apply)	per person	\$ 5.00	\$ 5.31	\$ 0.69	\$ 6.00
63a	If organized tour requires site opening by staff		\$ 150.00	\$ 132.74	\$ 17.26	\$ 150.00
64	Conservation Centre - Creative Commons - meeting or event (Non-Prime Time 10a-6p) weekdays. *Capacity 60 people at 6' tables or 80 people auditorium style	per hour (2 hour min.)		\$ 50.00	\$ 6.50	\$ 56.50
65	Conservation Centre - Creative Commons - meeting or event (Non-Prime Time 10a-6p weekdays) for use by Registered Not for Profit/Charity. *Capacity 60 people at 6' tables or 80 people auditorium style	per hour (2 hour min.)		\$ 35.00	\$ 4.55	\$ 39.55
66	Conservation Centre - Creative Commons - meeting or event (Prime Time 10a-6p weekends). *Capacity 60 people at 6' tables or 80 people auditorium style	per hour (2 hour min.)		\$ 125.00	\$ 16.25	\$ 141.25
67	Conservation Centre - Creative Commons - meeting or event (After Hours - After 6pm) *Capacity 60 people at 6' tables or 80 people auditorium style (2 hour minimum if rental begins after 6pm. No minimum applies if rental is a continuation of an existing rental)	per hour (2 hour min.)		\$ 175.00	\$ 22.75	\$ 197.75
68	Conservation Centre - Exclusive use of Creative Commons & Welcome Centre.	per hour (2 hour min.)		\$ 350.00	\$ 45.50	\$ 395.50
69	Grounds Rental Only. More than 40 people/up to 4 hours no tent, food or alcohol. Includes use of Auditorium for climate controlled storage, bridal area, etc)	Meeting/Event Rental	\$ 621.50	\$ 550.00	\$ 71.50	\$ 621.50
70	Garden Party - Add On (can be added to Grounds Rental or Meetings and Events, etc.). 90 minutes, includes tour of the historic John R. Park Homestead by costumed interpreter.			\$ 200.00	\$ 26.00	\$ 226.00
71	Exclusive Site Rental - More than 40 people • Exclusive site use from 10am - midnight • Access to site the preceding evening for deliveries & set up (4pm - 7pm) • Includes use of Conservation Centre for up to 60 guests (seated) or 80 guests (cocktail style) • Where alcohol will be served, the renter is responsible for obtaining liquor permits	Meeting/Event Rental	\$ 3,107.50	\$ 2,750.00	\$ 357.50	\$ 3,107.50
71a	Damage deposit for exclusive site rental (refundable)		\$ 5,000.00	\$ 2,500.00	\$ -	\$ 2,500.00
<b>Miscellaneous</b>						
72	Commercial & Wedding Photography (full site rental)	if open (90 minutes)	\$ 150.00	\$ 132.74	\$ 17.26	\$ 150.00
72a	If closed and staff required onsite (90 minutes)	site closed/staff required (90 minutes)	\$ 250.00	\$ 221.24	\$ 28.76	\$ 250.00
73	Site Use Photography Permit	per hour	\$ 25.00	\$ 30.97	\$ 4.03	\$ 35.00
74	Rustic Arbor Rental	per event		\$ 150.00	\$ 19.50	\$ 169.50
75	Costume Rental	per costume	\$ 67.80	\$ 60.00	\$ 7.80	\$ 67.80
75a	Costume Rental Damage deposit (refundable)	Refundable Deposit	\$ 100.00			\$ 100.00
76	Food/Craft Vendor Fee	per day	\$ 84.75	\$ 75.00	\$ 9.75	\$ 84.75
<b>Greenways</b>						
77	Land Leases	Market Value				
<b>Hunting Programs</b>						
<b>Waterfowl Hunting</b>						
78	Holiday Beach Conservation Area	full day premium sites	\$ 67.80	\$ 70.00	\$ 9.10	\$ 79.10
79	Holiday Beach Conservation Area	full day		\$ 60.00	\$ 7.80	\$ 67.80
80	Hillman Marsh Conservation Area	Seasonal hunting permit	\$ 819.25	\$ 725.00	\$ 94.25	\$ 819.25
81	Hillman Marsh Conservation Area	non-refundable draw fee	\$ 17.00	\$ 17.70	\$ 2.30	\$ 20.00
82	Hillman Marsh Conservation Area	Annual trapping permit	\$ 113.00	\$ 100.00	\$ 13.00	\$ 113.00
83	Cedar Creek - 5-Year Hunting Lease (\$1,000 annual)		\$ 5,650.00	\$ 5,000.00	\$ 650.00	\$ 5,650.00
84	Big Creek - Seasonal hunting (minimum reserve)		\$ 904.00	\$ 800.00	\$ 104.00	\$ 904.00
<b>Deer Hunting</b>						
85	Various Properties	10-24 acre woodlot	\$ 678.00	\$ 610.00	\$ 79.30	\$ 689.30
86	Various Properties	25-49 acre woodlot	\$ 960.50	\$ 860.00	\$ 111.80	\$ 971.80
87	Various Properties	50 acre plus woodlot	\$ 1,243.00	\$ 1,110.00	\$ 144.30	\$ 1,254.30
88	Various Properties	non-refundable draw fee	\$ 17.00	\$ 17.70	\$ 2.30	\$ 20.00

No.	Category	Detail	2021	2022	HST 2022	2022 Total
<b>Forestry Program</b>						
<b>Seedlings</b>						
89	Cost of seedlings (per tree)	ranging from	\$ 1.13	\$ 1.21	\$ 0.16	\$ 1.37
		to	\$ 2.54	\$ 2.50	\$ 0.33	\$ 2.83
90	Tree Planting - Machine Plant by ERCA (per tree)		\$ 0.73	\$ 0.75	\$ 0.10	\$ 0.85
90	Tree Planting - Hand Plant by ERCA (per tree maximum)		\$ 1.13	\$ 1.10	\$ 0.14	\$ 1.24
92	Maintenance/Guarantee Program	per seedling	\$ 0.45	\$ 0.40	\$ 0.05	\$ 0.45
93	Shipping & Handling Charge		\$ 28.25	\$ 35.00	\$ 4.55	\$ 39.55
94	Site Delivery Fee		\$ 56.50	\$ 50.00	\$ 6.50	\$ 56.50
<b>Large Stock</b>						
95	Cost of large stock (per tree)	ranging from	\$ 16.67	\$ 15.00	\$ 1.95	\$ 16.95
		to	\$ 46.33	\$ 48.00	\$ 6.24	\$ 54.24
96	Hand planting by ERCA - Bare root trees	per tree	\$ 26.56	\$ 23.50	\$ 3.06	\$ 26.56
97	Hand planting by ERCA - Potted/Balled & Burlapped trees/shrubs	per tree	\$ 11.30	\$ 10.00	\$ 1.30	\$ 11.30
98	Mulch	per tree	\$ 5.65	\$ 5.00	\$ 0.65	\$ 5.65
<b>Forestry Extension Services</b>						
99	Tree assessments, Managed Forest Tax Incentive Program approvals, hazard/danger tree assessments or tree health assessments and related activities for municipalities	first hour	\$ 113.00	\$ 100.00	\$ 13.00	\$ 113.00
99a		each additional hour	\$ 84.75	\$ 75.00	\$ 9.75	\$ 84.75
<b>COMMUNITY AND OUTREACH SERVICES</b>						
<b>School Programs</b>						
<b>Conservation Area Programs (Hillman Marsh/Holiday Beach/John R. Park Homestead Conservation Areas)</b>						
100	Half Day	per program	\$ 175.00	\$ 175.00	\$ -	\$ 175.00
101	Full Day	per program	\$ 285.00	\$ 285.00	\$ -	\$ 285.00
102	Either half or full day	additional Parents	\$ 8.50	\$ 8.50	\$ -	\$ 8.50
103	Special High Skills Major Certification Programs (virtual) per program	plus applicable special materials costs, if required (max. 30 participants)	\$ 450.00	\$ 398.23	\$ 51.77	\$ 450.00
104	Summer Camp programs	2 hours (per program)	\$ 175.00	\$ 175.00	\$ -	\$ 175.00
105	Summer Camp programs	4 hours (per program)	\$ 285.00	\$ 285.00	\$ -	\$ 285.00
106	Ticketed Experiential Events (eg. Owl Prowl, Candle Light Tour)		\$ 15.00	\$ 13.27	\$ 1.73	\$ 15.00
<b>Offsite Presentations</b>						
107	School camps and in-class programs (not at a Conservation Area)	Half Day (per program) from:	\$ 200.00	\$ 200.00	\$ -	\$ 200.00
107a	School camps and in-class programs (not at a Conservation Area)	Second class: same day/same school	\$ 150.00	\$ 150.00	\$ -	\$ 150.00
108	Travel fee to offsite presentation (not at a Conservation Area)	per kilometre	\$ 0.45	\$ 0.40	\$ 0.05	\$ 0.45
109	Virtual Field Trip up to 30 students (1 hour)	per program	\$ 100.00	\$ 100.00		\$ 100.00
110	Corporate Team Building Activities with 10-50 participants (1.5-3 hours)	per program		\$ 250-\$700	+HST	
<b>CORPORATE SERVICES</b>						
<b>Other Fees</b>						
111	Scan to file (wide format)	original sheet	\$ 16.95	\$ 15.00	\$ 1.95	\$ 16.95
111a	Scan to file (wide format)	each additional sheet	\$ 2.26	\$ 2.00	\$ 0.26	\$ 2.26
112	Scan to print (wide format)	original sheet	\$ 16.95	\$ 15.00	\$ 1.95	\$ 16.95
112a	Scan to print (wide format)	each additional sheet	\$ 11.30	\$ 10.00	\$ 1.30	\$ 11.30
113	NSF cheque fee		\$ 39.55	\$ 35.00	\$ 4.55	\$ 39.55





**Subject: Request for Funding | Sewer, Pavement, and Watermain Rehabilitation on Arthur Road from Ontario Street South to Via Rail Tracks**

Moved by: Councillor Kaschak

Seconded by: Councillor McKenzie

Decision Number: **ETPS 879**

1. THAT Council **APPROVE** a total project budget in the amount of \$1,135,745, (including applicable taxes) and estimated recoveries of \$341,620 for sewer, watermain, and pavement rehabilitation on Arthur Road, from Ontario Street South to the Via Rail Tracks; and,
2. THAT Council **APPROVE** the transfer of funds to a new project, required to fund the City share estimated at \$794,125, as follows:
  - a. \$684,125 from Project 7035119 (New Infrastructure Development)
  - b. \$110,000 from Project 7143003 (Ouellette Avenue Streetscape Phase 6) and to close this project; and,
3. THAT subject to the results of the tender falling within the approved budget, the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign a contract with the low bidder satisfactory in form to the Commissioner of Legal & Legislative Services; in financial content to the Chief Financial Officer and City Treasurer; and in technical content to the Commissioner of Infrastructure; and,
4. THAT the CAO and City Clerk **BE AUTHORIZED** to execute a Servicing Agreement with 1318805 Ontario Limited for the proportionate share of infrastructure identified under Recommendation 1 needed to service MB #'s 909 to 957 Arthur Road, satisfactory in form to the Commissioner of Legal & Legislative Services and in content to the Commissioner of Infrastructure Services in accordance with the following terms:
  - a. The relevant general servicing requirements as detailed by CR233/98;
  - b. Cost Sharing – 1318805 Ontario Limited agrees to pay to the Corporation of the City of Windsor \$187,020 (based on estimated construction costs, final payment to be based on actual progress certificate payments) representative of 1318805 Ontario Limited's share of sanitary sewer, storm sewer, and road rehabilitation costs on Arthur Road from Ontario Street South to the Via Rail Tracks (24% of mainline sanitary sewer, storm sewer, and road rehabilitation costs, and 100% of costs for individual sanitary laterals, storm laterals, and

water services for MB #'s 909 to 957 Arthur Road). Timing for the payment to be as follows:

- i. 50% upon the closing of the tender identified under Recommendation 3;
- ii. Balance prior to the issuance of construction permits for 909, 915, 921, 927, 933, 939, 945, 951, and 957 Arthur Road.

Carried.

Report Number: S 159/2021  
Clerk's File: SW2022

**Clerk's Note:**

1. The recommendation of the Standing Committee and Administration are the same.
2. Please refer to Item 8.1. from the Environment, Transportation & Public Safety Standing Committee Meeting held January 26, 2022.
3. To view the stream of this Standing Committee meeting, please refer to:  
<http://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20220131/-1/7301>

**Subject: Request for Funding | Sewer, Pavement, and Watermain Rehabilitation on Arthur Road from Ontario Street South to Via Rail Tracks - Ward 5**

**Reference:**

Date to Council: January 26, 2022

Author: Patrick Winters

Development Engineer

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

519-255-6257 ext. 6462

Engineering

Report Date: November 17, 2021

Clerk's File #: SW2022

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

**Recommendation:**

1. That Council **APPROVE** a total project budget in the amount of \$1,135,745, (including applicable taxes) and estimated recoveries of \$341,620 for sewer, watermain, and pavement rehabilitation on Arthur Road, from Ontario Street South to the Via Rail Tracks; and,
2. That Council **APPROVE** the transfer of funds to a new project, required to fund the City share estimated at \$794,125, as follows:
  - a. \$684,125 from Project 7035119 (New Infrastructure Development)
  - b. \$110,000 from Project 7143003 (Ouellette Avenue Streetscape Phase 6) and to close this project; and,
3. That subject to the results of the tender falling within the approved budget, the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign a contract with the low bidder satisfactory in form to the Commissioner of Legal & Legislative Services; in financial content to the Chief Financial Officer and City Treasurer; and in technical content to the Commissioner of Infrastructure; and,
4. That the CAO and City Clerk **BE AUTHORIZED** to execute a Servicing Agreement with 1318805 Ontario Limited for the proportionate share of infrastructure identified under Recommendation 1 needed to service MB #'s 909 to 957 Arthur Road, satisfactory in form to the Commissioner of Legal & Legislative Services and in content to the Commissioner of Infrastructure Services in accordance with the following terms:



- a. The relevant general servicing requirements as detailed by CR233/98;
- b. Cost Sharing – 1318805 Ontario Limited agrees to pay to the Corporation of the City of Windsor \$187,020 (based on estimated construction costs, final payment to be based on actual progress certificate payments) representative of 1318805 Ontario Limited's share of sanitary sewer, storm sewer, and road rehabilitation costs on Arthur Road from Ontario Street South to the Via Rail Tracks (24% of mainline sanitary sewer, storm sewer, and road rehabilitation costs, and 100% of costs for individual sanitary laterals, storm laterals, and water services for MB #'s 909 to 957 Arthur Road). Timing for the payment to be as follows:
  - i. 50% upon the closing of the tender identified under Recommendation 3;
  - ii. Balance prior to the issuance of construction permits for 909, 915, 921, 927, 933, 939, 945, 951, and 957 Arthur Road.

**Executive Summary:**

N/A

**Background:**

Under CR123/2006 Council approved a servicing agreement for the redevelopment of the former Ada C. Richards school site located at 4565 Ontario Street, which was bound by Ellrose Avenue to the west, Arthur Road to the east, and Ontario Street to the north. The servicing agreement covered the installation of municipal infrastructure needed to support new single unit dwellings fronting Ellrose Avenue and Arthur Road. Given that there were existing mainline sanitary and storm sewers, as well as watermain on both Ellrose and Arthur, servicing requirements were limited to the installation of individual service laterals to each of the newly created lots. Dior Homes [Dior] purchased the property from the Greater Essex County District School Board subsequent to Council's approval and in 2013 Dior serviced the Ellrose Avenue frontage in order to allow for the construction of 11 new homes. In March of 2021 Dior reached out to Administration requesting approval to move forward with the servicing needed to support the construction of 9 units on the Arthur Road frontage. Servicing requirements have changed since 2006, most notably being the adoption of a new regional stormwater guideline in 2018. Based on this, as well as the fact that the existing sanitary and storm sewers on Arthur Road are almost 100 years old, Administration advised Dior that wholesale infrastructure upgrades are needed on Arthur road prior to redevelopment being able to proceed. The purpose of this report is to bring forward a request for Council to approve the funding necessary to complete infrastructure upgrades needed

to support the redevelopment of the balance of the Dior lots. Administration is of the opinion that construction cannot proceed on the Dior lots unless the requested rehabilitation project is undertaken.

### **Discussion:**

The existing sanitary and storm sewers on this block are approaching 100 years old, and are reported to be in poor condition. In addition to the sewers, the existing watermain has been identified by Windsor Utilities as needing to be replaced, and the pavement structure has also reached the end of its useful service life.

Dior's frontage accounts for 373 feet of the overall frontage of 1555 feet of total frontage on the block [approximately 24%]. As such, Dior has agreed to pay 24% of the total costs associated with mainline sewer and road rehabilitation. Administration would recover these costs from Dior through a servicing agreement that will require 50% to be paid upon tender closing, prior to the start of construction, with the balance due prior to the issuance of construction permits for the 9 individual lots.

The Engineering Department will oversee the rehabilitation project, and will provide inspection services during construction. Costs associated with the watermain portion of the project will be recovered from Enwin – Water, as is typical to a standard rehabilitation project. Dior will be responsible for costs associated with the individual water services installed to their 9 lots. If approved, Administration intends to tender this work in 2022, ideally for construction this year.

The approval of the requested funds will align required capital improvements with surrounding development opportunities.

### **Risk Analysis:**

Associated risks to the Corporation resulting from the undertaking of this project include risks typical of a municipal infrastructure construction project, such as bodily injury, property damage, and matters arising from violations of the Occupational Health and Safety Act. These risks will be mitigated through the contract entered into with the successful proponent once the project is tendered.

The risk of not proceeding with the recommendations will result in certainty that there will not be sufficient infrastructure to services Dior's 9 lots.

### **Climate Change Risks**

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

Construction of the project will result in greenhouse gas emissions that are accounted for within the annual community greenhouse gas emissions inventory. It is anticipated that construction emissions in general will be offset by the improved drivability and functionality of the new roadway over time.

### Climate Change Adaptation:

In 2018, the City of Windsor, together with our partner municipalities and under the direction of ERCA developed a new regional guideline for stormwater management [Windsor/Essex Region Stormwater Management Standards Manual – by Stantec Consulting, Initial Publication dated December 6, 2018]. One of the driving factors for the creation of the new standard was to attempt to address more significant rainfall events being realized as a result of climate change in our area. Detailed design for the Arthur Road rehabilitation includes the construction of a new, enlarged storm sewer in an attempt to address these ongoing issues.

### Financial Matters:

The total estimated cost of this project including watermain reconstruction, design and contract administration is \$1,135,745 of which \$187,020 is estimated to be fully recovered from Dior and \$154,600 will be recovered from EnWin – Water. The remaining net cost to the City is \$794,125 as is detailed in the table below:

<b>Description</b>	<b>Amount</b>
<b>Estimated Project Costs</b>	
1) Estimates Construction Costs (excl. watermain)	\$628,000
2) Enwin- Watermain Work	\$168,100
3) Contingency	\$100,000
4) Engineering Design	\$95,000
5) Construction QA/QC	\$100,000
6) Miscellaneous Costs	\$25,000
7) Non-Recoverable HST	\$19,645
<b>Total Expenses</b>	<b>\$1,135,745</b>
<b>REVENUES</b>	
1) Enwin – Watermain Work	\$154,600
2) Dior Homes – 24% of Expenses 1 & 3	\$173,520
3) Dior Homes – Share of Enwin – Watermain Work	\$13,500
<b>Total Revenue</b>	<b>\$341,620</b>
<b>TOTAL NET CITY COST</b>	<b>\$794,125</b>

The following outlines the proposed funding sources to be used to provide the necessary funding for the total net City costs of \$794,125:

- a) The New Infrastructure Development Project ID#7035119 is to support new development as it relates to oversizing of infrastructure. Administration tracks commitments to this project as developments come forward. There are sufficient funds in the project to cover the required commitment of \$684,125.
- b) The Ouellette Avenue Streetscape Phase 6 Project ID#7143003 is complete, with a current surplus of \$110,000. As this project is complete, it can now be closed. Any surplus funds left in the project upon closing will be returned to the original funding source, Fund 221 (Service Sustainability).

**Consultations:**

Fahd Mikhael – Manager, Design & Development

Carrie McCrindle – Financial Planning Administrator [Engineering]

Wira Vendrasco – Deputy City Solicitor

**Conclusion:**

Administration recommends proceeding with the Arthur Road rehabilitation project to address the aging infrastructure as well as support infill development on the vacant lots located at 909 to 957 Arthur Road.

**Planning Act Matters:**

N/A

**Approvals:**

Name	Title
Patrick Winters	Development Engineer
France Isabelle-Tunks	Senior Manager Engineering/Deputy City Engineer
Chris Nepszy	Commissioner, Infrastructure Services
Shelby Askin Hager	Commissioner, Legal & Legislative Services
Joe Mancina	Commissioner, Corporate Services CFO/City Treasurer
Jason Reynar	Chief Administrative Officer

**Notifications:**

<b>Name</b>	<b>Email</b>
Ed Sleiman – Councillor Ward 5	<a href="mailto:esleiman@citywindsor.ca">esleiman@citywindsor.ca</a>
Mark McCloskey – d.c. mccloskey engineering ltd.	<a href="mailto:mmccloskey@mccloskeyengineering.com">mmccloskey@mccloskeyengineering.com</a>
Rio Aiello – 1318805 Ontario Limited/Dior Homes	<a href="mailto:build@diorhomes.ca">build@diorhomes.ca</a>

**Appendices:**



**Council Report: C 104/2021**

**Subject: Windsor Public Library - Facility Plan Implementation and Temporary Relocation of Main Branch - Project Completion Report - City Wide**

**Reference:**

Date to Council: December 13, 2021  
Author: France Isabelle-Tunks  
Senior Manager of Engineering/Deputy City Engineer  
519-255-6100 ext. 6402  
ftunks@citywindsor.ca  
Projects & Right-of-Way  
Report Date: 7/19/2021  
Clerk's File #: ML/10013

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

**Recommendation:**

- I. THAT the Windsor Public Library Project Completion Report regarding the Library Facility Plan Implementation and the Temporary Relocation of the Main Branch **BE RECEIVED** for information; and,
- II. THAT City Council **PROVIDE DIRECTION** for the transfer of the overall project surpluses (estimated at \$600,000) from the Library Facility Plan Implementation Project and the Temporary Relocation of the Main Branch Project (Project ID# 7159011, 7159012, 7159013, 7182015) to fund one of the following;
  1. Purchase a replacement Bookmobile; or
  2. Create a maintenance reserve fund; or
  3. Permanent downtown library branch; or
  4. Return funds to the original funding sources;
- III. Following the direction received in clause II above, THAT City Council **APPROVE** the transfer of \$123,574 in previously pre-committed 2022 Pay-As-You-Go funding (Fund 169) from the Sandwich (John Muir) Library project, ENG-003-18, to the respective item.

**Executive Summary:** N/A

**Background:**

On August 24, 2015, Council approved the following resolution;

CR160/2015

- I. *That City Council APPROVE the following elements of the Windsor Public Library Facilities Plan:*
  - a) *Construction of an addition to the Optimist Community Centre of approximately 6,500 square feet which will house the consolidation of the South Walkerville and Remington Branches, and any other branches which may be recommended by the Windsor Public Library Board, in consultation with Windsor City Council in the future;*
  - b) *Construction of an addition to Budimir Library of approximately 6,000 square feet;*
  - c) *Renovations to the former Sandwich Fire Hall for the purposes of creating a new Sandwich Library Branch; and*
  - d) *A future library branch at the Devonshire Mall; or in the South Windsor area as recommended by Libraries in Transition working in concert with Monteith Brown Planning Consultants, the location of which will be recommended by the Windsor Public Library Board in consultation with Windsor City Council;*
  
- II. *That the projects listed in recommendation I above be undertaken as follows:*
  - a) *Construction of the addition to Optimist Community Centre and the renovations to the Sandwich Fire Hall to be completed first; and*
  - b) *Concurrent with item II(a) above, completion of the architectural plans for an expansion to Budimir Library of approximately 6,000 square feet, such plans to be brought back to the WPL Board in order that a final decision with respect to the construction of the proposed addition can be considered once the renovations to the Sandwich Fire Hall as set out in clause II(a) above are complete and the issue of the location of a new branch in South Windsor as contemplated in item I (d) has been considered.*
  
- III. *That City Council RECEIVE AND APPROVE Resolution # IC 17-15 of the Windsor Public Library Board which states the following:*

*As recommended to City Council in 2013, complete the Optimist, Sandwich and Budimir renovations as soon as possible*  
*Consolidate the South Walkerville and Remington Park branches at the Remington Park Branch as soon as possible in order to allocate funds in the existing operating budget to the operation of a Bookmobile Service*  
*Library Administration BE DIRECTED to monitor the ongoing usage and performance of all branches and to provide annual updates to the Board*  
*To continue to seek leased space at the Devonshire Mall.*
  
- IV. *That \$7,907,000 BE CONFIRMED as the overall project budget for the various Windsor Public Library facility improvements at the following sites:*

- a) Addition to the Optimist Community Centre, \$2,463,000;
  - b) Addition to the current Budimir Library, \$2,217,000;
  - c) Renovations to the former Sandwich Fire Hall), \$2,518,000 and
  - d) Placeholder for a future branch in the South Windsor area, \$200,000;
  - e) Planned maintenance works for the Optimist and Budimir sites as identified in the 2015 Capital Budget 5 Year Plan in capital request ID's REC-004-07, HCP-002-07, WPL-006-11 and WPL-010-1 totalling \$319,000;
  - f) Previously approved capital works for Optimist Community Center refurbishments of \$90,000; and
  - g) Previously approved funding of \$100,000 for Riverside Library Roof and minor renovations.
- V. That, \$7,717,000 to fund the balance of these works BE FUNDED from:
1. Previously approved \$7.0 million placeholder within the 2014 Enhanced Capital Budget Plan(CR243/2013),
  2. Previously approved \$120,000 placeholder within the 2012 Capital Budget (M267/2012) for the construction of a pay and display parking lot on the former Sandwich Fire Hall #6,
  3. Pre-commitment of \$319,000 to the 2016, 2017 and 2019 capital budgets for maintenance works as detailed in REC-004-07, HCP-002-07, WPL-006-11 and WPL-010-1;
  4. Remaining funding balance of \$278,000 to be funded from the Library Development Charges Reserve Fund (Fund 122), subject to the outcome of the Canada 150 grant application;
- VI. That \$409,000 for planned maintenance works as detailed within REC-004-07, HCP-002-07, WPL-006-11 and WPL-010-11 identified for both Optimist and Budimir sites and that the respective budgets and scope BE TRANSFERRED AND COMPLETED as part of the Budimir & Optimist Expansion projects;
- VII. That the City Engineer or designate BE AUTHORIZED to issue requisite RFP(s) for consulting services, and that the Chief Administrative Officer and City Clerk BE AUTHORIZED to sign the requisite agreement(s) for such services, satisfactory in legal form to the City Solicitor, in technical content to the City Engineer and in financial content to City Treasurer; and
- VIII. That the City Engineer, together with the CEO of the Windsor Public Library, or designates BE AUTHORIZED to issue requisite tenders for the construction works required at each of the sites, and that subject to the tenders falling within the approved capital budget, that the Chief Administrative Officer and City Clerk BE AUTHORIZED to sign an agreement with the successful bidders, satisfactory in legal form to the City Solicitor, in technical content with the City Engineer, and in financial content to City Treasurer, and further, that the results of these tenders be subsequently reported to City Council for information purposes.

Further, on December 14, 2018, the Library Board adopted a special in-camera report regarding the temporary relocation of the WPL main branch to 185 Ouellette. On January 21, 2019, City Council adopted in-camera report respecting a property matter –



disposition of land (CR 10/2019). On February 25, 2019, Council adopted (CR 85/2019);

*That the confidential memo from the City Solicitor and Corporate Leader Economic Development and Public Safety, City Engineer and Corporate Leader Environmental Protection and Transportation and Chief Financial Officer/City Treasurer and Corporate Leader Finance and Technology respecting a property matter – purchase of land BE RECEIVED and that Administration BE AUTHORIZED TO PROCEED on the verbal direction of Council.*

An Executive Committee oversaw the overall transformation of the various changes to the Windsor Public Library Infrastructure Program. The Corporate Projects Division of the Engineering Department administered the four projects and worked closely with the Windsor Public Library, Information Technologies and Facilities Departments to achieve project objectives.

The following report provides a summary of each project and the results.

## **Discussion**

Each project scope was reviewed and assessed for effective and efficient delivery of the works. In order to save disruptions, time and cost, additional smaller facility repairs and maintenance projects were incorporated within the respective projects.

### **1. Chisholm Branch (7159012) – Building addition to the Optimist Community Centre**

In late 2015, Architecturra Inc. was awarded the contract (RFP #145-15) for the design, contract administration and construction oversight of the proposed works.

Prequalification No. 119-16 for general contracting services was issued on Monday, July 25, 2016 and closed on Tuesday, August 9, 2016 resulting in four (4) prequalified proponents.

The Request for Tender (RFT#144-16) for general contracting services was issued to all pre-qualified proponents on Thursday, September 1, 2016 and tenders were received on Monday, September 19, 2016.

DeAngelis Construction Inc. (now Fortis Group) was the low bidder at a base bid price of \$2,309,286 plus taxes. The results were reported to City Council via a Communication Report on Monday, November 21, 2016 (CR 708/2016).

The construction duration was approximately 12 months and was substantially performed on September 21, 2017.

Shortly after the library opened to the public, the need for additional signage was identified to direct patrons of both the library and community centre to the new shared facility entrance. Request for Proposal No. 131-18 for a new permanent electronic ground sign, closed on Wednesday August 22, 2018. Two

submissions were received and Roland's Sign and Lighting was the successful proponent. The scope of work included: the supply and installation of the new sign, including required power and data; the removal of the existing community centre ground sign; and final site restoration (interior and exterior). Construction of the sign commenced in late 2018 and was completed in early 2019. Site restoration was completed later that same year.

The facility is in full operations and the project is now complete with minor outstanding expenses and an estimated **surplus of \$167,308**.

## 2. **Budimir Branch (7159011)** - Building Addition & Renovation

In November of 2015, Architecturra Inc. was awarded the contract (RFP #145-15) for the design, contract administration and construction oversight of the proposed addition and renovation.

Prequalification No. 161-18 for general contracting services was issued on Wednesday, November 14, 2018 and closed on Thursday, November 29, 2018 resulting in five (5) prequalified proponents.

The Request for Tender (RFT#13-19) for general contracting services was issued to all pre-qualified bidders on Monday, January 21, 2019 and tenders were received on Tuesday, February 19, 2019.

Loaring Construction Inc. (now Sterling Ridge Contracting) was the low bidder at a base bid price of \$2,151,840 plus taxes, which fell within the approved capital budget for the Budimir Library project.

This project included \$200,000 as a placeholder for a future branch in South Windsor. After exploring various avenues, administration was not successful in reaching a lease arrangement for a temporary site. These funds were not spent or committed and are included in the surplus noted.

The construction duration was approximately 9 months and was substantially complete on December 19, 2019. The facility is in full operations and the project is now complete with minor outstanding expenses and an estimated **surplus of \$219,638**, including the placeholder noted above.

## 3. **John Muir Branch (7159013)**– Heritage Sensitive Renovation of the Sandwich Fire Hall

In March 9 of 2016, Studio g+G Inc. was awarded the contract (RFP #51-16) for the design and contract administration to convert the former Sandwich Fire Hall into a new heritage designated Library under the Ontario Heritage Act.

Prequalification No. 181-16 for general contracting services with heritage experience for the new John Muir Public Library was issued November 26, 2016 and closed on December 21, 2016 resulting in four (4) prequalified proponents.

The Request for Tender (RFT#100-17) was issued to all pre-qualified bidders and tenders were received on November 3, 2016.

Intrepid General Limited was the low bidder at a base bid price of \$4,318,748.76 plus taxes. The submission included a provisional price for the tower addition of \$331,769 plus applicable taxes. Therefore, the total bid price was \$4,650,517.76 plus applicable taxes (including the provisional tower). Council approved the additional funding required and award of tender through CR768/2017.

The construction duration was approximately 20 months and was substantially complete on September 30, 2019. The facility is in full operations and the project is in a warranty period until September 30, 2021 with minor expenses outstanding and an estimated **surplus of \$123,574**.

#### 4. **Main Branch (7182015)** - Temporary Relocation to the Paul Martin Building

In March 2019, Glos Architects was retained through City roster process to produce the Owner Statement of Requirements (OSR) for Design/Build the Paul Martin Building – Temporary Library main branch including contract administration and construction oversight work.

Prequalification No. 53-19 for Design/Build services was issued on April 20, 2019 and closed on May 9, 2019 resulting in four (4) prequalified proponents.

The Request for Proposal (RFP # 96-19) / OSR was issued to all pre-qualified bidders on June 18, 2019 and proposals were received on July 16, 2019.

Oscar Construction Limited was the lowest proponent at a base price of \$1,083,000.00 plus taxes, which fell within the approved capital budget for the PMB Library project. Council approved the award the contract through CR85/2019 dated February 25, 2019.

The construction duration was approximately 5 months and the work was substantially complete on January 10, 2020. The facility is in full operations and the project was completed on time and under budget. Additional expenses related to analysis of the Downtown Branch EOI currently underway are included in this project. This project has an estimated **surplus of \$88,513**.

Due to the collaboration with the WPL staff and various City departments, all four construction projects have been successfully completed well under budget and are now in full operations.

At the January 14, 2021 meeting, the Projects Executive Committee reviewed several options regarding the overall project surplus which are summarized below.

##### 1. Purchase a replacement Bookmobile:

The Windsor Public Library's Outreach mission is to enrich the community by delivering information, technology, resources and services to residents where they live, work and play. A large portion of outreach activities occur through the Bookmobile.

Bookmobile benefits the community by:

- Providing library services to marginalized or underserved populations or communities.
- Providing early literacy experiences to young children who may not otherwise visit a library.
- Testing potential sites for future libraries in underserved parts of the city such as South Windsor and North East Riverside.

Between 2016 and 2020, the bookmobile 'FRED' made over 4,000 stops annually across Windsor in parks, senior residences, housing developments and to home schoolers. However, after a third breakdown, the mechanics deemed the 2005 GMC C6500 truck unrepairable and it was permanently taken off the road.

2. Create a maintenance reserve fund:

This type of account has been created for various facilities in order to plan for the life cycle replacement of various building features. This would fund future maintenance of the new/existing library facilities and would result in a reduction in maintenance related capital budget requests in the future.

3. Transfer to the permanent downtown branch project:

The newly completed temporary downtown library was to take advantage of the opportunity for the sale of 850 Ouellette and address the short-term need to provide library services in the downtown core. Planning for the future main branch is underway and requires funding.

4. Return funds to the original funding sources:

This option is commonly used for completed projects and result in funding other projects. The funding source for each of these projects vary substantially and this option would result in apportioning the funds to the various accounts.

After extensive discussion, including the potential of allocating this funding to the Downtown Branch EOI currently underway, the committee agreed to provide a list of options for Council consideration.

Further, during a Windsor Public Library Board meeting held on August 10, 2021, a motion was passed to request the funding required to purchase a replacement Bookmobile.

As a result, Administration outlines the options for Council direction.

## **Risk Analysis**

There are no significant or critical risks associated with the recommendations in this report.

## Climate Change Risks

Climate Change Mitigation: N/A

Climate Change Adaptation: N/A

## Financial Matters

The following summarizes the project expenditures as of October 13, 2021.

EXPENSES DESCRIPTION	APPROVED BUDGET	Actual	Variance Surplus/Deficit
<b>1. Chisholm Branch</b>			
Fit-Up Costs	\$372,000	\$305,084	\$66,916
Construction Costs (including Contingency)	\$2,737,782 *	\$2,680,436	\$57,346
Miscellaneous (survey, events, financing, permits)	\$43,000	\$17,958	\$25,042
Professional Fees	\$315,800 *	\$297,796	\$18,004
SUBTOTAL	\$3,468,582	\$3,301,274	\$167,308
<b>2. Budimir Branch</b>			
Fit-Up Costs	\$260,000	\$185,053	\$74,947
Construction Costs (including Contingency)	\$2,358,000 *	\$2,463,319	(\$105,319)
Miscellaneous (survey, events, financing, permits)	\$57,000	\$12,116	\$44,884
Professional Fees	\$243,518	\$238,392	\$5,126
SUBTOTAL	\$2,918,518	\$2,898,880	\$19,638
<b>3. John Muir Branch</b>			
Fit-Up Costs	\$115,007	\$65,602	\$49,405
Construction Costs (including Contingency)	\$4,802,412 *	\$4,757,121	\$45,291
Miscellaneous (survey, events, financing, permits)	\$78,356 *	\$32,553	\$45,803
Professional Fees	\$487,080 *	\$504,004	(\$16,924)
SUBTOTAL	\$5,482,855	\$5,359,280	\$123,575
<b>4. South Windsor Branch</b>			
Ward 9 South Windsor Branch	\$200,000	\$0	\$200,000
<b>TOTAL : FACILITY IMPLEMENTATION PLAN \$11,869,955 \$11,559,434 \$510,521</b>			
<b>5. Main Branch</b>			
Fit-Up Costs	\$460,000 *	\$389,814	\$70,186
Construction Costs (including Contingency)	\$1,452,063	\$1,439,595	\$12,468
Miscellaneous (survey, events, financing, permits)	\$60,000	\$46,276	\$13,724
Professional Fees	\$290,000 *	\$297,865	(\$7,865)
<b>TOTAL: TEMP. RELOCATION OF MAIN BRAN</b>	<b>\$2,262,063</b>	<b>\$2,173,550</b>	<b>\$88,513</b>
<b>GRAND TOTAL \$14,132,018 \$13,732,984 \$599,034</b>			

\*Includes outstanding minor commitments

Note: some difference exist between the PeopleSoft budget and actual funding received due to the projects being funded by multiple sources including donations.

As noted, additional smaller facility repairs and maintenance works were incorporated within the respective projects for efficiency. These works as well as the additional approved budgets and funding has been included above.

Overall, the combined surplus is expected to be approximately \$600,000. A portion of the surplus funds is pre-committed funding for project 7159013 - John Muir Branch. Per CR768/2017, report C 233/2017, \$500,000 was pre-committed from F169 in 2022 for this project. Council direction will be required to re-assign these funds.

**Consultations**

Colleen Middaugh, Manager of Corporate Projects

Tina Italiano, Financial Analyst

Carrie McCrindle, Financial Planning Administrator

Adam Craig, Manager of Public Services, WPL

Christine Arkell, Manager of Public Services, WPL

Mike Dennis, Financial Manager – Asset Planning

Kitty Pope, CEO Windsor Public Library

Project Executive Committee

**Conclusion**

Each project was carefully executed, monitored and reported to the Executive Committee. The design goals were to ensure the efficient and functional use of each space while providing flexibility for the future. The projects were successfully completed within the specified timeframes and each within the approved budgets. The combined surplus is anticipated to be approximately \$600,000.

As noted in the report, the WPL Board is committed to continuing the bookmobile service to under serviced area as they feel it makes Windsor a better place to live, work and raise a family.

**Approvals:**

Name	Title
France Isabelle-Tunks	Senior Manager of Engineering/Deputy City Engineer
Chris Nepszy	Commissioner, Infrastructure Services
Ray Mensour	Commissioner, Community Services
Joe Mancina	Commissioner, Corporate Services

Name	Title
	CFO/City Treasurer
Jason Reynar	Chief Administrative Officer

**Notifications:**

Name	Email

**Appendices:**

**Subject: Additional Information regarding C104/2021 - Windsor Public Library - Facility Plan Implementation and Temporary Relocation of Main Branch - Project Completion Report - City Wide**

**Reference:**

Date to Council: January 31, 2022

Author: France Isabelle-Tunks

Senior Manager Engineering/Deputy City Engineer (519) 255-6100 x6402

ftunks@citywindsor.ca

Engineering

Report Date: 1/13/2022

Clerk's File #: ML/10013

To: Mayor and Members of City Council

**Additional Information:**

**Background**

An Additional Information Memo went before Council on December 20, 2021 which provided prices that various other municipalities have paid for their bookmobiles (refer to **Appendix A**). Given the short turnaround time it was difficult to obtain recent estimates/quotes related to costs for used versus new vehicles for a replacement bookmobile and limited information was provided. Council further directed Administration through the following resolution.

*Decision Number: CR577/2201, B33/2021*

*That the report of the Senior Manager of Engineering / Deputy City Engineer dated July 19, 2021 entitled "Windsor Public Library - Facility Plan Implementation and Temporary Relocation of Main Branch - Project Completion Report – City Wide" **BE REFERRED** back to administration to allow for administration to meet with Windsor Public Library administration to provide specific information related to funding for repair/renewal of the Bookmobile.*

**Discussion**

City Administration met with WPL Administration and consulted with the City's Fleet Operations Division (responsible for bookmobile maintenance), as well as various bookmobile vendors.



Further, on January 18, 2022, the WPL Administration provided an extensive report to the WPL Board regarding the purchase of a new bookmobile. A copy of the WPL Board Report, dated January 11, 2022, is attached in **Appendix B** for reference.

Through these consultations, additional information is summarized into three categories below.

## 1. Repairs/renewal of the existing bookmobile

The City's Fleet Operations Division confirmed that the existing bookmobile was removed from service late 2020. It had become impossible to source parts to repair the bookmobile, as the manufacturer is no longer in business and the chassis had been compromised as a result of two previous repairs to the crown and pinion front drive axle. Further details on the condition of the existing bookmobile are outlined in the attached memo from the Manager of Fleet Operations (refer to **Appendix C**). There is a potential option to work with a recently identified vendor from the United States to fabricate a custom ring and pinion set, however following this repair, additional diagnostic testing will be required, and there is a high potential that further repairs be needed for safe operations. The estimated costs for the ring and pinion repair is approximately \$15,000, excluding tax. In addition, based on the age of the unit, there's a high probability it will require significant repairs to the engine, transmission and transfer case which is estimated at approximately \$100,000.

It's worth noting that the FRED was fabricated in 2005 and a typical lifespan for a bookmobile can range between 15-20 years. The following risks have been identified with this option:

- Inconsistent Level of Service – it is likely that the unit will require ongoing repairs resulting in various breaks in service.
- Additional Costs – it is likely that additional maintenance costs will be incurred following the initial repairs as shown in the last few years. The unit is near the end of its useful life and the true extent of the future repairs is largely unknown.

## 2. New bookmobile options

Bookmobile vehicles are specialty vehicles that require more than the average car/truck. The factors that influence the purchase price of a new bookmobile includes, but are not limited to, the size (overall length), make/model (gross vehicle weight rating and chassis), collection size, electric/diesel, interior/exterior finishes which includes insulation in the walls, ceilings & floors, and electrical, audio/visual & networking requirements.

As the WPL has already established their clientele based on the features of FRED (i.e. 30 foot GMC C6500 diesel fueled step-up truck with a gross vehicle weight rating of 28,000lbs), City Administration used this as a benchmark when soliciting quotes for replacement bookmobile. The below table summarizes the quotes received in January

2022 for a new custom-built bookmobile, which meets the WPL’s criteria and has similar features to FRED.

	Description	Length (feet)	Weight (lbs)	Diesel vs Electric	Quote (\$2022 CA) (excl. tax & delivery)
1	Freightliner MT55 Strip Chassis	30’ long	30,000	Diesel	\$510,000
2	Freightliner MT55 Strip Chassis	30’ long	Not provided <sup>1</sup>	Electric	\$850,000

<sup>1</sup> The electrical vehicle version is significantly lower in weight capacity than the diesel version. WPL would need to further evaluate this option to determine whether this limits the intended functionality of the bookmobile, and becomes unviable.

WPL Administration has also undertaken some research on the purchase price for a new bookmobile. Their findings are detailed on page 7 of the WPL Board Report, in **Appendix B** which are consistent with the pricing noted above.

In summary, the average price for a new 30 foot Step-Up van/truck bookmobile ranges between \$510,000 and \$850,000. This option would provide the most viable value-for-money if this service level is directed from Council.

### 3. Pre-owned options

Although it is possible to find a pre-owned bookmobile, according to the bookmobile vendors, it is rare to find a viable bookmobile for sale. Owners tend to keep vehicles until they are closer to the end of their life cycle.

Only one vendor consulted had a pre-owned bookmobile available at this time. It is a 2001, 25,000lbs, diesel, Thomas Bus Bookmobile with 91,000km and it is located in Ohio, Illinois. The vendor identified that significant work is likely required to retrofit this vehicle, including body repairs, potential engine replacement, and other potential upgrades to ensure AODA compliance. The cost provided for this pre-owned option is \$50,000 USD excluding taxes, duty and transportation. This estimate does not include any repair costs or retrofitting expenses, which could cost upwards of \$150,000 CAD. A warranty is not included. This option is not recommended as the financial and operational risks are significant, particularly since it is nearing the end of traditional life cycle of a unit and the life expectancy would be largely unknown.

As an alternate option, WPL Administration consulted with Transit Windsor regarding refurbishing a former bus into a bookmobile. The reported estimated cost to refurbish a bus can range between \$300,000 and \$450,000 and would have an expected lifespan of 8-10 years. Transit Windsor has advised that a spare bus may not readily be available at the present time.

Retrofitting a van/truck is not viable since the weight capacity for a bookmobile needs to be greater than 26,000 lbs. The standard weight capacity for a van or truck ranges between 6,000 to 9,000 lbs which is insufficient.

## Summary

In order to compare the options, the table below provides a summary of the various options considered including a breakdown of the estimated annual costs based on the lifespan of the asset.

Options	Purchase	Estimated Repair /Retrofit	Estimated Life of Asset	Amortization per year (straight line)	Estimated Maintenance Cost per year	Total Estimated Cost per Year <sup>4</sup>
Repairs existing Bookmobile	n/a	\$15,000 + \$100,000	7 years	\$16,428	\$20,000	\$36,428
New bookmobile (Diesel)	\$600,000	n/a	20 years	\$30,000	\$10,000	\$40,000
New bookmobile (Electric)	\$850,000	n/a	20 years	\$42,500	\$10,000	\$52,500
Pre-owned bookmobile	\$85,000 CA <sup>1</sup> (\$50,000 USD)	\$150,000 CA <sup>2</sup>	7 years	\$33,571	\$20,000	\$53,571
Refurbished Transit Bus	n/a	\$450,000 <sup>3</sup>	7 years	\$64,285	\$20,000	\$84,285

<sup>1</sup> Based on an assumed exchange rate, duty, taxes and transportation fees.

<sup>2</sup> Estimated cost of repair for the pre-owned bookmobile (i.e. body repairs, engine works, AODA improvements, etc.)

<sup>3</sup> Estimated cost to repair and retrofit an existing transit bus into a bookmobile (if supply is available)

<sup>4</sup> The last column summarizes the estimated total depreciation plus maintenance costs anticipated per year. This should be evaluated in conjunction with the expected useful life of the asset.

**Consultations:**

Kitty Pope, CEO Windsor Public Library

Angela Marazita, Manager of Fleet Operations

Josie Liburdi, Corporate Projects

Colleen Middaugh, Corporate Projects

Carrie McCrindle, Finance

**Conclusion:**

The additional information is provided for Council’s consideration.

**Approvals:**

Name	Title
France Isabelle-Tunks	Senior Manager Engineering / Deputy City Engineer
Chris Nepszy	Commissioner, Infrastructure Services
Ray Mensour	Commissioner, Community Services
Joe Mancina	Commissioner, Corporate Services, CFO/City Treasurer
Jason Reynar	Chief Administrative Officer

**Appendices:**

- 1 Appendix A - Additional Information Memo, AI 23/2021, December 20, 2021 (9 pages total)
- 2 Appendix B - Windsor Public Library Board Report – Purchase of a New Bookmobile Report #2, dated January 11, 2022 (29 pages total)
- 3 Appendix C – Memo from Manager of Fleet Operations, Repair to Existing Bookmobile Unit #0944 (1 page total)

**Subject: Additional Information regarding C104/2021 - Windsor Public Library - Facility Plan Implementation and Temporary Relocation of Main Branch - Project Completion Report - City Wide**

**Reference:**

Date to Council: December 20, 2021  
Author: France Isabelle-Tunks  
Senior Manager engineering/Deputy City Engineer  
(519) 255-6100 x6402  
ftunks@citywindsor.ca  
Engineering  
Report Date: 12/14/2021  
Clerk's File #: ML/10013

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

**Additional Information:**

**Background:**

As outlined in Council Report C104/2021, Administration requires direction from Council on how to allocate the surplus funding of approximately \$600,000 from the Windsor Public Library (WPL) construction projects. At the special meeting of Council on Monday, December 13, 2021, Administration was directed to provide additional information regarding the potential purchase of a new bookmobile (aka FRED).

*Decision Number: B33/2021*

*That the report of the Senior Manager of Engineering / Deputy City Engineer dated July 19, 2021 entitled "Windsor Public Library - Facility Plan Implementation and Temporary Relocation of Main Branch - Project Completion Report - City Wide" **BE REFERRED** back to Administration to provide more information related to costs for used versus new vehicles for a replacement Bookmobile; and,*

*That Administration **BE DIRECTED** to provide this information to City Council at the December 20, 2021 Council meeting.*

There is no report readily available to provide Council that would outline the varying costs of a bookmobile (new or used), but the WPL Board meeting minutes from June 2020 listed prices that other municipalities have paid between 2018 and 2020. Unfortunately, the purchase prices provided do not detail the options included in those bookmobiles which would greatly affect the price (similar to purchasing a personal vehicle). The factors that influence the purchase price of a new bookmobile include, but

are not limited to, the size, model, electric versus diesel, availability, collection size, anticipated usage, IT requirements, etc.

The original FRED bookmobile is a 2005, 30 foot GMC C6500 diesel fueled truck specifically retrofitted as a bookmobile with a gross weight of 12,000kg. Based on information provided by the Windsor Public Library it is estimated that it will cost approximately \$100,000 to \$105,000 to operate the new bookmobile (including staff, maintenance and fuel). The WPL would be interested in purchasing a similar sized bus and would particularly be interested in an electric model for environmental reasons which would result in an estimated annual maintenance cost of \$3,000 per year to maintain versus an estimated \$10,000 per year for a diesel fueled model. There are sufficient funds in the current WPL operating budget for operating and maintenance of a new bookmobile.

If Council chooses the option to allocate the surplus funding towards the purchase of a bookmobile, the WPL would ensure to purchase a unit that would not require additional Capital funding from the City.

The WPL Board Meeting minutes from June 8, 2021 are attached (Appendix A) and they provide more detailed information regarding the usage of the bookmobile. For ease of reference the following information regarding the cost of new bookmobiles from the Board meeting minutes have been highlighted below:

***Other Libraries Costs to Purchase a new Bookmobile:***

Kamloops Public Library (Diesel) 36' long truck side and back extenders  
**\$500,000 - 2018**

Fort Vancouver Regional Libraries (Diesel) 28' long truck on a Freightliner chassis  
**\$340,400 - 2018**

Ottawa Public Library (Diesel) 40' long Coach on a Freightliner bus chassis  
**\$780,000 - 2020**

Oakland Public Library (Electric) 27' long truck on a Ford E-450 chassis with liftable side panels  
**\$630,000 - 2018**

Sacramento Public Library (Electric) 27' long truck on a Ford E-450 chassis  
**\$630,000 - 2020**

Given the short turnaround time from Council's request and this Additional Information Memo, there has only been time to do a short internet search for pre-owned bookmobiles within North America. There appears to be several models ranging in size, year, kilometres, layouts, and price (e.g. \$50,000 to \$100,000 USD). More research would be required to determine if any of those available models would meet with the WPL's needs.

**Consultations:**

Kitty Pope, CEO Windsor Public Library

**Conclusion:**

If Council wishes for more recent estimates for new bookmobiles and/or exploration of pre-owned/renovation options, Administration would need to procure quotes with varying options from suppliers. Administration can begin this process immediately and return to Council with a report in the first quarter of 2022 with the results.

**Approvals:**

Name	Title
France Isabelle-Tunks	Senior Manager Engineering/Deputy Engineer
Chris Nepszy	Commissioner, Infrastructure Services
Ray Mensour	Commissioner, Community Services
Dan Seguin	On behalf of Commissioner, Corporate Services, CFO/City Treasurer
Jason Reynar	Chief Administrative Officer

**Appendices:**

- 1 Appendix A - Windsor Public Library Meeting Minutes

Windsor Public Library Board  
**2021 Bookmobile Planning Report**  
 Tuesday, June 8, 2021

**1. OBJECTIVES:**

To present the Windsor Public Library Board with information and plans to purchase a new Bookmobile.

**2. BACKGROUND:**

Windsor Public Library's Outreach mission is to enrich the community by delivering information, technology, resources and services to Windsor residents where they live, work and play. Large portions of outreach activities over the last four years have occurred through the Bookmobile (FRED).

Bookmobile service benefits the community by:

- Providing library services to marginalized or underserved populations or communities.
- Increasing awareness of library services.
- Building valuable relationships with individuals and organizations.
- Providing early literacy experiences to young children who may not otherwise visit a library.
- Increasing awareness amongst library staff as to challenges and opportunities faced by the community.
- Testing potential sites for future libraries in underserved parts of the city such as South Windsor and North East Riverside.

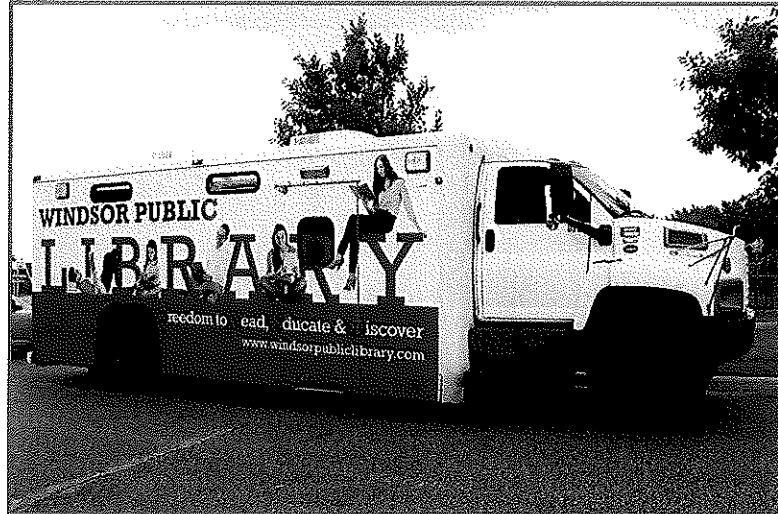
Bookmobiles are part of the library service plans for numerous other library systems in Ontario including Hamilton, Toronto, Ottawa, Detroit and Guelph.

FRED was a 2005 GMC C6500 truck specifically retrofitted as a bookmobile with a gross vehicle weight of 12,000 kg. It was purchased from the Guelph Public Library in the summer of 2016 for \$15,000. The Windsor Public Library Board wanted to test the potential of launching a mobile library service especially in underserved communities and neighbourhoods. It carried a rotating collection of 1,900 items including books, DVDs, graphic novels and audio books. FRED also housed unique resources including a tool lending library and Playaway Launchpads.

	2020 (Jan-Mar)	2019*	2018	2017
Approx. distance travelled	1,450 km	5,900 km	5,950 km	5,750 km
Circulation	1,278 items	5,907 items	6,229 items	4,770 items
Library cards made	43	1,196	435	236
Bookmobile stops	79	349	296	272

*\*FRED was off the road for nearly 2 months total in 2019 for major repairs.*





Between September 2016 and March 2020, FRED engaged in a wide variety of events and stops bringing library services to the community. Regular stops on a three-week rotation included community housing, retirement homes, neighbourhood parks, schools and other day programs. Popular events included parades, Bright Lights, Open Streets, Meet-a-Machine, and a series of high school visits as part of the Run for Rocky Legacy Project. FRED was used heavily during WPL construction projects or unexpected branch closures to avoid stops in library services. With its distinctive wrapping and clear branding, FRED was also an advertisement for WPL services each time it was on the road.

During the early months of the COVID-19 pandemic, FRED and a team of dedicated staff provided contactless home delivery service, which served as a lifeline for many in our community. Unfortunately, at the end of May 2020, FRED suffered a broken crown and pinion for the front drive axel. After extensive research, the mechanics deemed the truck unrepairable and it was permanently taken off the road. A short video capturing the many aspects that FRED had on the community can be seen [here](#).

### **3. OPTIONS FOR A NEW BOOKMOBILE:**

In preparation for purchasing a new bookmobile, the following data has been compiled.

The vehicle used as a bookmobile must be:

- Heavy duty to withstand the weight load of 2,000 books, plus 6-7 adults
- Cost effective to operate and maintain
- AODA compliant
- Maneuverable in tight spaces

In selecting a bookmobile there are a wide variety of options to consider:

#### **TYPE OF VEHICLE**

Library bookmobiles come in a variety of types and sizes with the final choice dependent on cost, availability, local road conditions, collection size, anticipated usage and IT requirements.

Types of Vehicles	
Vans	Low cost, easy to drive but very limited in terms of space and collection size.
Cutaways	Cost effective but minimal weight capacity and limited length (often use pick-up truck base).
Step Vans	Moderate costs but higher floor limits accessibility; longer than van but still limited in terms of length and collection size (ex UPS).
RVs	Limited in terms of weight capacity but may be operated with a Class G License.
Buses	Heavy duty and very maneuverable but curved sidewalls, intrusive wheel arches and low headroom are not ideal for collections and visitors.
Trucks	Come in multiple configurations with light & efficient bodies and are generally cheaper than buses but the cab is single purpose and trucks may have a wider turn radius.
Semi-Trailer	While they have ample room for collection and people, trucks are more difficult to park in tight locations and not ideal for narrow urban streets.

Recommendation: The type of vehicle will be dependent on the fuel option selected. If electric, the recommendation would be for either a bus or RV-style bookmobile due to their availability and drivability. If diesel is selected as the preferred fuel type then a truck-based bookmobile would be the recommendation.

### **DIESEL vs ELECTRIC**

Bookmobiles carry heavy loads (over 6,000 lbs.) but travel less than 8,000 km/year. While diesel is certainly the most common fuel source for mid to large-sized bookmobiles, some libraries around the world are turning to electric options for their new bookmobiles. Unfortunately, since the number of fully electric bookmobiles on the road is small, it is difficult to find clear comparisons between the two options. Still, a discussion about some of the general benefits and drawbacks to diesel and electric options can be helpful:

#### **➤ Fuel & Maintenance**

- Approximate FRED Fuel, Maintenance and Repair costs:
  - 2018: \$25,900
  - 2019: \$31,500
- North American Council for Fuel Efficiency's *High Potential Regions for Electric Trucks Data Analysis Tool – Canada (2020)* estimates a cost savings of \$0.22 per km in Ontario for an electric truck over a diesel-fueled one. An average annual mileage of 7,000 km could save over \$1,500 in fuel costs each year.
- Electric vehicles have fewer moving parts, require no oil changes or spark plugs, and experience less strain on brakes. However, they do still occasionally require minor maintenance such as tire rotations and windshield wiper replacement.
- Fewer days off road for repairs and maintenance would lead to more direct hours of customer service with an electric vehicle.
- [Plugincanada.ca](http://Plugincanada.ca) reports that an electric bus could save up to 40% (or \$20,000) annually in maintenance costs over a diesel-fueled vehicle.

- 2016 Columbia University Study placed the lifetime cost of an electric bus at \$1.18 million (US) and that of a diesel bus at \$1.35 million (US).

➤ **Daily Operations & Infrastructure**

- Overnight parking and a charging station would be required. Estimated costs for charger installation range from \$40,000-\$80,000. The Canadian Government's Zero Emission Vehicle Infrastructure Program is a potential funding source for charger installation.
- Electric vehicles are quiet and emission-free which would enable the bookmobile to park for longer periods in sensitive areas such as parks and schools without worry of noisy or polluting generators.

➤ **Public Relations**

- Investing in leading edge, sustainable technology is likely to lead to more interest in the Bookmobile service from the general public as well potential donors or sponsors.
- Enhances the marketability of promoting the service and can trigger some innovative ad campaigns.

➤ **Sustainability**

- Electric vehicles in the fleet tie into the City of Windsor's 2017 Environmental Master Plan, which references "fostering the adoption of electric vehicles" and developing "an electric charging strategy for electric vehicles".

**OTHER CONSIDERATIONS**

- Maximum capacity in terms of public
- Accessibility and number of entrances
- Number of staff/seats/workstations required
- Layout, configuration & interior finishes
- Graphics & wrapping
- IT equipment and requirements including Wi-Fi hotspot
- Driver license & insurance requirements
- Safety requirements

	ELECTRIC		DIESEL	
	PROS	CONS	PROS	CONS
<b>Fuel</b>	<ul style="list-style-type: none"> <li>▪ Emission-free</li> </ul>	<ul style="list-style-type: none"> <li>▪ Requires charging station</li> </ul>	<ul style="list-style-type: none"> <li>▪ Fueling infrastructure already exists</li> </ul>	<ul style="list-style-type: none"> <li>▪ Variable cost of fuel</li> <li>▪ Approx. \$5,000 annually</li> </ul>
<b>Maintenance/Repair</b>	<ul style="list-style-type: none"> <li>▪ Very few moving parts</li> <li>▪ No oil changes, spark plug replacements, etc.</li> <li>▪ Est. annual maint. costs \$1,500</li> </ul>	<ul style="list-style-type: none"> <li>▪ Mechanics may have to undergo training specific to electric vehicles</li> </ul>	<ul style="list-style-type: none"> <li>▪ Mechanics' familiarity with internal combustion engines</li> </ul>	<ul style="list-style-type: none"> <li>▪ Average annual maint. costs can range from \$4,000 to \$15,000 towards end of vehicle life</li> </ul>

<b>Drivability</b>	<ul style="list-style-type: none"> <li>▪ Quieter, less vibration</li> <li>▪ Faster acceleration (instant torque)</li> </ul>	<ul style="list-style-type: none"> <li>▪ Possibility of range anxiety</li> </ul>	<ul style="list-style-type: none"> <li>▪ More power post-acceleration</li> </ul>	
<b>Purchase Cost</b>	\$630,000		\$253,000-\$780,000	
<b>Other Considerations</b>	<ul style="list-style-type: none"> <li>▪ Supports City Environmental Master Plan</li> </ul>	<ul style="list-style-type: none"> <li>▪ Contingency for power outages</li> <li>▪ Battery disposal</li> </ul>		

Recommendation: Assuming funding is available for the purchase cost and installation of a charging station, the electric option is recommended due to the long-term benefits listed above.

#### 4. COSTS:

Bookmobiles vary widely in cost, from stripped-down delivery vans to fully equipped, state-of-the-art buses or trucks with extenders. Base costs vary widely depending on the type as well the other considerations mentioned in section 3. Fuel source (diesel vs electric) can also have a large impact on the final cost. The chart below gives approximate costs for both diesel and electric-powered bookmobiles recently purchased by public libraries.

MAKE/MODEL (Description)		Reported Cost	Year
<b>DIESEL</b>			
Kamloops Public Library	36' long truck side and back extenders	\$500,000	2018
Fort Vancouver Regional Libraries	28' long truck on a Freightliner chassis	\$340,400	2018
Ottawa Public Library	40' long Coach on a Freightliner bus chassis	\$780,000	2020
<b>ELECTRIC</b>			
Oakland Public Library (MOVE)	27' long truck on a Ford E-450 chassis with liftable side panels	\$630,000 approx.	2018
City of Gothenburg Library (Sweden)	Volvo 7900 Electric Bus	N/A	2020
Sacramento Public Library (to be delivered summer 2021)	27' long truck on a Ford E-450 chassis	\$630,000 approx.	2020

#### 5. PROVIDERS/VENDORS:

While not an exhaustive list, the following vendors are known to build electric specialty vehicles such as bookmobiles:

- **Summit Bodyworks** (Colorado) – mention electric options for bookmobiles on their website
- **Motiv Power Systems** (California) – creators of Oakland Public Library MOVE bookmobile & other electric specialty vehicles
- **Volvo Buses** – offers a fully electric bus though appears to be only European Market

- **Winnebago Specialty Vehicles** (Iowa) – builds a fully electric Class A coach (RV)
- **ARBOC Specialty Vehicles** (Indiana) – offers an electric, low-floor bus
- **Lion Electric** (Quebec) – builds a line of electric specialty trucks as well as electric midi/minibuses.

**6. FUNDING:**

WPL Administration has been researching a variety of funding sources including government grants. However, the most promising funding source are the funds remaining in the capital budget for the three WPL building projects (W.F. Chisholm, John Muir and Budimir), which is approximately \$500,000. Based on the WPL Facilities Plan and Council Report 17894 ML/10013 funding for the bookmobile could be accessed from the building project. A report to Council on these projects is expected in August.

Once funding has been finalized, WPL will work with the City to immediately start the procurement process. It is expected to take at least 12 months from order to receipt of a vehicle

**7. PROCUREMENTS:**

The purchase of a new Bookmobile would follow all guidelines laid out by the City of Windsor Purchasing Bylaw and be supported by the City Purchasing Department. The expertise of staff and mechanics at Crawford Yard would also be instrumental when drafting the RFP since ultimately they will be responsible for maintaining the vehicle.

**8. RECOMMENDATION:**

Moved by \_\_\_\_\_ Seconded by \_\_\_\_\_  
 THAT the Windsor Public Library Board accept the 2021 Bookmobile Planning Report as presented.

Prepared by:  
 Christine Rideout-Arkell, Manager, Public Services  
[carkell@windsorpubliclibrary.com](mailto:carkell@windsorpubliclibrary.com)

Windsor Public Library Board  
**Purchase of a New Bookmobile Report # 2**  
Tuesday, January 18, 2022  
**As Amended**

**1. OBJECTIVES:**

To provide the Windsor Public Library Board with the background, issues and recommendations to purchase a new Bookmobile.

**2. BACKGROUND:**

The purchase of a Bookmobile is a complex endeavor. A Bookmobile needs to:

- Carry resources and people, requiring a Class 7 30,000 lb. chassis like a garbage truck or moving van. In comparison, a full size pick-up truck has a gross vehicle weight rating of 9,000 lb.
- Include a diesel generator and 12 volt DC electrical system for heat and air-conditioning while the vehicle is parked and providing service.
- It is a workplace and a public space requiring specific safety and security accommodations with 2 work areas and Internet connections.
- Needs to be wheelchair accessible with a lift or ramp.
- Be modified to include secured aluminum shelving to accommodate 2,000 library resources.

All of these requirements result in a Bookmobile needing specific modifications on a very sturdy chassis, and therefore costs more than a remodeled RV, school bus or delivery van.

City Council Report 16861 ML/10013 of December 2013 proposed the purchase and implementation of a Mobile Library Bookmobile Service to serve the underserved and unserved areas of Windsor.

Consequently, after considerable planning in 2016, a used Bookmobile was purchased from the Guelph Public Library for \$15,000. FRED (which is short for

the **F**reedom to **R**ead, **E**ducate and **D**iscover) was a 2005, 30 ft. diesel GMC C6500 step-up truck specifically designed as a Bookmobile with a Class 7, gross vehicle weight of 28,000 lb. Funds to purchase the vehicle were accessed from the WPL Capital Reserve Fund.



With its distinctive wrapping and clear branding, FRED was a rolling advertisement for WPL each time he was on the road. Between September 2016 and March 2020, FRED had regular stops and events on a three-week schedule which included community housing, retirement homes, parks, schools and day programs across the city. Community events included: parades, Bright Lights, Open Streets, Meet-a-Machine, and a series of high school visits as part of the Run for Rocky Legacy Project. FRED was also used during WPL construction projects and unexpected branch closures to avoid stops in library services. During the early months of the COVID-19 pandemic in 2020, FRED made contactless home deliveries, which served as a lifeline to those home schooling or confined to their residence.

FRED provided mobile library service to over 20,900 residents for 39 months, from 2016 to May 2020. He travelled 21,000 km, made 996 stops and shared over 21,184 resources, including books, CDs, tools and audiobooks.

<b>FRED Operating Costs - 2016 to 2020</b>					
	<b>2016 *</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020 *</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
Driver #1 (Part-time)	22,442	17,552	27,114	25,623	31,592
Driver #2 (Part-time)	-	25,957	29,386	26,454	31,559
Supply Staff	9,600	29,640	32,240	31,000	6,820
Maintenance, Fuel & Parts	8,351	14,473	23,482	28,074	3,121
Repairs	-	-	20,831	21,376	-
<b>Total</b>	<b>40,393</b>	<b>87,622</b>	<b>133,053</b>	<b>132,527</b>	<b>73,092</b>

Notes: \* reflects 3 months operation

In a Bookmobile over 10 years old, replacement parts become a real issue, particularly in this case, as the South Carolina manufacturer is no longer in business. FRED in his last year, was off the road 62 days being repaired numerous times for a variety of issues at a total cost of \$21,376. Unfortunately, at the end of May 2020, FRED suffered broken crown and pinion gears for the third time and was deemed undrivable and unrepairable by the City's Operations Department (See Appendix A). Over the next 7 months, the following actions were taken:

- Crawford Yard scoured North America for replacement parts.
- WPL worked with the University of Windsor as they researched potential options to fabricate a crown and pinion front drive axel. They found no viable options.
- WPL then tracked down the mechanic who had fabricated the second crown and pinion front drive axel 9 years ago, but he could not fabricate a third axel because the chassis had been compromised beyond repair.

The result being, in December 2020, FRED was deemed beyond repair and permanently removed from service. FRED had a huge impact on the community, click [here](#).

In 2021, the Executive Committee overseeing the WPL Facility Implementation Plan Project recommended the \$608,000 project surplus be directed to the purchase of a Bookmobile; in



part to service the unserved areas in South Windsor referenced in the 2013 Facility Plan, because a Devonshire Mall location was impossible. In anticipation of this, on August 17, 2021, the WPLB authorized the purchase a new Bookmobile.

48.21	<b>Moved:</b>	H. Dougal	<b>Seconded:</b>	J. Gill
	<p>THAT the Windsor Public Library Board authorize the purchase of a new Bookmobile to serve the unserved and underserved areas of the City of Windsor. Funding accessed from the unspent surplus from The Library Facility Implementation Plan, which supported the building of the Chisholm Branch at a cost of \$3,301,274; the renovation of the Sandwich Fire Hall into the Muir Branch at a cost of \$5,359,129 and the expansion of the Budimir Branch at a cost of \$2,898,880.</p> <p><b>CARRIED</b></p>			

On December 13, 2021, Report C104/2021 was presented to City Council, recommending four options, including the purchase of a new Bookmobile. However, the report was referred back to City Administration for more information. On December 20, 2021, Report A123/2021 was presented. The decision was deferred, as additional information was requested regarding purchase options. On January 18, 2022, to address these issues, WPL Administration will present the *Purchase of a New Bookmobile Report #2*, to the WPLB for their consideration and then forward to the City.

The City of Windsor Engineering Department is also working on a report responding to Council questions; expected to be before Council in February.

### 3. ISSUES and RECOMMENDATIONS

#### a) Purchase a New or Used Bookmobile

When purchasing a new or used Bookmobile the following issues need to be considered:

- The total purchase price, including taxes, duty and transportation
- Age, size and condition of the vehicle
- Existence of any remaining warranties and a service log
- Whether the vehicle requires modifications or reconfiguration
- The miles driven are not as important as the weight on the chassis. The integrity of the steel and condition of the chassis are the most important factors when estimating the ultimate life expectancy of a used Bookmobile.

When asked about purchasing used vehicles, City Fleet Coordinator Chad Goebel responded in an email,

*“We do purchase used vehicles on occasion but they are generally gently used demonstration models, less than one year old with existing warranties. Trucks in general can be difficult to source parts for after they are 8-10 years old and older, custom vehicles can be even harder to deal with in this regard.”*

(See Appendix A for the complete email.)



The Association of Bookmobile and Outreach Services, of which WPL is a member, also refers to the many unknown challenges when purchasing a used Bookmobile <https://abos-outreach.com/>.

Currently there are no used Bookmobiles for sale in Canada, and very few in the U.S. (See Appendix C.)

Recommendation: Bookmobiles are not sold while still functional. They are traditionally used until they are no longer roadworthy, like FRED. Based on industry advice, City staff and Bookmobile owners, WPL Administration recommends *not* purchasing a used vehicle. The risk is too great and the life expectancy largely unknown.

**b) Rehabbing a Bus into a Bookmobile**

WPL needs a Bookmobile that is 28 - 32 ft. long, small enough to get into parking lots but large enough to accommodate the weight of 2,000 books, videos, shelving, technology, 2-3 customers and 1-2 employees.

Transit Windsor currently has five city buses that are awaiting disposal, but they have been stripped of useable parts and are slated for scrap, i.e., they are beyond repair and are not roadworthy.

In September 2022, Transit Windsor will have 24 buses available (each 40 FT in length or greater) for disposal. For example:

- 2002 and 2004-model OBI Orion VII (OBI is out of business and parts are scarce)
- 2005 Nova Bus LFS: fair to poor condition
- 2009 New Flyer DE40LF Hybrid: maintenance issues, i.e. a transmission is \$250,000, and replacement batteries are \$320,000, which need replacement every 8 years.

In October 2021, Tyson Cragg of Transit Windsor wrote, *“Anything I have for sale is being disposed of because they are well beyond their design life. While some of these could have a second life, they would require extensive refurbishment/rebuild. A life-cycle extension refurb (engine, transmission, paint, interior conversion) would run you approximately \$300,000, based on a recent estimate we got from MTB Transit Solutions (major transit bus refurb company based in Milton).*

(See Appendix B for the complete email.)

The estimated cost to rehab a City bus into a Bookmobile would be \$300,000 - \$450,000, depending on the condition of the chassis and interior, plus the viability of the access ramp or lift. The life expectancy of a rehabbed Bookmobile is 8-10 years. A new Bookmobile at a cost of \$600,000 - \$800,000, depending on the model and fuel source, has a life expectancy of 22-25 years.

Recommendation: Listening to the experts, WPL Administration does *not* recommend rehabbing a City bus into a Bookmobile, because they are too large and the outcome may be short lived.

**c) Importing a Bookmobile**

There are at least 10 Bookmobile vendors in Canada and the U.S. (See Appendix C). In estimating the cost of importing a Bookmobile from the U.S., the following costs need to be considered:

**Step 1:** Can the vehicle be imported

Confirm that the Registrar of Imported Vehicles (RIV) and Transport Canada have deemed the vehicle importable. Many vehicles can be brought in “as-is,” while some will need metric odometers installed and daytime running lights added. [This is a comprehensive list](#) of vehicles that can and cannot be imported.

**Step 2:** Verify the authenticity of the vehicle title

There must be a clear title and ownership to import a vehicle into Canada. There must also be proof that the title has not been “washed”, that it is accurate and not been altered in any way.

**Step 3:** Get an International Transit Number (ITN)

Since 2017, an ITN is required to export / import a vehicle into Canada. A licensed importer will apply for an ITN, which requires the following:

- A digital scan of the front and back of the title
- Value of the vehicle and bill of sale
- Full Canadian address
- Phone number
- Canadian passport number of the importer

**Step 4:** The 72-hour export rule

Before importing a vehicle into Canada, it has to be exported from the U.S. The importer must contact the U.S. border crossing at least 72 hours before presenting with the vehicle to be exported and present:

- A digital scan of the complete title
- The Internal Transit Number (ITN)

**Step 5:** Import duties and taxes

The following taxes and duties may or may not be applicable:

- Goods & Services Tax (GST): any vehicle (new or used) imported into Canada is subject to a GST tax of 5%.
- Provincial Sales Tax (PST): once a vehicle is successfully imported, a provincial sales tax is payable at the time of registration. The PST sales tax in Ontario is 8%.

- Import Duty: this is only applicable to non-NAFTA vehicles and is calculated at 6.1%. NAFTA vehicles have been manufactured or have been assembled in Canada, the US or Mexico with a minimum of 55% content. A NAFTA vehicle is exempt of ANY tariffs, duties or taxes when sold in Canada, the U.S. or Mexico.
- Air Conditioning Tax: if the vehicle has air conditioning, a \$100 Air Conditioning tax is also payable.
- Excess Weight Tax: excise taxes are payable on a vehicle that weighs more than 2,007 kilograms or 4,425 pounds.
- Gas Guzzler Tax: on March 19, 2007 the Canadian Federal government introduced an excise tax on fuel-inefficient vehicles. This applies to all new vehicles purchased in Canada or imported from the U.S. and ranges from \$1,000 to \$4,000 depending on fuel consumption.

**Example:**

To purchase a 12 year old vehicle, costing \$50,000 USD, located 200 miles from the Canadian border.	
Vehicle Value for Customs in Canadian \$ (at an exchange rate of 1.2846)	\$64,230
Goods and Service Tax (GST) 5%	\$3,212
Provincial Sales Tax (PST) 8%	\$5,138
Air Conditioning Tax	\$100
Gas Guzzler Tax (estimate)	\$4,000
Internal Transaction Number (ITN)	\$200
Vehicle Inspection Fee	\$325
Form 1	\$44
Customs Clearance	\$355
Customs Clearance HST	\$1,800
Customs Broker Fee	\$320
<b>Subtotal</b>	<b>\$79,724</b>
Vehicle Transport Services (200 miles – estimate)	\$2,600
<b>TOTAL</b>	<b>\$82,324</b>

A \$50,000 U.S. Bookmobile imported into Canada will cost, in Canadian dollars \$64,230; additional duties, taxes, fees and transit charges bring the total cost to import \$82,324.

Recommendation: Listening to the experts, WPL Administration recommends a cautious approach to importing a vehicle from the U.S. The variables are great and the outcome and final costing complex.

**d) Types of Bookmobiles**

Bookmobiles come in 3 basic conformations depending on the intended use.

Vehicle Type	Models	Chassis	Collection Capacity (volumes)	Cost	Pros	Cons
Bus or Coach	Bluebird Thomas  Class 8	Freightliner 38-45 ft.	3,500 to 5,000	\$700,000 to \$900,000	<ul style="list-style-type: none"> <li>▪ Back end lift</li> <li>▪ Gas and diesel options</li> </ul>	<ul style="list-style-type: none"> <li>▪ Challenging to drive</li> <li>▪ Wide turning radius</li> <li>▪ Curved sidewalls</li> </ul>
Step van Cutaway van or Truck  <i>FRED was a step up truck</i>	MT55 or Ford E450  Class 7	Freightliner 22-30 ft. Ford 24-30 ft. International 4400 20-38 ft.	1,500 to 2,000	\$600,000 to \$700,000	<ul style="list-style-type: none"> <li>▪ Good drivability</li> <li>▪ High headroom</li> <li>▪ Back end or side ramp lift</li> <li>▪ Diesel, gas or E options</li> </ul>	<ul style="list-style-type: none"> <li>▪ Wide turning radius</li> </ul>
Mini van	Transit or Sprinter  Class 1 vehicle, under 6,000 lb.	Freightliner Ford, Dodge, or Mercedes 13-24 ft.	800 to 1,200	\$285,000 to \$450,000	<ul style="list-style-type: none"> <li>▪ Good drivability</li> <li>▪ Diesel or gas options</li> </ul>	<ul style="list-style-type: none"> <li>▪ Too small</li> <li>▪ No ramp</li> <li>▪ Expensive to maintain</li> </ul>

**Recommendation:** Like recent purchases by the South Shore PLS and Lethbridge Public Library (See Appendix D), a step van is recommended.

**e) Length**

Bookmobiles come in a variety of lengths from 16 ft. to 45 ft. Vehicles serving a widespread suburban area, like Ottawa tend to be larger, while smaller, 30 - 38 ft. vehicles, tend to be used in areas, like Southern Nova Scotia where they need to navigate city streets, parking lots and country roads. The WPL service model has established that a 30 ft. vehicle is the appropriate size to accommodate the collection and community programming but still able to navigate city streets. You don't want to be parallel parking a 42ft. Bookmobile!

Library	Year	Vehicle Type	Vehicle Length
Ottawa Public Library	2020	Diesel Bus	40 ft.
South Shore Public Library	2021	Diesel Step Van	30 ft.

**Recommendation:** WPL Administration recommends, for city driving and to accommodate the resources and services necessary, the purchase of a 30 ft. Bookmobile.

**f) Diesel v Electric Bookmobile**

An electric Bookmobile with zero emissions is a new and attractive option because they follow short routes and have plenty of time to recharge each day, and powering a Bookmobile with electricity costs less than using diesel, gas or compressed natural gas. They also provide a smoother, quieter ride than fossil fuel-powered Bookmobiles, which means less vibrations on the chassis and better handling on the road.

Bookmobiles carry heavy loads but travel, on average, less than 10,000 km/year. While diesel currently is the most common fuel source for mid to large-sized Bookmobiles, some libraries are considering electric options for their new Bookmobiles. Unfortunately, since the number of electric Bookmobiles on the road is small, it is difficult to find clear comparisons between the two options. However, the general benefits and drawbacks of diesel vs electric are as follows:

➤ **Fuel & Maintenance**

- North American Council for Fuel Efficiency's [High Potential Regions for Electric Trucks Data Analysis Tool – Canada \(2020\)](#) estimates a cost savings of \$0.22 per km in Ontario for an electric over a diesel vehicle. An average annual mileage of 7,000 km could save over \$1,500 in fuel costs annually.
- Electric vehicles have fewer moving parts, require no oil changes or spark plugs, and experience less strain on brakes. However, they do require minor maintenance such as tire rotations and windshield wiper replacement.
- [Plugincanada.ca](#) reports that an electric bus could save up to 40% (or \$20,000) annually in maintenance costs over a diesel-fueled vehicle.

➤ **Daily Operations & Infrastructure**

- Overnight parking and a charging station would be required. Estimated costs for charger installation range from \$40,000 - \$80,000. The Canadian Government's [Zero Emission Vehicle Infrastructure Program](#) is a potential funding source for charger installation.
- Electric vehicles are quiet and emission-free which would enable the Bookmobile to park for longer periods in sensitive areas such as parks and schools without worry of noisy or polluting generators.

➤ **Sustainability**

- Electric vehicles in the fleet tie into the [City of Windsor's 2017 Environmental Master Plan](#), which references “fostering the adoption of electric vehicles” and developing “an electric charging strategy for electric vehicles”.

➤ **Going Green**

- Many countries have legislated phasing out hybrid and internal combustion

engines by 2030 - 2035, and in Canada by 2040. Ontario has in the past provided customer incentives for the purchase of low-emission vehicles and there are indications that these incentives may return.

- The federal government is committed to stimulus measures including grants tied to economic recovery. They are particularly supportive of jobs and opportunities related to electric vehicles and hydrogen transport for heavy duty vehicles. This may open up possibilities for grants or pilot projects for E bookmobiles.
- The City of Windsor has signaled their support of green jobs and the environment in the 2021 Windsor Works, an economic development strategy for the city's future (2021) by Public First. It refers to Windsor and its future in the electric automotive industry

*"Major employers are embracing the emerging electric and autonomous vehicle industries."...*

*"advocating for a strong leadership around electric, hybrid, hydrogen and autonomous vehicles" pg.105*

*"and recommending making new investments in EV charging infrastructure locally; pg. 105*

	ELECTRIC		DIESEL	
	PROS	CONS	PROS	CONS
<b>Fuel</b>	<ul style="list-style-type: none"> <li>▪ Emission-free</li> <li>▪ No fuel costs</li> </ul>	<ul style="list-style-type: none"> <li>▪ Requires charging station, estimated cost \$80 ,000 - \$90,000</li> </ul>	<ul style="list-style-type: none"> <li>▪ Fueling infrastructure already exists</li> </ul>	<ul style="list-style-type: none"> <li>▪ Pollutes the air</li> <li>▪ Fuel costs, approx. \$4,000 - \$6,000 annually</li> </ul>
<b>Maintenance / Repair</b>	<ul style="list-style-type: none"> <li>▪ Very few moving parts</li> <li>▪ No oil changes, spark plug replacements, etc.</li> <li>▪ Annual maintenance costs \$200 - \$1,500</li> </ul>	<ul style="list-style-type: none"> <li>▪ Mechanics require electric vehicles training</li> <li>▪ Cost of batteries</li> </ul>	<ul style="list-style-type: none"> <li>▪ Mechanic's familiarity with internal combustion engines</li> </ul>	<ul style="list-style-type: none"> <li>▪ Estimated annual maintenance costs \$5,000 to \$10,000, depending on the age of the vehicle</li> </ul>
<b>Drivability</b>	<ul style="list-style-type: none"> <li>▪ Quieter, less vibration</li> <li>▪ Faster acceleration with instant torque</li> </ul>	<ul style="list-style-type: none"> <li>▪ Possibility of range anxiety, if driven more than 100 miles daily</li> </ul>	<ul style="list-style-type: none"> <li>▪ More power post-acceleration</li> </ul>	
<b>Purchase Cost</b>	\$630,000 - \$850,000		\$253,000- \$780,000	
<b>Other Considerations</b>	<ul style="list-style-type: none"> <li>▪ Supports City of Windsor Environmental Master Plan</li> </ul>	<ul style="list-style-type: none"> <li>▪ Battery disposal</li> </ul>		<ul style="list-style-type: none"> <li>▪ Will be obsolete by 2040</li> </ul>

Recommendation: There are many unknowns about purchasing an electric vehicle, but as highlighted in the [2017 Environmental Master Plan](#), the [2020 Climate Change Adaptation Plan](#) and the [Climate Change Impacts in Windsor](#), when developing purchasing options, WPL Administration recommends considering an electric option in the tender process.



**g) Bookmobile Options**

Key to the functionality of a Bookmobile is the floorplan and options, which come through the customization process, as a Bookmobile functions as both a workspace for employees and public space for customers. The following options are recommended:

- 30 ft. step van, Class 7 with at least a 30,000 lb. chassis.
- Body Construction - a steel chassis with an aluminum body to accommodate more payload, absorb shocks better and be rust resistant.
- Vehicle cab - 2 seats, 1 for the driver and 1 for a passenger
- Ramp vs lift - to comply with the Ontario Human Rights Code; Employers and Employees Act, R.S.O. 1990, c. E.12; Employment Standards Act, 2000, S.O.2000, c.41, the Labour Relations Act 1995, S.O.1995, the Accessibility for Ontarians with Disabilities Act, the Accessibility Standards for Customer Service, the Integrated Accessibility Standards and WPL's Accessibility Policy a side ramp or a back end lift is required to allow unrestricted access to the vehicle. With the fragility of side lifts particularly in inclement weather a back end lift is recommended.
- Shelving - for safety, stability and functionality aluminum shelving needs to be secured to both the floor of the Bookmobile and the walls. The shelves must be adjusted depending on the resources to be shelved and no more than 11 inches deep.
- Workstations
  - one employee workstation, including circulation area, storage and unobstructed sightlines
  - one public computer workstation
- Diesel generator and 12 volt DC electrical systems. Bookmobiles are often parked in paved parking lots or parks and employees work out of the vehicle for 3-4 hours at a stretch, air conditioning and heating from a generator are essential.
- Battery powered smoke/carbon monoxide detectors.
- Internet connection and Wi-Fi hotspots for public use.



**h) Disposing of FRED**

Currently FRED is parked outside in the City’s Crawford Yard. The library resources, tool lending library and computers have been removed and he has been winterized. However, FRED needs to be sold or moved to a more permanent storage location. To sell a 2005, 91,850 mile, 35ft. undrivable, unrepairable vehicle either privately or at auction would net \$800 to \$1,500.



Recommendation: As Canada’s Motor City, WPL Administration recommends temporarily putting FRED into storage. He has become a part of our history and our legacy, so what better resting place than a permanent indoor home in the new Central Library’s Childrens Area, when it is built.

**4. MOVING FORWARD**

**a) Procurement Process**

WPL will work with the City Purchasing Department preparing the tender documents and assessing the results with a professional panel of vehicle experts and Library staff; and then make a purchase recommendation for the WPLB.

Depending on the type of fuel source and the location of the vehicle, delivery times vary greatly, from 3 months for a used vehicle, 12 months for a new diesel vehicle, and up to 18 months for an electric or customized vehicle.

**b) Planning for a New Bookmobile Service**

Once a new Bookmobile had been received, WPL proposes a nine month, three phase roll out of the mobile service, with performance measures at every junction and regular reports to the WPLB.

PHASE	GOALS
<p><b>Phase 1</b> <b>One month</b></p>	<ul style="list-style-type: none"> <li>• Build Bookmobile collection of new and recycled resources</li> <li>• Train employees</li> <li>• Brand the exterior of the vehicle</li> <li>• Promote Bookmobile service and stops</li> <li>• Establish performance measures</li> </ul>
<p><b>Phase 2</b> <b>Four months</b></p>	<ul style="list-style-type: none"> <li>• Test 30-35 locations with a variety of times and lengths of stay in a 3 week cycle:                      Week # 1 testing new locations                      Week # 2 services to seniors/ students/ outreach                      Week # 3 testing new locations</li> </ul>
<p><b>Phase 3</b> <b>Four months</b></p>	<ul style="list-style-type: none"> <li>• Report to the WPLB initial results</li> <li>• Evaluate test locations and adjust service</li> <li>• Evaluate impact of marketing campaign</li> <li>• Report to the WPLB and develop next steps</li> </ul>



**c) Proposed Operating Budget**

Funding for the Bookmobile service is already in the established WPL operating budget. No additional expenses are anticipated with a new vehicle, and operating costs depending on the fuel source are expected to decrease. Employees have been redeployed or resigned since May 2020.

Proposed Annual Bookmobile Budget	Jan - Dec 2023
<b>Staffing</b>	\$82,580
<b>Maintenance / fuel</b>	n/a
<b>Insurance</b> (City quote)	\$3,500
<b>Resources:</b> 1,000 print, digital, audio, iPad and tools	\$25,000
<b>Public computer work station</b>	\$1,200
<b>Storage:</b> garage rental	\$3,100
<b>Total</b>	<b>\$115,380</b>

**d) Staffing**

The Bookmobile service is supervised by the Manager of Collections and supported by two part-time employees and branch employees in outreach programs or special events.

**e) Potential Bookmobile Stops**

Bookmobile stops are designed to attract new members, circulate material and promote literacy and lifelong learning. A stop lasts between 1.5 - 3 hours, in all wards across the City; some are outside i.e. a park and some are pulling up to a facility like a senior's residence or community centre. The Bookmobile will be on the road Tuesday through Saturday, 35 hours per week and off the road Mondays for vehicle maintenance and restocking. See Appendix E for a proposed schedule.

**f) Collection**

The WPL collections budget will be used to purchase 50% of the resources needed and the remainder of the collection will be pulled from all WPL locations. The end result will be a balanced collection of new and gently used titles.

FRED resources that were particularly popular included kids' digital resources, such as Launch Pads and e-Wonder Books; Lowe's Tool Lending Library resources with university and college students; and Large Print fiction and audio books were popular with seniors, book clubs and travellers.

Collection:		New	Recycled	TOTAL
Books	Adult, YA, Children's, Large Print	600	600	1,200
AV	DVDs	200	290	490
Audio	Books on CD	100	100	200
Digital Resources	Launch Pads, Playaways and Wonder Books	70	-	70
Accessibility Equipment	LED lamps, book stands	15	-	15
Tools	Lowe's Tool Lending Library	15	10	25
<b>TOTAL</b>		1,000	1,000	2,000

**g) Measurements**

- Establish operational goals as part of the Customer Use Index (CUI). Just like all other branches, the monthly data collected will include, gate count, circulation, programs and outreach.
- WPLB reports at the end of Phase 2 and 3 will include cost benefit analysis and potential stops or community events to test.

**5. CONSULTATIONS:**

WPL would like to thank the following people who were consulted in the preparation of this report:

**Public Library Consultations:**

Calgary Public Library, Hamilton Public Library, Milton Public Library, Toronto Public Library, Ottawa Public Library and South Shore Regional Library

**Industry Experts:**

Laura Nederbragt – Mission Mobile Bookmobiles and Nick Pieczonka – Materials Research Scientist

**City of Windsor:**

Josie Liburdi - Technologist II, Engineering, Chad Goebel – Fleet Coordinator, Operations, Tyson Cragg – Ex. Director, Transit Windsor, Melissa Osborne – Senior Manager, Asset Planning, Angela Marazita – Fleet Manager, Operations, Alex Vucinic – Purchasing Manager, Purchasing, and Ken Dufour – Supervisor WPL Facilities

**WPL Employees:**

Research Librarians and Bookmobile Drivers

**6. BOOKMOBILE PROCUREMENT RECOMMENDATION:**

Moved by: J. Morrison Seconded by: H. Dougall

THAT the Windsor Public Library Board authorize WPL Administration and City of Windsor staff to begin the procurement process to purchase a new 30 ft. diesel/ electric step van Bookmobile with tender documents reviewed by the WPLB before being released to the market and a purchase recommendation presented to the WPLB. **CARRIED**

Moved by: J. Morrison Seconded by: H. Dougall

THAT the Windsor Public Library Board authorize the storage of FRED until a new Central Library is built. **CARRIED**

Moved by: J. Morrison Seconded by: H. Dougall

THAT the Windsor Public Library Board accept the Purchase of a New Bookmobile Report # 2 as amended and forward to City Administration. **CARRIED**

Prepared by:

Kitty Pope, CEO, [kpope@windsorpubliclibrary.com](mailto:kpope@windsorpubliclibrary.com),

Christine Rideout-Arkell, [carkell@windsorpubliclibrary.com](mailto:carkell@windsorpubliclibrary.com), and

WPL Administration Team

## **Purchase of a New Bookmobile Report #2**

### **APPENDICES**

#### **Index of Contents**

- **Appendix A** - Email re FRED's Condition from the City of Windsor
- **Appendix B** – Bus Purchase for Bookmobile – email from Transit Windsor
- **Appendix C** - Used Bookmobiles for Sale and Bookmobile Vendors
- **Appendix D** - Bookmobiles Purchased in Canada 2019-2022
- **Appendix E** – Proposed Bookmobile Schedule
- **Appendix F** – Bibliography of Bookmobile Articles

## Appendix A – Email re FRED’s Condition from the City of Windsor

**From:** Goebel, Chad <[cgoebel@citywindsor.ca](mailto:cgoebel@citywindsor.ca)>  
**Sent:** December 23, 2021 12:57 PM  
**To:** Arkell, Christine <[carkell@windsorpubliclibrary.com](mailto:carkell@windsorpubliclibrary.com)>  
**Cc:** Marazita, Angela <[amarazita@citywindsor.ca](mailto:amarazita@citywindsor.ca)>  
**Subject:** RE: new bookmobile for the library

Hello Christine,

The ring and pinion gears in the differential which forms part of the drive axle are broken, there are at least 4 teeth completely gone and several others that are cracked and worn. We have been unable to source any remaining available functioning parts for this discontinued product as the manufacturer is out of business. This also does not mean there are not further remaining undiagnosed issues in the drivetrain that have not yet been discovered without fixing the immediate issue and testing further. There was also a water leak issue with wet carpeting that I believe may have still been unresolved on FRED.

With respect to a used vehicle there are many variables to consider such as age and mileage of the vehicle, price and availability, how long you are expecting to keep it, are you planning to replace it again in the future, how many km’s per year will you be driving it, are there any remaining warranties, what type of drivers license is required to operate the vehicle, does the vehicle meet your needs as is or will it require modifications or up-fitting etc. We do purchase used vehicles on occasion but they are generally gently used demonstration models, less than one year old with existing warranties.

Trucks in general can be difficult to source parts for after they are 8-10 years old and older, custom vehicles can be even harder to deal with in this regard.

As an example we recently purchased a used truck with no remaining warranties for another project for approximately \$100,000 in an attempt to save on spending for the project, and within a month of purchasing the vehicle we had to replace the engine at an additional cost of over \$60,000, so these types of issues need to be considered with respect to used vehicles because vehicles in general become more expensive to operate and maintain with age.

I hope I have properly addressed your questions, please feel free to contact us if you have any additional questions or concerns.

Thanks

*Happy Holidays and best wishes for the New Year!*

**CHAD GOEBEL | FLEET COORDINATOR**



Operations Department – Fleet Division  
1531 Crawford Avenue | Windsor, ON | N8X 2A9  
(519)-255-6560 ext. 4235  
[www.citywindsor.ca](http://www.citywindsor.ca)

## Appendix B – Bus Purchase for Bookmobile – email from Transit Windsor

Email from Tyson Cragg  
Bus purchase for Bookmobile  
Friday October 8/2021 8:41

Hi, Kitty. It was nice to talk to you this morning. I spoke to Ken Geauvreau, Manager of Fleet Services at Transit Windsor, and I don't have great news for you. I do not have any buses currently available for sale. We currently have five units that are awaiting disposal, but they have been stripped of useable parts and are slated for scrap, i.e., they are beyond repair and are not roadworthy.

Our next bus order will be arriving tentatively in June, 2022 (24 buses). Once the commissioning process is complete (Sept., 2022), I will have up to 24 units available in the fall of 2022:

- 2002 and 2004-model OBI Orion VII (OBI is out of business and parts are scarce)
- 2005 NovaBus LFS: fair to poor condition
- 2009 New Flyer DE40LF Hybrid: maintenance/parts nightmares. An EV drive (transmission) is \$250,000 for the part, and replacement batteries are \$320,000, which need replacement every 8 years. Don't go there!

Anything I have for sale is being disposed of because they are well beyond their design life. While some of these **could** have a second life, they would require extensive refurbishment/rebuild. A life-cycle extension refurb (engine, transmission, paint, interior conversion) would run you approximately \$300,000, based on a recent estimate we got from MTB Transit Solutions (major transit bus refurb company based in Milton).

You may want to contact MTB to see what they may have available right now. Another option is City View Bus, where they sell old transit buses, but you're still buying a 12-15 year-old vehicle. I also called London Transit for you, and they have 14-year old New Flyer D40LFs for sale for \$6,500, but they would need the same \$300,000 refurb that ours would.



Best of luck on your bookmobile journey!

**Tyson Cragg | Executive Director**




3700 NORTH SERVICE ROAD EAST | WINDSOR, ON | N8W 5X2  
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Email: [tcragg@citywindsor.ca](mailto:tcragg@citywindsor.ca)

**Appendix C – Used Bookmobiles for Sale as of January 10, 2022 and Bookmobile Vendors**

Type	New/Used	Location	Vehicle	Engine	Mileage	Cost
	BUS - USED	Colorado	Thomas Built Bookmobile Used 2003  Poor condition	Diesel	113,000 m	U.S. \$62,490 + tax  + Retrofit
	BUS - USED	Ohio	Thomas Built Bookmobile Used 2001  Poor condition	Diesel	91,000 m	U.S. \$50,000 + tax  + Retrofit

	<p>STEP-VAN  NEW</p>	<p>Ohio</p>	<p>Ford E450 and E550 vehicles available  Customized by Farber Speciality Vehicles, Ohio</p>	<p>Diesel or Gasoline available</p>	<p>New</p>	<p>US \$400,000-\$600,000  Dependent on customization required for a Bookmobile</p>
	<p>STEP-VAN  NEW</p>	<p>Alberta</p>	<p>International 4400  Customized by International Truck Bodies, Alberta</p>	<p>Diesel</p>	<p>New in 2015</p>	<p>C\$450,000  + Customization into a Bookmobile</p>
	<p>VAN  USED</p>	<p>Florida</p>	<p>Mercedes Benz Sprinter Van 2011  Poor condition</p>	<p>Diesel</p>	<p>240,896 miles</p>	<p>U.S. \$24,990 + tax  + Retrofit</p>



	<p>VAN NEW</p>	<p>California</p>	<p>Mercedes Benz Sprinter Van</p> <p>Customized by Makmo Industries, California</p>	<p>Diesel</p>	<p>New</p>	<p>U.S. \$250,000 + tax</p> <p>+Customization required for a Bookmobile</p>
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**Bookmobile Vendors:**

- **Canadian Vendors**

[Electromobility - Novabus](#) - Nova Bus Inc. is a Canadian bus manufacturer headquartered in Saint-Eustache, Quebec, Canada. The company has roots in the General Motors bus manufacturing assembly plant, which opened in 1979.

[Lion Electric](#) – The Lion Electric Company is a Canadian-based manufacturer of commercial vehicles. Currently the biggest manufacturer in its segment in Canada. It was founded in 2011, with headquarter in Saint-Jerome.

[Overland Custom Coach Inc.](#) - is a London, Ontario based builder of customized vehicles including diesel Bookmobiles. Established in 1986, vehicles are manufactured in Brown City, Michigan. Bookmobile customers include...

[Intercontinental Truck Body \(ITB\)](#)

- **US Vendors**

[Bookmobiles - Used Mobile Clinics](#)

[Bus: K7M - BYD USA](#)

[Farber Specialty Vehicles](#) – manufactured in Columbus, Ohio. Offers a full line of bodies and chassis for Bookmobiles. Bookmobile customers include Baltimore Public Library and Erie County

[Freightliner Trucks](#) – an American truck manufacturer, founded in 1929, with headquarters in Portland, Oregon. Parent organisations are Daimler AG. Daimler Truck North America. There are Freightliners dealerships in Canada and the U.S.



[LDV Inc.](#) – a used truck dealer in Burlington, Wisconsin. Specializing in designing and building custom bookmobiles since 1977.

[Matthews Specialty Vehicles](#) – a manufacturer since 1992. Leader in the design and manufacture of purpose-built specialty vehicles. Headquartered in Greensboro, NC.

[National Bus Sales](#) – a bus company in Oklahoma, specializes in new and used Bookmobiles with a dealership in Michigan.

[Specialty Vehicle Services](#)

Appendix D – Bookmobiles Purchased in Canada 2019 - 2022

Library	New/Used	Vendor	Make & Model	Type	Year	Cost	Notes
<p><b>Ottawa Public Library</b></p> 	New	Freightliner Ottawa, Ontario	40 ft. Bus	Diesel	2020	\$767,000	40'x8'6"
<p><b>South Shore Public System</b> (Lunenburg, Nova Scotia)</p> 	New	Intercontinental Truck Body (ITB) Coaldale, Alberta	30 ft. Step van Custom built on a freight line chassis	Diesel	2021	\$504,903	<p><a href="#">Video – ready to roll</a></p> <p>Constructed of high strength aluminum (same as Vancouver PL)</p> <p>30'x8'6"x88"H</p>
<p><b>Toronto Public Library</b></p>	New	Freightliner	32 ft. Bus Intercontinental Truck Body		2018		32'x8'6"
<p><b>Lethbridge Public Library</b></p>	New	Intercontinental Truck Body (ITB) Coaldale, Alberta	40 ft. Step-up Custom built on a 4400/Intercontinental Truck Body		2015	\$500,000  Plus customization	40'9"x8'6"x13'3"

- 10-12 scheduled stops per week
- 3 week cycle
- 2-3 stops per day as a rule
- ½ day off the road needed each week to perform maintenance and refresh collection
- Does not include school visits and special events/festivals – to be added to rotation when opportunities arise

### WINTER STOPS: January-April; November-December

Week 1	Location	Ward	Potential Audience
	Capri Pizzeria Recreation Complex	1	Children, Families
	University of Windsor (Leddy Library)	2	Students
	Great Beginnings EarlyON	3	All ages
	Begley EarlyON	4	Caregivers and infants/preschoolers
	Lifetimes on Riverside	5	Seniors
	WFCU Centre	6	Children, Families
	Lassaline EarlyON	7	Children, Families
	Roots 2 Wings	8	
	Talbot Trail EarlyON	9	Caregivers and infants/preschoolers
	Royal Marquis Retirement Residence	10	Seniors
Week 2	Location	Ward	Potential Audience
	Huron Lodge/Kensington Court	1	Seniors
	St. Clair College Main Campus	1	Students
	City Hall/Charles Clark Square	2	All ages
	Ready Set Go Drop-in	3	Caregivers and infants/preschoolers
	John Campbell EarlyON	4	Caregivers and infants/preschoolers
	Community Living - Ventures	5	
	Amica Riverside	6	Seniors
	The Childrens' Safety Village	7	Children and families
	Reginald Community Housing	8	Families
	Roundhouse Centre	9	All ages
	OLPH EarlyON	10	Caregivers and infants/preschoolers
Week 3	Location	Ward	Potential Audience
	Ojibway Park	1	Children, Families
	Great Beginnings EarlyON	2	Caregivers and infants/preschoolers
	Ready Set Go Dropin	3	Caregivers and infants/preschoolers
	Willistead Park	4	Caregivers and infants/preschoolers
	Central Park Athletics	5	All ages (hockey)
	WFCU Centre	6	All ages (sports)
	Tecumseh Mall	7	All ages
	Roseville EarlyON	8	Caregivers and infants/preschoolers
	Harmony in Action	9	Adults
	SkaNa Family Learning Centre	10	Caregivers and infants/preschoolers

## SUMMER STOPS: May-October

<b>Week 1</b>	<b>Location</b>	<b>Ward</b>	<b>Potential Audience</b>
	Veterans Memorial Park	1	All ages
	Mic Mac Park	2	All ages
	Downtown Windsor Farmers Market	3	All ages
	Begley EarlyON	4	Caregivers and infants/preschoolers
	Lifetimes on Riverside	5	Seniors
	Farrow Riverside Miracle Park	6	All ages
	Lassaline EarlyON	7	Caregivers and infants/preschoolers
	Roots 2 Wings	8	
	Walker Homesites Park	9	All Ages
	Royal Marquis Retirement Residence	10	Seniors
<b>Week 2</b>	<b>Location</b>	<b>Ward</b>	<b>Potential Audience</b>
	Capri Pizza Recreation Complex	1	School aged children
	Atkinson Park	2	All ages
	Ready Set Go Drop-in	3	Caregivers and infants/preschoolers
	Lanspeary Park	4	All ages
	Community Living - Ventures	5	Adults
	Realtor Park/Princess Elizabeth EarlyON	6	Children and families
	Elizabeth Kishkon Park	7	All ages
	Reginald Community Housing	8	School aged children/families
	Talbot Trail EarlyON	9	Caregivers and infants/preschoolers
	Central Park	10	All ages
<b>Week 3</b>	<b>Location</b>	<b>Ward</b>	<b>Potential Audience</b>
	Kensington Court/Huron Lodge	1	Seniors
	Great Beginnings EarlyON	2	Caregivers and infants/preschoolers
	Downtown Windsor Farmers Market	3	All ages
	Willistead Park	4	All ages
	Ford Test Track/Gino A Marcus	5	All ages
	Drouillard Place	5	Children (all ages)
	Amica Riverside	6	Seniors
	Cora Greenwood Park	7	All ages
	Reginald Community Housing	8	School aged children/families
	Captain John Wilson Park	9	All ages
	Remington Park Pool/Playground	10	Children and families

## Appendix F –Bibliography of Bookmobile Articles

[Baron, Kathryn](#). "Rolling with the times." School Library Journal, April 2021, Vol. 67 Issue 4, p42-45.

### Abstract:

The article offers information on **bookmobiles** operated by public libraries across the U.S. as their way to reconnect with communities and spark excitement among children and teens whose chances of fun have been severely narrowed due to COVID. Topics covered include the **bookmobiles'** purpose of bringing books and other library services to rural communities, and their impact on literacy. \*\*\* Note of interest, one bookmobile has an 8 foot inflatable screen and video game console where young people can play games safely.

[The Campbell Reporter](#). Willard is outstanding bookmobile librarian. The Campbell Reporter (California), 09/03/2021.

### Abstract:

The bookmobile lead for the Santa Clara County Library District received an excellence award for her dedication and commitment to the bookmobile profession. During the pandemic, Willard helped implement a program called BookDash, a contactless home-delivery solution for senior patrons.

[Fernandez, M. J.](#), (2020, June 22). *Bookmobiles navigate new terrain*. Public Libraries Online.

### Abstract:

An overview of how several US mobile library services modified the way in which they use their bookmobile in order to aid communities in response to the COVID-19 pandemic.

[gmcnaughton@guelphmercurytribune.com](mailto:gmcnaughton@guelphmercurytribune.com). "Bookmobile Returns to Guelph Streets This Week." Guelph Mercury (ON), 10/09/2020

### Abstract:

Guelph residents will soon have a new option to get their books. On Friday, the Guelph Public **Library** announced that, as of Oct. 13, its **Bookmobile** service will resume operations. As is just about everything in the era of COVID-19, the **mobile library** will be looking a little different.

[Green, Judy](#). "Bookmobiles: Today and Yesteryear." Feliciter, 2012, Vol. 58 Issue 1, p6-7. 2p.

**Abstract:**

A personal narrative is presented which explores the author's experience working on a **bookmobile**, or **mobile library**, in Ottawa, Ontario.

[Horvath, Jeff](#). "Library eyeing a new book-mobile." The Times-Tribune (Pennsylvania), 12/06/2021.

**Abstract:**

With the help of a consultant, the Lackawanna County Library System plans to replace and revamp Bookmobile services. "The pandemic has changed the way we look at learning, public outreach services and much, much more, and we must be able to respond to these changes in order to best serve our residents."

[Lawton, Mark](#). "The Road to Normal: Bookmobiles and outreach staffers take on a new role in a year of COVID-19." American Libraries, Mar/Apr 2021, Vol 52 Issue ¾, p38-43.

**Abstract:**

Bookmobile services allow library to pivot during unprecedented times, providing access to books to students while schools are shutdown. "Bookmobiles can bring a little continuity into everybody's life."

[London Bishop Staff Writer](#). "Bookmobile delights children with stories." Dayton Daily News (Ohio), 09/16/2021.

**Abstract:**

The (recently replaced) Greene County Bookmobile visits 30 schools per year and approximately 5000 children per month, discusses the successful visits with school children. The new bookmobile features a state-of-the-art chair-lift and modern safety features, which allow kids with wheelchairs to enjoy the bookmobile for the first time.

[McIllece, Emily et al.](#) "Bookmobiles: Communities on the move." Nebraska Libraries, 2014, Vol. 4. Issue 2, p. 14-16

**Abstract:**

Highlights the benefits of bookmobiles to a community and provides strategies for making destination decisions. The article also suggests a fleet of library mobiles to meet the needs of different users – literacy, early childhood development, seniors.

[Newton, Tanner.](#) "Bookmobile will help reach more of county, library director says." The Sentinel Record (Arkansas), 12/27/2021

**Abstract:**

Garland County Public Library (Arkansas) has funded the purchase of a new Bookmobile through American Rescue Plan Act funding programs and months of fundraising. The new bookmobile is being manufactured through Mercedes and will serve 735-square-mile County that only has one library branch.

[Peeskar, Saira.](#) "Library's outdoor bookmobile brings books – and friends – to 13 stops around Hamilton." CBC News (ON), 03/24/2021.

**Abstract:**

Hamilton Public Library's roving reading room has adapted and now hands out books outdoors.

[Roedde, W. A.](#) "I Drive a Bookmobile." Feliciter, 2012, Vol. 58 Issue 1, p8-9. 2p.

**Abstract:**

The article presents a reprint of a personal narrative from 1956 in which the author discusses his experiences operating a **bookmobile**, or **mobile library**, for the Thunder Bay District **Library** Co-Operative based in Fort William, Ontario. The article details the author's job responsibilities, which include transporting books to schools and **libraries**, ordering books, and organizing book exchange programs. Also provided is information on the author's driving route through Ontario, Canada.



[Swendrowski, Michael](#). "The Bookmobile and Outreach Information Repository (BOIR) database." *Voices: Topics in Canadian Librarianship*, 2017, Vol.1 No.2, p17-18.

**Abstract:**

Describes efforts by the Association of Bookmobile and Outreach Services to create a convenient database providing centralized information, statistics and history about bookmobiles and outreach services worldwide.

[Thomas, Lisa Carlucci](#). "Mobile Libraries 2012." *Library Journal*, 2/1/2012, Vol. 137 Issue 2, p26-28. 3p.

**Abstract:**

The article discusses **mobile library** services. According to the article, **library** patrons are becoming more adept at using wireless communication devices such as smartphones, tablets, and electronic readers. The author also discusses the use of interactive social networking web sites such as Facebook, Twitter, and Tumblr among **library** patrons. The article also discusses a 2010 survey conducted by the journal concerning **mobile library** services.

[Waite, Steph](#). (2018, July 3). *Bookmobiles that break the mold*. OCLC online article.

**Abstract:**

This brief article from the [Online Computer Library Centre](#) showcases three distinct and different ways libraries in the United States have utilized their bookmobiles for various community services.

[Witteveen, April](#). "Hot Wheels: High-quality mobile outreach is on the rise, serving newborns through teens." *School Library Journal*. Apr 2017, Vol. 63 Issue 4, p34-37.

**Abstract:**

"The article discusses the increase in mobile outreach programs offered by public libraries. Comments by Ann Plazek, president of the American library Association's (ALA) Association of Bookmobiles and Outreach (ABOS) and Michael Swendrowski, ABOS board member on bookmobile initiative are included. Topics include benefits for children, operation of Early Literacy Mobile and funding by King County (WA) Library System (KCLS) foundation."

[Woltjier, Gavin](#). (2018, July 20). *The relevance of bookmobiles and mobile libraries in 2018*. Public Libraries Online.

**Abstract:**

This article provides an overview of the importance and relevance of bookmobiles and mobile libraries to accommodate the ever-changing needs of society. Also included are key summary points on the benefits and differences bookmobiles make in the community's they serve.

[Yarrow, A., McAllister, S](#). "Trends in mobile and outreach services." *Public Library Quarterly*. 2018, Vol.37 Issue 2, p195-208.

**Abstract:**

This article describes the results of a questionnaire distributed to North American public libraries asking them to describe their services to underserved populations.



---

**Date:** January 10, 2022  
**To:** Senior Manager of Engineering  
**From:** Fleet Manager  
**RE:** **Repair of Existing Bookmobile – Unit # 0944**

---

The Bookmobile was removed from service late 2020 due to a lack of readily available parts for the required repairs.

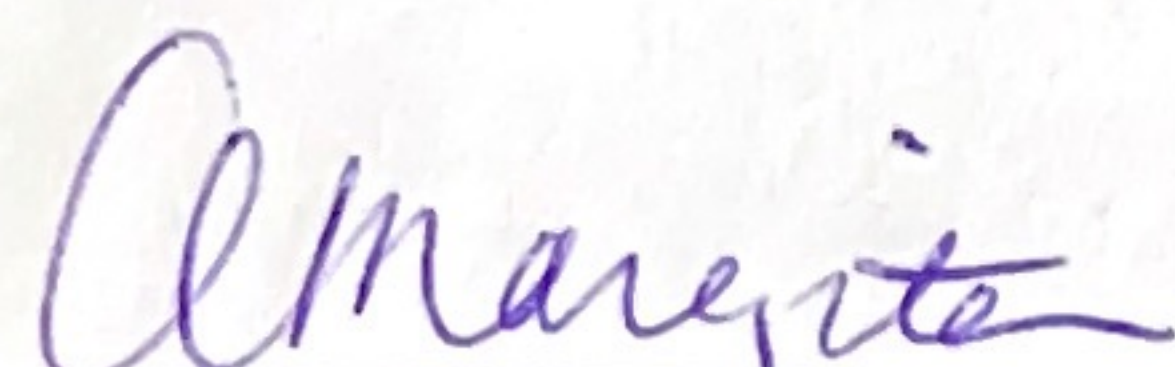
The existing unit is a custom, likely one of a kind vehicle, that is 16 years old. In general, parts can be difficult to source for trucks after they are 8 to 10 years old and older. Custom vehicles can be even harder to deal with in this regard.

The ring and pinion gears in the differential, which forms part of the drive axle, are broken. There are at least four (4) teeth completely gone and several others that are cracked and worn. At the time, the Fleet Division was unable to source any remaining available functioning parts as the manufacturer is out of business. Until this repair is completed and tested, the Fleet Division cannot determine if there are other remaining undiagnosed issues in the drivetrain. Furthermore, there was a water leak issue with wet carpeting that was also unresolved at the time.

After further investigation, we have been able to locate a vendor in the United States who can custom make a ring and pinion set. Upon receipt of the part, the Fleet Division will need to locate all of the axle seals and miscellaneous parts to complete the repair. The estimated cost for this repair is approximately \$15,000.

It should also be noted that completion of this repair does not imply there are not additional remaining undiagnosed issues that have not yet been discovered without fixing the immediate issue and testing further. Completion of the initial repair does not guarantee additional repairs may not be needed in the future.

Based on the age of the truck, there is a high probability it may require more significant repairs to the transmission and/or engine if it is put back into service. Should they be needed, the estimated cost of these repairs is estimated at \$100,000. There would be no available warranty and the same difficulty with sourcing parts is expected to continue to be a challenge.



---

Angela Marazita, CPFP  
Fleet Manager





**Subject: Draft By-law for Municipal Licensing of Short Term Rentals - City Wide**

**Reference:**

Date to Council: February 14, 2022  
Author: Craig Robertson  
Licence Commissioner (A)  
519-255-6100 ext. 6869  
crobertson@citywindsor.ca

Jude Malott  
Executive Initiatives Coordinator  
519-255-6100 ext. 6804  
jmalott@citywindsor.ca

Policy, Gaming, Licensing & By-Law Enforcement  
Report Date: January 28, 2022  
Clerk's File #: ACL/13142

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

**Recommendation:**

THAT Council **RECEIVE** this report and attached draft by-law titled, "A By-law Respecting the Licensing of Short Term Rental (STR) Owners and to Regulate All Activities," and,

THAT Council **DIRECT** Administration to implement a municipal licensing framework and fee schedule for regulation of the Short Term Rental Industry within the City of Windsor as described in this report and captured in the attached draft by-law.

**Executive Summary:**

Further to Council's direction, Administration developed a licencing framework for STRs modelled on the Vaughan licencing regime. Discussions with the major brokerage (Airbnb) as well as the City of Vaughan and the City of Calgary indicated that attempting to licence the brokerage as well as the owner of the STR is a significant barrier to compliance and implementation. Based on this, Administration recommends modifying the approach to exclude brokerage licensing and to focus on the STR owner in order to maximize compliance and to allow this regulatory scheme to move forward.

**Background:**

Renting part or all of a home for a short duration or exchanging accommodations while travelling is not new to the tourism industry. In recent years, popular online platforms

made participating in this industry significantly easier in cities across the world both for hosts offering accommodations and guests seeking them. When private individuals offer part or all of their residence for rent for a short period in exchange for a fee, usually through an online platform, these offerings are generally referred to as a Short Term Rental (STR). Those offering part or all of their residence for rent are considered a Short Term Rental Owner (“STR Owner”), whether they actually own the property or hold a lease for it. The company that facilitates this offering, usually through an online platform, is referred to as a Short Term Rental Brokerage (“STR Brokerage”).

At its meeting held on October 19, 2020, City Council received Report **C 182/2020, Regulation of Short Term Rental Housing** regarding licensing and zoning considerations for short term rentals such as those offered through brokerages like Airbnb. The report provided a number of municipal licensing and zoning regulations for Council’s consideration based on those implemented by other municipalities in Ontario. It also provided the results of public consultation consisting of an online survey and public open house held on the subject. In response to Report C 182/2020, Council provided **CR519/2020** directing Administration to return with a draft by-law for short term rentals that would mirror for the most part the municipality of Vaughan’s regulations.

On receiving CR519/2020, Administration consulted with the City of Vaughan, the City of Calgary, and industry stakeholders to develop this report and draft by-law (attached as Appendix 1) as requested by Council. This report includes an overview of a regulatory framework proposed in the draft by-law, including the fee schedule for licensing short term rental owners similar to those used by the City of Vaughan. It also contains information regarding the challenges and implications of the Vaughan model for Council’s consideration, including feedback from Airbnb on the impact of Vaughan’s model and potential regulatory alternatives.

### **Discussion:**

Municipal regulatory power is limited by the *Municipal Act* to specific purposes, including health and safety, consumer protection and nuisance control. A regulatory framework could assist in mitigating the negative impacts of STRs by placing parameters around what constitutes a legal short term rental. Regulation through a licensing regime could require STRs to meet minimum standards for safety, help balance the demand for STRs and long-term housing options. It could also support the evolution of business models that spur economic growth by enhancing consumer confidence in the accommodations offered by hosts through online platforms.

While researching the best means of establishing a licence regime in Windsor based on the Vaughan model, Administration identified some additional considerations and opportunities that would enhance the model and make it more effective in our municipality.

### **STR Licensing in the City of Vaughan**

Following Council’s direction, Administration reached out to regulators at the City of Vaughan to better understand their processes and experiences with licensing STR Owners and Brokerages. Vaughan’s municipal licensing requirement for short term rentals began on January 1, 2020.

Since implementation, the program has faced particular challenges due to its structure. Unlike most other municipal regulations for STRs, the City of Vaughan requires STR Brokerages like Airbnb, VRBO or Booking.com to obtain a licence separate from the licence required for those who list on their platforms. Staff from the City of Vaughan advised that, while many of the STR Owners located in their municipality applied for a licence without hesitation, licensing STR Brokerages has presented a major hurdle because of their resistance to the licence requirements. Because one of the requirements of an STR Owner Licence is that they be registered with a licensed STR Brokerage, the resistance of STR Brokerages to securing a licence has effectively prevented STR Owners who have already applied from receiving a licence.

Months after their licensing program launched, the onset of COVID-19 dramatically affected the tourism industry, including short term rental activity, worldwide. As a result of this and other factors, the City of Vaughan halted its licensing program. This pause allowed Vaughan's administration to review the language of their by-law and identify areas for improvement in regulatory consistency and voluntary compliance through significant consultation with external legal counsel.

A recommendation report to amend the City of Vaughan's Short Term Rental By-law went before their Council on March 2, 2021 and included recommendations like:

- lowering licensing fees by 50% to be more in line with fees in neighbouring municipalities,
- offering greater flexibility for industry participants in remitting the Municipal Accommodation Tax (MAT),
- adding new definitions and provisions to more explicitly lay out the licensing requirements for Short Term Rental Brokerages, and
- making notices, penalties and fines easier to perform and administrate.

Upon approval, these changes came into effect in Vaughan on March 10, 2021. However, Vaughan's requirement for STR Brokerages to be licensed remains one of the few in Ontario to do so. At the time of authoring this report, the City of Vaughan had still not issued an STR Brokerage Licence *or* an STR Owner Licence as a result.

A conversation with the City of Vaughan in mid October 2021 confirmed their administration fully expected Airbnb to be licensed by the end of 2021; however, the City's consultations with Airbnb in January 2022 revealed that discussions are still ongoing and that Airbnb has not complied with Vaughan's licensing requirements yet. Other STR Brokerages like VRBO and Booking.com have decided not to participate in the licensing process.

In light of the above, the successes of Vaughan's licensing program are challenging to measure. It is encouraging to hear Vaughan's expectations that Airbnb intends to fully comply and become licensed, but negotiations are still ongoing and their outcome is still unknown. There is also concern that other similar STR Brokerages are excluding their services from the region rather than complying with the licensing program.

## **STR Draft By-law & Regulations for Windsor**

In line with CR519/2020, Administration has developed a framework and fee structure for the licensing and regulation of Short Term Rentals mirroring the program in the City of Vaughan, with some proposed exceptions. The intent of the proposed regulations is to address the issues described in Report C 182/2020 such as health and safety, nuisance control, and consumer protection. An overview of the proposed by-law, attached to this report as Appendix 1, is provided below. A more detailed summary table of the by-law is provided in Appendix 2.

### ***Licensing scope***

Vaughan's by-law requires anyone operating an STR within that municipality– both those offering all or part of their residence for rent (STR Owners) or those facilitating the offer of rental (STR Brokerages) – to secure an appropriate licence. This by-law does not apply to hotels, motels, inns, bed-and-breakfast/guest house establishments, or accommodations rented out in accordance with the *Residential Tenancies Act* or the *Retirement Homes Act*. Under the proposed by-law, STRs may not be operated in contravention of any other applicable law, including zoning and property standards by-laws

As discussed elsewhere in the report, licensing of the brokerage itself has proven to be a barrier to compliance in Vaughan. For this reason, **Administration recommends limiting licensing to the STR Owners as opposed to the STR Brokerages as well.** Including the STR Brokerages affords no notable benefit and creates additional bureaucracy around submission of the MAT. Airbnb has indicated it can include a requirement that any STRs in a licensing municipality must hold a licence, and will include a field to display the licence on the site. This adds an additional layer of enforcement while also giving the City additional visibility into licensing status.

### ***Applying for a licence***

Windsor residents who wish to offer part or all of their dwelling unit as an STR will need to secure a Short Term Rental Owner Licence. To secure a licence, applicants must prove the dwelling unit is their primary residence. If the unit is rented or part of a multi-unit building, the applicant must also show authorization of the registered property owner or condominium corporation to offer the dwelling unit as an STR. Applicants must present a valid Vulnerable Sector Check for every registered owner or tenant of the dwelling unit, valid home liability insurance of at least \$2 million, and contact information for either themselves or another specific individual (an "STR Operator") who can be reached 24 hours a day while the STR is being rented. STR Owners must also self-certify that their residence complies with Fire and Building Codes and permit inspections by City staff on request.

### ***Licensing Terms***

Licences under the proposed by-law will require yearly renewal. They are non-transferrable and a new licence will be required when the registered owner of a property changes, when the STR Owner's principal residence changes, or if significant renovations are undertaken to the dwelling unit. Licences that are not renewed on time will be subject to a penalty and those lapsed for more than 365 days will be deemed cancelled. Once an STR Owner Licence is issued, the licensee will be contacted by the

City and provided with a MAT registration number. This registration number will be used annually when remitting MAT on short term rentals.

### ***Licensing administration, enforcement and inspections***

The Licence Commissioner will oversee the administration and enforcement of the proposed by-law. Licensing staff will process and administer applications and By-law Enforcement Officers will undertake necessary inspections with the support of Building By-law Enforcement Officers and Fire Protection Officers as appropriate. The proposed by-law includes a framework for the Licence Commissioner to recommend an application be refused, suspended, revoked, or meet additional conditions to receive a licence, which must be confirmed by the Windsor Licensing Commission. The decisions of the Windsor Licensing Commission on these matters will be final.

Under the proposed by-law, Officers may enter onto any property at any reasonable time to determine compliance with the by-law or when there are reasonable grounds to believe a contravention is occurring. When a contravention of the by-law is identified, Officers may issue an Order to Comply either to discontinue the offending activity or to undertake work to correct a contravention.

### **Additional Discussions**

#### ***Discussions with Airbnb***

Shortly after City Council's direction, Airbnb personnel commented to local media that the proposed regulations would "negatively impact the municipality's visitor economy and local hosts." In response to this, Licensing Administration engaged Airbnb representatives in 2019 and again in January 2022 to understand their concerns with Vaughan's model for regulation.

In these conversations, Airbnb voiced their support for municipal licensing of STR Owners but indicated that they felt the City of Vaughan's regulations for Brokerages to be "excessive." They expressed the view that pursuing Vaughan's approach would negatively impact tourism within the municipality because market pressures make it economically unfeasible for STR Brokerages to comply. They indicated that Windsor's market is similar in size to Vaughan's and provided the following data collected from 2019:

- 80% of Windsor's short term rental owners utilized Airbnb as their operating platform
- Windsor had approximately 500 registered listings on Airbnb
- Airbnb registered a total of over 30,000 guests visiting Windsor in 2019
- Short term rental guests were mostly from within Ontario
- 60% of listings in Windsor were for the entire residence and 40% represented the rental of a spare room
- A Windsor host on Airbnb rented out their home an average of 88 nights a year

Airbnb felt it would be very challenging for them to meet the requirements of the proposed licence and remain competitive, and in that situation they would be unlikely to pursue a licence in Windsor if Council adopts regulations similar to those in Vaughan.



However, Airbnb did indicate support for a regulatory landscape more like that used in Calgary.

Airbnb indicates a willingness to work with municipalities, but that they prefer to enter into agreements and data sharing initiatives rather than obtaining municipal licensing. They maintain a City Portal website that provides insights to municipalities regarding local Airbnb activity and tools to support host and guest compliance with local regulations. This information can be used by the City to monitor the level of short term rental activity and better understand those participating in short term rental markets. Data could be used to tailor economic development activities and licensing regulations in order to achieve and monitor desired results.

Airbnb has several tools already available to address issues and nuisance behaviours that may result from short term rentals listed on their platform. Some of these include:

*Neighbourhood Support Tool:* This tool allows anyone to report non-urgent neighbourhood concerns like excessive noise, parties, garbage management, or personal safety directly to their Neighbourhood Support Team. Airbnb staff will then investigate the concern and reach out to the property's host to address any issues. Hosts or guests who violate their Terms of Service may be removed from the platform.

*Law Enforcement Partnerships:* Airbnb has an established portal where local police can request information about a short term rental involved in an ongoing investigation.

*Open Homes Program:* This program connects people who have lost their housing during times of crisis like floods or fires with individuals in their community who are able to house them.

*Combating Discrimination:* All users of Airbnb must agree to adhere to their Community Commitment and Non-discrimination Policies. Guests experiencing discrimination can report their issues and Airbnb will investigate, take action, and help find alternate accommodations if needed. Airbnb has also designed their tools with privacy and anti-discrimination in mind by hiding guest profile pictures from hosts until after bookings are confirmed and allowing streamlined booking processes that limit the opportunities for discrimination against guests. Since 2016, Airbnb has removed 1.5 million people from their platform for discriminatory behaviours.

*Restrictions on Gatherings and Age Requirements:* As of August 2020, Airbnb has implemented a global ban on parties or events at their listings, including a cap on occupancy of 16 people. To further discourage the use of Airbnb listings as 'party houses,' guests under the age of 25 are restricted from booking entire home listings within their local area, which has produced a meaningful reduction in the number of unauthorized parties booked through the platform. Guests or hosts who violate Airbnb's rules against parties may see their account suspended or permanently removed.

Links to these tools with additional information on their functions are provided in Appendix 3.

*Regulatory Tools:* In Administration's discussions with them, Airbnb expressed support for municipal licensing of STR operators. Their platform currently has the capability to implement a 'licence field' option which creates a standard location to gather and

display municipal licence numbers directly on listings. In municipalities with applicable by-laws, Airbnb also ensures those offering short term rentals know about the obligations present in the municipality by directing them to a web page, maintained by Airbnb, that details the rules for operating in the municipality where the property offered is located.

### ***Discussions with the City of Calgary***

Administration reached out to staff at the City of Calgary and were able to speak both with staff who initially developed their STR Licensing program and those who currently administer it. Staff from Calgary advised their licensing program was developed in order to improve safety and security for guests and community members. They designed their licence requirements to minimize barriers for those wishing to participate in Calgary's STR market, favouring speed of registration through their online licence application portal.

Calgary also publishes a Good Host Guide including tips and a checklist for STR owners, and a Good Guest Guide that provides guests with information on expectations, practices and support. Staff indicated that the goal in developing these documents was to help both local hosts and visiting guests better understand "what they're getting into" by offering or renting short term accommodations. These guides are available for review on the City of Calgary's website on their "Short Term Rentals and Lodging Houses" page<sup>1</sup>.

When asked about their working relationship with Airbnb, Calgary Licensing Staff advised that complaints to Airbnb, whose platform hosts the large majority of STRs in Calgary (similar to Windsor), were generally responded to in a timely fashion, with listings for problem properties removed within 72 hours of the City's request. They noted that Airbnb was generally hesitant to apply a "heavy hand" in enforcement efforts to avoid pushing hosts to competing STR Brokerages, but they were quick to address safety and security concerns that posed reputational risks to their company.

### **Risk Analysis:**

**Staffing:** Licensing and by-law enforcement staff will be tasked with implementing and administering the program. Administration believes that current staff complements can administer the requested program in its initial stages but will likely require additional resourcing to deliver an ongoing regulatory program.

Based on data from 2019 provided by Airbnb, Administration estimates approximately 500 STR Owner Licences will need to be processed annually, representing an 11% increase in licence volume. Until the program has been in operation and the needs can be assessed, Administration is not recommending any additional staff at this time; however this may change in the future. If that is the case, a formal budget request will be made of Council. Further information is available in the Financial Matters section.

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<sup>1</sup> "Short Term Rentals & Lodging Houses." *The City of Calgary*. <https://www.calgary.ca/business-economy/csps/abs/short-term-rentals-and-lodging-houses.html>

**Compliance:** Airbnb has indicated that it will not participate or host in a municipality that requires a Brokerage Licence. Losing the Airbnb platform in Windsor will likely have a negative effect on tourism as it reduces the availability of a popular mode of accommodation while travelling. It also introduces the opportunity for creative evasion of the regulations.

**COVID Impacts:** Because STRs are part of an industry profoundly impacted by the current pandemic, calculating the likelihood and extent of any risk related to the proposed by-law and its regulations is additionally complex. Administration must base their presumptions in this report and its accompanying by-law on data collected prior to the advent COVID-19 and it is not possible at this time to understand what the long-term impacts to STRs, or the tourism industry in general, will be. This risk may be mitigated somewhat by delaying the implementation of an STR licensing program until these impacts are understood more completely, however it is expected that the impacts will continue to evolve over a long period.

### **Climate Change Risks**

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

N/A

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

N/A

#### **Financial Matters:**

As with any other municipal licensing regime, the adoption and implementation of a STR licensing program will have some financial implications and costs for City Council to consider. There is currently no provision for the adoption of this program within the approved 2022 Operating Budget (revenue and/or expenditure). Should City Council accept Administration' recommendations, the financial impacts of this program will be monitored throughout its first year and a budget issue will be brought forward to increase licencing's revenue based on the revenue generated from this license fee and request approval should any additional staff will be needed.

#### **Building & Fire Staff Resources**

It is anticipated that no additional Fire or Building staff resources will be required for the purpose of inspection should the proposed regulations for STRs be adopted by Council.

As previously mentioned, Fire and Building Code standards will be subject to a self-declaration process by the licensee at the time of application for the purpose of renting out their owner-occupied dwelling on a short term basis. With that being said, onsite inspections will only be triggered if concerns are detected upon application for a licence, complaints are received or at the request of the Licence Commissioner throughout the licensing period.

## Licensing & By-law Enforcement Staff Resources

There are a number of current uncertainties to consider when evaluating if sufficient Licensing & By-law Enforcement resources are in place to effectively administer and enforce this program. Utilizing 2019 (pre-pandemic) data provided by Airbnb, it is more than likely that one additional full time Licence Issuer will eventually be required to process the increased workload of approximately 500 business licences annually. Further, it may be necessary to employ one additional full-time By-law Enforcement Officer in the future to follow up on non-compliant licensing matters and to address citizen complaints of suspected STRs operating without a licence.

With consideration for the uncertainties noted above, Administration suggests the current compliment of Licensing and By-law Enforcement staff can administer the program in its initial stages. If additional staff is needed, Administration will bring forward a formal request at a future budget deliberation. The table below provides Council with an overview of the current costs to add the additional Licence Issuer and By-law Enforcement Officer.

**Table 1: Suggested staff compliment**

DEPARTMENT	POSITION	STAFFING COST
Licensing	Licence Issuer (Full Time x 1)	\$ 65,269
By-law Enforcement	By-law Enforcement Officer (Full Time x 1)	\$101,318
TOTAL		\$166,587

## Municipal Licence Fees

In order to avoid burdening the taxpayer and community with the costs of administering a licensing program, Council should consider establishing an appropriate licensing fee to recover the City's costs to administer and enforce this licensing program.

Administration proposes the following fee structure for Short Term Rental Owners. A fee structure for STR Brokerages following the model used in Vaughan is also provided for Council's information but is not recommended by Administration. The rationale for the fee structure follows.

**Table 2: STR Owner Licence Fee (Recommended)**

CATEGORY	INITIAL APPLICATION	RENEWAL
Short Term Rental Owner	\$232.00	\$191.00 (minus \$41.00 Zoning fee)

**Table 3: STR Brokerage Licence Fees (Not Recommended)**

CATEGORY	INITIAL APPLICATION	RENEWAL
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CATEGORY	INITIAL APPLICATION	RENEWAL
Short Term Rental Brokerage (up to 10 active STR rentals)	\$265.00	\$265.00
Short Term Rental Brokerage (11 to 50 active STR rentals)	\$530.00	\$530.00
Short Term Rental Brokerage (51 to 100 active STR rentals)	\$2,652.00	\$2,652.00
Short Term Rental Brokerage (over 100 active STR rentals)	\$5,305.00	\$5,305.00

Administration proposes that an STR Owner Licence cost of \$232.00 for new applications and \$191.00 for the annual renewal. These figures are consistent with current business licence fees already in place to recover municipal licensing costs. This fee should allow costs associated with administration, enforcement, zoning checks for new applications, and overhead such as office expenses and corporate support to be recovered. A municipal scan found these fees relatively on par with comparable municipalities.

While assessing the proposed licence fees for STR Brokerages, Administration found the manner in which fees are charged across the Province of Ontario extremely inconsistent. As previously mentioned, only a few municipalities license STR Brokerages like Airbnb. It is assumed that the unique fee structures were developed with the intent to recover the immediate costs and anticipated future costs based on the STR market within their municipalities. As example, the City of Toronto charges STR Brokerages a one-time registration fee of \$5000 and then \$1 for each night a STR is rented on their platform. In contrast, the City of Oakville charges an annual licence fee of \$44,500 to STR Brokerages. The fee structure designed by the City of Vaughan increases incrementally depending on the number of active rentals listed on the STR Brokerage’s platform. Anticipating that Windsor’s market is comparable to that of Vaughan’s, Administration has proposed that Windsor’s STR Brokerage licence fees follow a similar incremental scale with fees ranging from \$265 to \$5,305.

While the proposed STR licence fees are based on the principle of cost recovery, the program is unlikely to achieve full cost recovery during its initial years. Because of the variables at play, it is challenging for Administration to accurately determine the number of active STRs in Windsor at this time or to predict the level of compliance the municipality will secure from STR Brokerages. Licence fees will likely need to be reviewed once the program has been implemented and Administration has more accurate data available.

**Municipal Accommodation Tax (MAT)**

STR Owners will be responsible to remit the 4% MAT while providing short term rental services in accordance to the proposed licensing by-law and the City’s current Municipal Accommodation Tax By-law. As noted in the proposed regulations, STR Owners will be provided with a MAT registration number and information regarding how to collect and remit the MAT when an STR Owner Licence is issued.

The City is already engaged in an agreement with Airbnb for the purpose of the 4% MAT collection for non-registered hosts. Amounts received from Airbnb are included in total revenues received from all accommodation providers, which is estimated to be \$2.4 million annually. Airbnb does not collect or remit the MAT for hosts already registered with the City for MAT purposes, such as hotels and motels. These hosts collect and remit the tax directly to the City, not through Airbnb's platform.

There has been a shortfall in this revenue for 2020 and 2021 due to the temporary closure of many hotels and an overall reduction in overnight travelling in response to the COVID-19 pandemic. It is unknown at this time whether the implementation of the licensing regulations will have an impact (if any) on the amount of tax that is already collected. However, the proposed licensing regulations could serve as a valuable tool for City administrators as it relates to data sharing and the disclosure of STR Owner information. Given the shift to licencing of STR owners there will likely be impacts to the administration and collection of the MAT. Administration will monitor these impacts and seek out streamlined administrative solutions where feasible. Administration will advise City Council relative to the impacts as part of the annual budget exercise.

**Consultations:**

Nathan Rotman, Airbnb Marketing

City of Vaughan, Ontario

City of Calgary, Alberta

Thom Hunt, City Planner

John Revell, Chief Building Official

Stephen Laforet, Fire Chief

Janice Guthrie, Deputy City Treasurer

Alexandra Taylor, Financial Planning Administrator

Alex Hartley, Senior Legal Counsel

**Conclusion:**

Compliance is a key element of any successful regulatory scheme. Administration recommends a modification of the Vaughan model to exclude brokerage licensing in order to focus attention on the STR Owner to achieve the goals of ensuring safety, reducing nuisance burden in affected neighbourhoods, efficiently collecting the MAT, and encouraging tourism in our community.

**Planning Act Matters:**

N/A

**Approvals:**

<b>Name</b>	<b>Title</b>
Steve Vlachodimos	City Clerk
Joe Mancina	Commissioner, Corporate Services / CFO
Shelby Askin-Hager	Commissioner of Legal and Legislative Services
Jason Reynar	Chief Administrative Officer

**Notifications:**

<b>Name</b>	<b>Address</b>	<b>Email</b>
Michelle Monforton		
Pina Ciotoli		
Joan Mavrillac		
Caroline Taylor		
Kate Isley		
Daniel Bombardier		
Chris Cadrin		
Terry Kennedy		
Jim St. Louis		
Jancie Pasternac		
Bev Tracy		
Jerry Lund		
Joseph Perpich		
Paul Mirkovic		
Brian Zampa		
Viki Grado		
Susan Serapiglia		
M. Revait		

<b>Name</b>	<b>Address</b>	<b>Email</b>
Sanjay Maru		
Joan Charette		
Ray Quenneville		
Shannon & Dennis Dumont		
Ryan Hughes (Yqg Housing Alliance)		
George Grayson		
Terry Hermiston		
Frazier Fathers		
Mary Morris		
Silvana Durocher		
Mary Ann Cuderman		
Tammy Murray		
Allan Bonner		
Rita Higgins		
Gullaume Lavoie		
Leslie Smejkal		
Tony Elenis		
Louis Sulek		
Nathan Rotman		
Ji Hee Shin Etienne Shin		

**Appendices:**

- 1 Draft Short Term Rental By-law
- 2 Regulatory Summary Table
- 3 Airbnb Tools for City Councillors



## **DRAFT BY-LAW NUMBER XX-2022**

BEING A BY-LAW RESPECTING THE LICENSING OF SHORT TERM RENTAL OWNERS AND TO REGULATE ALL RELATED ACTIVITY

**WHEREAS** Section 8(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, (the “Municipal Act”) provides that the powers of a municipality shall be interpreted broadly as to confer broad authority on a municipality to (a) enable it to govern its affairs as it considers appropriate, and (b) enhance its ability to respond to municipal issues;

**AND WHEREAS** Section 10(2) of the *Municipal Act* provides that a lower-tier municipality may pass by-laws respecting health, safety and well-being of persons, business licensing and protection of persons and property, including consumer protection;

**AND WHEREAS** Section 151(5) of the *Municipal Act* provides that a municipality may pass by-laws with respect to any activity, matter or thing for which a by-law may be passed under Sections 9, 10 and 11 as if it were a system of licences with respect to a business;

**AND WHEREAS** Section 391 of the *Municipal Act* provides for the municipality to impose fees or charges on persons for services or activities provided or done by or on behalf of it;

**AND WHEREAS** Section 425 of the *Municipal Act* provides for a municipality to pass by-laws providing that a person who contravenes a by-law of the municipality passed under the Act is guilty of an offence;

**AND WHEREAS** Section 426 of the *Municipal Act* provides that no person shall hinder or obstruct, or attempt to hinder or obstruct, any person who is exercising a power or performing a duty under the *Municipal Act* or under a by-law passed under the *Municipal Act*;

**AND WHEREAS** Section 429 of the *Municipal Act* provides for the municipality to establish a system of fines for offences under a by-law of the municipality passed under the *Municipal Act*;

**AND WHEREAS** Section 431 of the *Municipal Act* provides that if any by-law of the municipality is contravened and a conviction entered, in addition to any other remedy and to any penalty imposed by the by-law, the court in which the conviction has been entered and any court of competent jurisdiction thereafter may make an order to prohibit the continuation or repetition of the offence by the person convicted;

**AND WHEREAS** Sections 444 and 445 of the *Municipal Act* respectively, provide for the municipality to make an order requiring a person who contravenes a by-law or who causes or permits the contravention or the owner or occupier of land on which a contravention occurs to discontinue the contravening activity or do work to correct a contravention;

**AND WHEREAS** the Council of the Corporation of the City of Windsor deems the licensing of short-term rental owners and the regulation of all related activity to be in the interest of public safety, community well-being and nuisance control;

**NOW THEREFORE** the Council of the Corporation of the City of Windsor enacts this by-law to licence short-term rental owners and to regulate all related activity within the jurisdictional boundaries of the City of Windsor.

## **1 Applicability and Scope**

1.1 This By-law applies to all:

- (a) Short-Term Rental Owners that operate a Short-Term Rental within the jurisdictional boundaries of the City of Windsor;
- (b) Persons acting as Short-Term Rental Operators within the jurisdictional boundaries of the City of Windsor; and
- (c) Dwelling units used as Short-Term Rentals within the jurisdictional boundaries of the City of Windsor.

1.2 This By-law does not apply to:

- (a) hotels, motels or inns;
- (b) Bed-and-Breakfast or Guest House Establishments;
- (c) accommodations rented out to tenants in accordance with the *Residential Tenancies Act, 2006*, S.O. 2006, c. 17;
- (d) retirement homes licensed under the *Retirement Homes Act, 2010*, S.O. 2010, c. 11.

## **2 Definitions and Interpretation**

2.1 In this By-law:

**“Applicant”** means a person seeking to become licensed under this By-law (i.e., become a licensee) and who, either in person or through an authorized agent, makes such an application;

**“Authorized Agent”** means a person authorized in writing by an applicant or licensee to act on behalf of such applicant or licensee for the identified purpose of making an application, renewing a licence, or otherwise complying with the provisions of this By-law;

**“Bed-and-Breakfast or Guest House Establishment”** means a home-based business for the temporary accommodation of the traveling public located within a single detached dwelling which is occupied on a full-time basis by the owner of such single detached dwelling or the principal shareholder (or one of them if more than one shareholder holds the greatest number of shares) of the corporation registered as the legal owner of the building, including during the time the Bed and Breakfast or Guest House is in operation, and shall contain at least one (1) bedroom for the exclusive use of the owner and at least two (2) accessory guest rooms for use in the Bed and Breakfast or Guest House operation, and shall mean and include any Bed and Breakfast or Guest House legally established under any predecessor by-law, but shall not include a Lodging House, Hotel, or Short-Term Rental;

**“Chief Building Official”** means the Chief Building Official for the City or his or her delegate;

**“Chief of Police”** means the Chief of Windsor Police Service, or his or her delegate.

**“City”** means the Corporation of the City of Windsor or any person authorized to act on behalf of the Corporation for the purposes of exercising its powers under this By-law;

**“Collection”** means charging, receiving, accounting for, and remitting to the City the Municipal Accommodation Tax;

**“Dwelling Unit”** means a room or series of rooms of complementary use, used by a person or persons living together under a single tenancy, in which cooking, eating, living, sleeping and sanitary facilities are provided;

**“Fire Chief”** means the Chief of Windsor Fire and Rescue Services, or his or her delegate;

**“Individual Person”** means a natural person;

**“Licence”** means the certificate issued under this By-law as proof of licensing under this By-law;

**“Licence Commissioner”** means the Licence Commissioner for the City and shall mean and include any delegate or delegates of the Licence Commissioner for the City as well as any successor position to the Licence Commissioner carrying out the responsibilities of the Licence Commissioner at the time of the passing of this By-law;

**“Licensee”** means a person who has been issued and maintains a valid licence pursuant to the terms of this By-law;

**“Windsor Licensing Commission”** means the Windsor Licensing Commission;

**“Market”, “Marketed” or “Marketing”** means offering, facilitating, or causing or permitting to offer or facilitate, directly or indirectly, the sale, promotion, canvassing, solicitation, advertising, or marketing of a Short-Term Rental, and includes placing, posting or erecting advertisements physically or online;

**“Medical Officer of Health”** means the Medical Officer of Health for the Municipality of Windsor, Ontario;

**“Multiple Unit Dwelling”** means a building or part of a building containing three or more Dwelling Units;

**“Municipal Accommodation Tax” or “MAT”** means the tax imposed under the City of Windsor’s Municipal Accommodation Tax By-law, as may be amended from time to time, or its successor by-law.

**“Officer”** means a Provincial Offences Officer or Municipal Law Enforcement Officer of the City, or any other person appointed by or under the authority of a City by-law to enforce this By-law;

**“Ontario Police Service”** means a police service established in Ontario under the *Police Services Act*, R.S.O. 1990, c. P.15, as amended.

**“Operate”, “Operated” or “Operating”** means to rent out, provide, offer to rent out or provide, or facilitate or broker or market or cause to be marketed, the offer or rental, whether directly or indirectly, including,

without limitation, via the internet or other electronic platform, of a Short-Term Rental and shall include a person collecting a fee or handling payments in respect of a Short-Term Rental;

**“Order”** means a direction issued by the City under statutory authority, including but not limited to orders under the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, the *Building Code Act, 1992*, S.O. 1992, c. 23, as amended, and the *Fire Protection and Prevention Act, 1997*, S.O. 1997, c. 4, as amended.

**“Person”** means an individual person, a partnership, or a corporation (including any of such corporation’s affiliates, subsidiaries or parent corporations, as the case may be) to which the context can apply and “Person” shall also include multiple persons who, acting together, carry on the business of a Short-Term Rental business, despite the fact that no single one of those persons carries on the activity in its entirety;

**“Principal Residence”** means a dwelling unit owned or rented by an individual person, either alone or jointly with others, where the individual person is ordinarily resident;

**“Prohibited Ground”** means the prohibited grounds of discrimination as provided for under the *Ontario Human Rights Code*, R.S.O. 1990, c. H.19;

**“Property”** means a building, and includes the lands and premises appurtenant thereto, and includes vacant property;

**“Rental Period”** means the span of consecutive days for which a Short-Term Rental has been rented.

**“Short-Term Rental”** means a dwelling unit or part of a dwelling unit used to provide temporary accommodation for a rental period of not more than 29 consecutive days and shall not include a hotel, motel or Bed-and-Breakfast Establishment;

**“Short-Term Rental Brokerage”** means any person who facilitates or brokers or markets or causes to be marketed or assists in any capacity in the booking process of a Short-Term Rental reservation for others, whether directly or indirectly, including, without limitation, via the internet or other electronic platform, of a Short-Term Rental, provided such person collects, handles or receives a payment, fee, compensation or other financial benefit as a result of, or in connection with, the Short-Term Rental;

**“Short-Term Rental Operator”** means a person who has care and control, at any time and for any length of time, of a Dwelling Unit, or part thereof, that is used as a Short-Term Rental, but who is not the Short-Term Rental Owner;

**“Short-Term Rental Owner”** means any person who operates a Short-Term Rental and is either:

- (a) a registered owner of the property, or part thereof, that is being operated as a Short-Term Rental; or

(b) a tenant of the property, or part thereof, that is being operated as a Short-Term Rental.

### **3 Licensing Requirements for Short-Term Rental Owners**

- 3.1 No person shall carry on the business of a Short-Term Rental Owner unless a licence to do so has been obtained from the City.
- 3.2 Applicants for a Short-Term Rental Owner licence must:
- (a) be individual persons;
  - (b) have permanent residency in Canada; and
  - (c) have the property on which the proposed Short-Term Rental is located be:
    - (i) the principal residence of at least one of the Applicants;
    - (ii) located in an area that permits residential uses; and
    - (iii) be otherwise in compliance with all applicable law, including the requirements of the *Building Code Act*, 1992, S.O. 1992, c. 23 and *Fire Protection and Prevention Act*, 1997, S.O. 1997, c.4.
- 3.3 If the applicant is the registered owner of the property proposed as a Short-Term Rental, every registered owner of such property shall be considered a joint applicant and shall be listed on the completed application form in Subsection 3.13(a).
- 3.4 If the applicant is the tenant of the dwelling unit proposed as a Short-Term Rental, every tenant of such dwelling unit shall be considered a joint applicant and shall be listed on the completed application form in accordance with Subsection 3.13(a).
- 3.5 Applicants required, in accordance with the City's Municipal Accommodation Tax By-law, as amended from time to time, or its successor by-law, to collect the Municipal Accommodation Tax must be registered with the City to do so prior to making an application for a licence.
- 3.6 Applicants or licensees may use more than one Short-Term Rental Brokerage, but must identify each such Short-Term Rental Brokerage at the time of application, and shall notify the Licence Commissioner in accordance with Section 4.1 if they use a further Short-Term Rental Brokerage not identified at the time of application.
- 3.7 An application shall only be made in person by the applicant, who at the time of application shall present two (2) forms of government issued identification, one being photo and the other demonstrating proof of status in Canada, to the satisfaction of the Licence Commissioner.
- 3.8 Despite 3.7, an authorized agent of the applicant may make the application if he or she has written authorization to do so from at least one (1) of the applicants along with two (2) forms of government issued

identification, one being photo and the other demonstrating proof of status in Canada, to the satisfaction of the Licence Commissioner.

- 3.9 If the proposed Short-Term Rental is to be located in a multiple unit dwelling, the applicants shall provide, at the time of application, a letter from the owner of such multiple unit dwelling declaring that the operation of Short-Term Rentals is permitted.
- 3.10 If the applicants are not the registered owners of the dwelling unit being used as a Short-Term Rental, the application must be accompanied by a letter from the registered owner of the dwelling unit giving the applicants explicit permission to use the dwelling unit or part thereof as a Short-Term Rental.
- 3.11 The letter in Section 3.10 shall be an original and notarized or certified by a notary public or commissioner for oaths authorized to do so under the laws of the Province of Ontario.
- 3.12 Prior to the issuance of a licence, a copy of the application may be forwarded for a report or comments to the Medical Officer of Health, the Fire Chief, the Chief Building Official, the Chief of Police and any other departments of the City, and any other public authorities which may have an interest in the licence application, or for such information as may be required under this By-law or any other legislation.
- 3.13 Persons presenting an application for a Short-Term Rental Owner licence under this By-law shall submit the following:
  - (a) a completed application form or forms, signed by all applicants;
  - (b) proof of ownership or tenancy, satisfactory to the Licence Commissioner;
  - (c) the applicable, non-refundable licence fees, as set out in Schedule 1 of this by-law;
  - (d) a Canadian government document that proves the Canadian permanent residency of at least one (1) applicant;
  - (e) a Canadian or provincial government-issued photo identification of all applicants;
  - (f) if applicable, a Canadian government document that proves the Canadian permanent residency and a Canadian or provincial government-issued photo identification of the authorized agent;
  - (g) a complete Vulnerable Sector Check for every applicant, issued by an Ontario Police Service for the jurisdiction in which each applicant resides, not more than thirty (30) days old, from the date of application submission;
  - (h) a document, that provides proof satisfactory to the Licence Commissioner, that the property to be used as a Short-Term Rental is the principal residence of at least one of the applicants;
  - (i) a list of all Short-Term Rental Operators at the time of application, including their contact information;

- (j) proof, satisfactory to the Licence Commissioner, that every Short-Term Rental Owner in 3.13(h) and every Short-Term Rental Operator in 3.13(i), who is an individual person, is at least eighteen (18) years of age at the time of application submission;
  - (k) any other information required to be provided under this By-law or as may be requested by the Licence Commissioner.
- 3.14 Where the Licence Commissioner is of the opinion that an inspection of the dwelling unit or part thereof that is proposed to be used as a Short-Term Rental is required, such inspection shall be carried out in accordance with Part 12 of this By-law and no licence shall be issued or renewed until all matters identified by the inspecting officer have been remedied to the satisfaction of the Licence Commissioner.
- 3.15 Receipt of the application, request for renewal, or submission of the licence fee shall not constitute approval of the application for, or renewal of a licence, nor shall it obligate the City to issue or renew any such licence.
- 3.16 Despite 3.14 and 3.15, if a licensee has remitted the prescribed renewal fee, the licence shall be deemed to continue until the renewal is granted or refused, subject to the licensees' avenue for appeal under Parts 5 and 6.
- 3.17 Every licence issued under this By-law shall expire on November 30th, of the year following issuance, unless revoked or otherwise terminated under this By-law, prior to that date. When a renewal deadline expires on a Saturday, Sunday or holiday, the act or proceeding may be done or taken on the day next following that is a business day.
- 3.18 A licence may be obtained for one-half the applicable fee as established in Schedule 1 to this By-law if the licence is obtained on or after August 1st of the same year.
- 3.19 A licence not renewed by the deadline day shall be deemed to have lapsed at 12:01 a.m. the following day and the person whose name the original licence was issued under shall not operate a Short-Term Rental.
- 3.20 Despite 3.19, a licence that has not lapsed by more than 365 days from the date of the renewal deadline may still be renewed and the applicant shall be liable to pay the licence fee established by this By-law together with the penalty of 50% over the base fee.
- 3.21 A licence that has lapsed more than 365 days from the date of the renewal deadline shall be deemed cancelled and no longer eligible for renewal.
- 3.22 A licensee who operates with a licence that has been cancelled under 3.21 may not apply for a new licence unless the outstanding renewal fee, late renewal fee and Municipal Accommodation Tax, if any is owed, has been paid.

## **4 Changes in Information**

- 4.1 Every applicant or licensee shall notify the Licence Commissioner in writing within seven (7) days of any change in any information contained in the application for a licence or renewal thereof.

- 4.2 Where the changes in Section 4.1 include a change in the legal entity of the licensee, the existing licence shall be cancelled and a new licence shall be obtained by the said legal entity, subject to all of the licensing requirements of this By-law.
- 4.3 Notwithstanding Section 4.2, where there is a change in any of the registered owners or tenants who are licensed as Short-Term Rental Owners, a new licence shall be obtained by all the parties operating or proposing to operate a Short-Term Rental.
- 4.4 Where there is a change to a Short-Term Rental as a result of a renovation or other similar work, the Short-Term Rental Owner shall notify the Licence Commissioner, as per 4.1 and the Licence Commissioner may require such Short-Term Rental Owner to apply for a new licence if such renovations or similar work are deemed to be significant.
- 4.5 Where a Short-Term Rental Owner intends to operate a Short-Term Rental at a location different than the dwelling unit identified in his or her application, the existing licence shall be cancelled and a new licence shall be obtained before the intended Short-Term Rental may operate.

## **5 Powers and Duties of the Licence Commissioner**

- 5.1 The Licence Commissioner:
  - (a) Shall receive and process all applications for licences and renewal of licences to be issued under this By-law;
  - (b) Shall coordinate the enforcement of this By-law;
  - (c) Shall perform all the administrative functions conferred upon him or her by this By-law;
  - (d) Shall make or cause to be made all investigations and inspections which he or she deems necessary to determine whether an applicant meets the requirements of this By-law and all applicable laws;
  - (e) Shall make or cause to be made a circulation, respecting each application, which may include circulation of the licence application to the Medical Officer of Health, the Fire Chief, the Chief Building Official, the Chief of Police and any other departments of the City, and any other public authorities which may have an interest in the licence application for comment;
  - (f) May issue licences to persons who meet the requirements of this By-law and may suspend licences pursuant to the requirements of this By-law; and
  - (g) May, where a licence has been issued pursuant to this By-law and otherwise remains in full force and effect, renew the licences of persons who meet the requirements of this By-law.
- 5.2 Upon reviewing a licence application, including an application for renewal of a licence, or upon receiving information or a complaint as against a licensee, the Licence Commissioner may, in his or her sole discretion refer the application to the Windsor Licensing Commission, to refuse to grant or



revoke or suspend or place conditions on a licence upon the following grounds:

- (a) Where there are reasonable grounds for belief that such applicant or licensee will not carry on or engage in the business in accordance with the law, or with integrity and honesty;
- (b) Where there are reasonable grounds for belief that the carrying on by the applicant or licensee of the business in respect of which the licence is sought or held, would infringe the rights, or endanger the health or safety of, members of the public;
- (c) Where there are reasonable grounds for belief that the carrying on of the business by the applicant or licensee will result in non-compliance with this By-law or any other requirement or prohibition imposed by any other law;
- (d) Where there are reasonable grounds for belief that the nature, condition or use of the place or premises, or any equipment, vehicle or other personal property used or to be used by the applicant or licensee in the carrying on or engaging of the business would involve non-compliance with any provision of this By-law or any other law;
- (e) Where there are reasonable grounds for belief that any application or any other document or information provided by or on behalf of the applicant or licensee, contains a false statement or provides false information;
- (f) Where information provided to the City by or on behalf of the applicant or licensee, whether oral or in writing, has ceased to be accurate, and the applicant or licensee has not provided up-to-date accurate information to the City sufficient to allow the Licence Commissioner, or the Windsor Licensing Commission, as the case may be, to conclude the licence should be granted or maintained as valid and subsisting;
- (g) Where a licensee's or applicant's insurance, as approved by the Licence Commissioner, has expired and he or she continues to carry on business for which the licence was issued; or
- (h) Where a licensee or applicant fails to comply with a request to inspect or hinders an inspection in any way;

5.3 The Licence Commissioner's decision under 5.2 shall be guided by the following considerations:

- (a) the safety, health and well-being of the community;
- (b) the impact on neighbouring properties;
- (c) compliance with remittance of the Municipal Accommodation Tax;
- (d) financial impact to the City;

- (e) consistency with the terms and conditions of ~~the~~ any agreement between the Short-Term Rental Brokerage and the Short-Term Rental Owner, if requested by the Licence Commissioner.
- 5.4 Despite Section 5.2, a licence shall not be issued or renewed and the Licence Commissioner shall refer the matter to the Windsor Licensing Commission where:
  - (a) the property for which the Short-Term Rental is being proposed has any outstanding unpaid penalties or fines from the City;
  - (b) any of the applicants, within the previous five years from the date of application or renewal have been convicted of any of the following under the Criminal Code of Canada:
    - (i) homicide or manslaughter;
    - (ii) sexual offences;
    - (iii) assault offences;
    - (iv) confinement offences;
    - (v) robbery or extortion offences;
    - (vi) break and enter offences; or
    - (vii) fraud or forgery offences.
- 5.5 In the case where the Licence Commissioner refuses, revokes or suspends a licence upon any one or more of the grounds listed in Section 5.2 of this By-law, the applicant, or licensee, as the case may be, may appeal the Licence Commissioner's decision to the Windsor Licensing Commission, by notifying the Licensing Commissioner, in writing of its request to appeal to the Windsor Licensing Commission no later than fourteen (14) days after the date the licence application is refused, revoked or suspended by the Licence Commissioner.
- 5.6 In the case where the Licence Commissioner or the applicant, or licensee, as the case may be, refer or appeal to the Windsor Licensing Commission, the Windsor License Commission may refuse to grant, or revoke or suspend or place conditions on a licence upon any one or more of the grounds listed in Section 5.2 of this By-law.
- 5.7 Where after a hearing, the Windsor Licensing Commission concludes that any one of the grounds set out under Section 5.2 exist, the Windsor Licensing Commission may, instead of refusing, revoking, suspending a licence, grant a licence or allow a licence to continue upon such conditions as the Windsor Licensing Commission may see fit to impose, for the purpose of ensuring the proper and lawful carrying on of the business, or such other conditions, as are authorized by law.
- 5.8 No revocation or suspension of a licence under this By-law shall be final, except after a hearing by the Windsor Licensing Commission, or after the licensee has been given the opportunity for such a hearing, in accordance with the law.

- 5.9 The Licence Commissioner may suspend a licence where there are reasonable grounds to believe that such is required to prevent a breach of the By-law, or for any of the reasons that would form grounds for the revocation of a licence pursuant to Section 5.2;
- 5.10 A suspension under Section 5.2 shall take effect upon service of written notice thereof to the licensee, or upon the delivery of written notice to the business premises of the licensee at the address shown on the City's records;
- 5.11 A suspension under Section 5.2 shall remain in effect for no more than fourteen (14) days from the date of service of the notice under Section 5.9;
- 5.12 Following suspension of a licence under Section 5.2, the Licence Commissioner shall prepare a written report to the Windsor Licensing Commission, advising of the suspension and:
- (a) Recommend that the Windsor Licensing Commission hold a hearing to determine whether the suspension should continue, or be terminated, and whether the Windsor Licensing Commission should give consideration to whether or not the licence should be revoked or otherwise dealt with pursuant to the By-law; or
  - (b) Recommend reinstatement of the licence on the basis that the conditions leading to the suspension have been remedied; or
  - (c) Recommend that no action be taken upon the termination of the suspension.

## **6 Powers and Duties of the Windsor Licensing Commission**

- 6.1 At any time before the Licence Commissioner shall issue or renew a licence, or recommend to the Windsor Licensing Commission that it refuse to issue or refuse to renew a licence, the Licence Commissioner may as he or she sees fit, or shall at the request of the applicant, refer the application for issuance or renewal of the licence to the Windsor Licensing Commission.
- 6.2 Where there is a referral to the Windsor Licensing Commission pursuant to this section, the Windsor Licensing Commission shall hold a hearing for the purpose of:
- (a) issuing or renewing the licence;
  - (b) refusing to issue or renew the licence;
  - (c) suspending the licence;
  - (d) revoking the licence; or,
  - (e) issuing or renewing the licence with the imposition of conditions.
- 6.3 Where the Licence Commissioner intends to recommend to the Windsor Licensing Commission that it refuse to issue, refuse to renew, place conditions on, revoke or suspend a licence, the Licence Commissioner shall give notice of the intended recommendation and the reasons for the intended recommendation to the applicant or licensee as well as to such

other persons, civic departments, boards, commissions, authorities and agencies having an interest in the recommendation. Under this section, notice to the applicant or licensee shall be written notice served personally or sent by ordinary, prepaid mail addressed to the address shown on the application or licence. The notice of the hearing shall:

- (a) contain a reason or reasons for the proposed refusal, suspension, revocation or imposition of conditions;
- (b) specify the time, place and purpose of the hearing of the Windsor Licensing Commission at which the proposed refusal, suspension or revocation will be considered;
- (c) inform the affected applicant or the affected holder of the licence that he is entitled to attend the hearing and make submissions regarding the proposal and that, in his absence, the Windsor Licensing Commission may proceed to consider the proposal, and the applicant or affected holder of the licence will not be entitled to any further notice in the proceeding;
- (d) afford the affected applicant or the affected holder of the licence a reasonable opportunity, before the hearing, to show or achieve compliance with all lawful requirements for the retention of the licence; and
- (e) be given at least seven (7) days notice prior to the date of the Windsor Licensing Commission hearing.

6.4 At a hearing, the Windsor Licensing Commission:

- (a) shall afford the affected applicant or the holder of the licence an opportunity to make submissions in respect of the matter that is the subject of the Commission's proceedings;
- (b) shall afford any person, civic department, board, commission, authority or agency given notice under Section 6.3 of this by-law and in attendance at the hearing, or any other person in the discretion of the Commission, an opportunity to make submissions in respect of the matter that is the subject of the Commission's proceedings;
- (c) the hearing shall be open to the public but the Commission may close a portion of the hearing for the purposes of receiving confidential legal information pertaining to the affected applicant or licensee;
- (d) the hearing shall be open to the public but the Commission may close all or a portion of the hearing to the public if the Commission is of the opinion that intimate financial or personal matters may be disclosed of such a nature, having regards to the circumstances, that the desirability of avoiding disclosure thereof in the interests of any person affected or in the public interest, outweighs the desirability of adhering to the principle that the hearing be open to the public;
- (e) shall give due consideration to the submissions made to it;

- (f) shall take such action to refuse, suspend revoke or impose conditions on the application or licence, or not to refuse, suspend revoke or impose conditions on the application or licence, as the Windsor Licensing Commission considers proper in the circumstances; and
- (g) shall give notice of its decision to the Licence Commissioner, to the applicant or to the licensee, and to any person, civic department, board, commission, authority or agency in attendance at the hearing, together with the reasons for its decision.

6.5 At the hearing, the Windsor Licensing Commission may suspend, revoke, and refuse to issue or impose conditions on any licence under this By-law:

- (a) for any reason that would disentitle any licensee to a licence;
- (b) where the licensee or applicant is in breach of a condition of the licence;
- (c) where the licensee or applicant is in breach of any of the provisions of this By-law;
- (d) if there are reasonable grounds to believe any of the statements made on the application for issuance or renewal are false;
- (e) if, subsequent to the issuance of the licence, a report is filed by any body which originally provided its approval that indicates that the licensee is no longer in compliance with this By-law;
- (f) upon such grounds as are set out in this By-law;
- (g) if the applicant has outstanding fees or fines owing to the City, or if the applicant has not paid the required application fee;
- (h) if the conduct or character of the applicant or licensee affords reasonable grounds to believe that the applicant or licensee will not carry on or engage in the business in accordance with the law or with honesty and integrity;
- (i) if the geographic location of the business does not meet land use requirements or does not comply with this By-law;
- (j) if, in the case of a corporate applicant or licensee, the conduct of its officers, directors, employees or agents affords reasonable cause to believe that the business will not be carried on in accordance with the law or with honesty and integrity;
- (k) if issuing the licence is not in the public interest;
- (l) if a licensee's or applicant's insurance, as approved by the Licence Commissioner, has expired and he or she continues to carry on business for which the licence was issued; or
- (m) if a licensee or applicant fails to comply with a request to inspect or hinders an inspection in any way.

- 6.6 A decision of the Windsor Licensing Commission refusing, suspending, revoking or imposing conditions on an application or licence takes effect upon the rendering of such decision by the Windsor Licensing Commission. No licensee shall operate or carry on the activity for which the licence was issued while his licence is under suspension.
- 6.7 The Windsor Licensing Commission shall give its decision to the Licence Commissioner within seven (7) days of the hearing.
- 6.8 The Licence Commissioner shall forthwith notify the applicant in writing of such decision by serving a copy personally or sent by ordinary, prepaid mail addressed to the last known address for the person appearing on the records of the City.
- 6.9 The proceedings of the Windsor Licensing Commission shall, at the request of the applicant and upon payment of a fee determined by the Licence Commissioner, be transcribed in writing and a copy of the transcript shall be made available to the applicant on payment of such additional fees as may be determined by the Licence Commissioner.
- 6.10 Upon receipt of a notice of the decision of the Windsor Licensing Commission suspending or revoking a licence, the licensee shall, within twenty-four (24) hours of service of notice by certified mail or immediately if the notice is personally served, return the licence to the Licence Commissioner and the Licence Commissioner shall have access to any premises, or other property of the licensee for the purpose of receiving or taking the same. All licences not returned within twenty-four (24) hours of service of notice will automatically be deemed invalid.
- 6.11 No person shall refuse to deliver a suspended or revoked licence to the Licence Commissioner or designate or shall in any way prevent or hinder the Licence Commissioner or designate from receiving or taking the same.
- 6.12 Where a licence is revoked, the licensee is entitled to a refund of that part of the licence fee proportionate to the unexpired part of the term for which it was granted, such refund to be prorated on a monthly basis.
- 6.13 Where the Windsor Licensing Commission renders a decision granting the applicant the licence applied for, the licence shall be issued upon the applicant complying with the terms of this By-law and the conditions imposed on the licence, if any, and the applicant shall complete the application within fourteen (14) days of the decision of the Windsor Licensing Commission.
- 6.14 No person licensed under the provisions of this by-law shall fail to maintain, on a continuous basis, the standards and requirements that were necessary to obtain the original approval of the licence application, or have been imposed since the issuance of the licence.
- 6.15 Decisions made by the Windsor Licensing Commission are final.

## **7 General Regulatory Requirements**

- 7.1 No person shall operate a Short-Term Rental in contravention of the City's Zoning By-law, as amended, or its successor by-law, or in contravention of any other of the City's by-laws or any other applicable law.

7.2 No person licensed or required to be licensed under this By-law shall charge any person, or provide services to any person, or deny service to any person, in a manner that in the opinion of the Licence Commissioner discriminates on the basis of a prohibited ground under the *Ontario Human Rights Code*, R.S.O. 1990, c.H.19, as amended, or is deemed by the Licence Commissioner to have the same or similar effect.

## **8 Regulatory Requirements for Short-Term Rental Owners**

- 8.1 Every Short-Term Rental Owner shall carry on their business in accordance with the conditions of the licence.
- 8.2 No Short-Term Rental Owner shall offer or accept multiple reservations where the proposed accommodation rental periods of said reservations overlap.
- 8.3 No Short-Term Rental Owner shall operate a Short-Term Rental unless the building in which the Short-Term Rental is located is in compliance with both Ontario Building Code and Fire Code.
- 8.4 No Short-Term Rental shall be operated in any area where a residential use is not permitted under the City's Zoning By-law, as amended, or its successor by-law.
- 8.5 No Short-Term Rental Owner shall allow any person to operate his or her Short-Term Rental unless such person has been registered with the City as per Subsections 3.13(i), 3.13(j) and Section 8.6.
- 8.6 Every Short-Term Rental Owner shall ensure that the list of Short-Term Rental Operators relating to the Short-Term Rental is up-to-date and accurate in accordance with Section 4.1.
- 8.7 Notwithstanding the requirements under Subsection 3.13 (i) and Section 8.6, every Short-Term Rental Owner shall be fully responsible for any and all decisions and actions governed by this By-law, including those taken by a Short-Term Rental Operator, whether or not such individual has been identified as such by the Short-Term Rental Owner and whether or not such individual was granted explicit permission or authority to make such decisions or take such actions.
- 8.8 Every Short-Term Rental Owner shall post the licence supplied by the City at the time of issuance or renewal in a conspicuous place visible from the outside of the dwelling unit, on, or as near as possible to, the main entrance to the Short-Term Rental.
- 8.9 No Person shall Operate a Short-Term Rental within the jurisdictional boundaries of the City without:
- (a) having registered with the City for purposes of collecting the Municipal Accommodation Tax in accordance with the City's Municipal Accommodation Tax By-law, as amended, or its successor by-law; and
  - (b) being current on all Municipal Accommodation Tax Collection requirements to the City.

- 8.10 No Short-Term Rental Owner shall hold, advertise, permit, or otherwise allow any occupancy that exceeds the maximum under either the Ontario Building Code or Fire Code, or which may otherwise pose a hazard or public nuisance, as determined by the Licence Commissioner.
- 8.11 No Short-Term Rental Owner shall use or permit his or her Short-Term Rental to be used for the carrying on of a party for which an entrance fee is advertised or otherwise charged.

## **9 Regulatory Requirements for Short-Term Rental Operators**

- 9.1 No Short-Term Rental Operator shall operate a Short-Term Rental unless he or she is registered with the City for that purpose by the Short-Term Rental Owner, in accordance with Subsection 3.13(i) and Section 8.6.
- 9.2 Every Short-Term Rental Operator registered in accordance with Subsection 3.13(i) and Section 8.6 and who is an individual person shall be at least 18 years of age at the time of registration.
- 9.3 Every Short-Term Rental Operator shall be required to identify him or herself upon request by an Officer or any other person authorized to administer or enforce this By-law.

## **10 Administrative Matters**

- 10.1 Any notice or other information required or authorized to be forwarded, given or served under this By-law is sufficiently given if delivered personally or sent by ordinary, prepaid mail addressed to the person to whom delivery is required to be made at the address shown on the application or at last address shown or appearing on the records of the City and in the case of a corporation shall include delivery personally or by ordinary prepaid mail delivered to any individual person who acts or appears to act for the benefit of such corporation, including a sales or customer service representative or an individual person employed or contracted by such corporation who is located at the premises of such corporation or any of such corporation's affiliates, subsidiaries or parent corporations, as the case may be.
- 10.2 Where service is effected by ordinary prepaid mail, it shall be deemed to be made on the fifth (5th) day after the date of mailing, unless the person on whom service is being made establishes to the satisfaction of the Licence Commissioner, that he or she did not, acting in good faith, through absence, accident, illness or other cause beyond his or her control, receive the notice or order until a later date.
- 10.3 For the purposes of Section 23.2(4) of the *Municipal Act*, it is the opinion of Council that the powers delegated to the Licence Commissioner, the Windsor Licensing Commission pursuant to this By-law are of a minor nature.
- 10.4 The Licence Commissioner, on behalf of the City, may enter into a data sharing agreement with a Short-Term Rental Brokerage for the purposes of collection and disclosure of information required under this Bylaw.

## **11 Enforcement**

- 11.1 The provisions of this By-law may be enforced by an Officer.



- 11.2 An Officer who has reasonable grounds to believe that a person has contravened any provision of this By-law may require that person provide identification to the Officer.
- 11.3 Any information provided to the Officer under Section 11.2 is presumed to be correct and accurate and is admissible in any proceeding.
- 11.4 All persons who are required by an Officer to provide identification under Section 11.2 shall provide such identification to the Officer. Failure to provide sufficient or correct and accurate identification shall constitute an offence as set out under Section 11.6 of this By-law.
- 11.5 An Officer may issue an Order to any person governed by the provisions of this By-law, directing such person to:
- (a) discontinue a contravening activity; or
  - (b) do work to correct a contravention.
- 11.6 Failure to comply with an Order under Section 11.5 is an offence and every person named in such Order shall be subject to penalties and remedies prescribed under this By-law.
- 11.7 No person shall hinder or obstruct, or attempt to hinder or obstruct, an Officer who is exercising a power or performing a duty under this By-law.

## **12 Powers of Entry and Inspection**

- 12.1 Officers, and any person acting under their direction, may, at any reasonable time or at any time when there are reasonable grounds to believe that a contravention of this By-law is occurring or alleged to be occurring and subject to applicable law, enter onto any property to determine if the provisions of this By-law are being complied with.
- 12.2 Officers are authorized, for the purposes of an inspection to determine and enforce compliance with the By-law, to:
- (a) enter, at any reasonable time, onto any property, other than a dwelling unit unless authorized by the occupier of such dwelling unit or under the authority of a warrant issued by a court of competent jurisdiction;
  - (b) require any person to produce for inspection any substance, equipment, documents, or other things relevant to the alleged offence or inspection;
  - (c) alone or in conjunction with persons possessing special or expert knowledge, make examinations, take tests, obtain samples, and/or make audio, video and/or photographic records relevant to the alleged offence or inspection; and/or
  - (d) require information from any person concerning the alleged offence or inspection.

## **13 Offences and Penalties**

- 13.1 Every person who contravenes a provision of this by-law or direction provided by an Officer in order to achieve compliance shall be guilty of

an offence and upon conviction shall be liable to a fine as provided for in the Provincial Offences Act, R.S.O. 1990, C. P.33, and as set out below:

- (a) Upon a first conviction, a fine of not less than \$500 and not more than \$5,000.00.
  - (b) Upon a second or subsequent conviction, a fine of not less than \$500.00 and not more than \$10,000.00.
  - (c) Upon conviction for a multiple offence, for each offence included in the multiple offence, a fine of not less than \$500.00 and not more than \$10,000.00.
  - (d) Upon a first conviction, where the person is a corporation, a fine not less than \$500.00 and not more than \$100,000.00.
  - (e) Upon a second or subsequent conviction, where the person is a corporation, a fine of not less than \$500.00 and not more than \$100,000.00.
  - (f) Upon conviction for a multiple offence, for each offence included in the multiple offence and where the person is a corporation, a fine of not less than \$500.00 and not more than \$100,000.00.
- 13.2 Upon the conviction of a Short-Term Rental Owner, for which the offence or offences relate to the carrying on of a party and for which an entrance fee was advertised or otherwise charged, a special fine, in addition to any other applicable fines, equivalent to the number of participants estimated by the Licence Commissioner to have attended multiplied by the amount advertised or charged per person.

## **14 Collection of Unpaid Penalties and Fines**

- 14.1 Where a fine is in default, the City may proceed with civil enforcement against the person upon whom the fine has been imposed, pursuant to the *Provincial Offences Act*, R.S.O 1990, Chapter P.33.

## **15 Continuation, Repetition Prohibited by Order**

- 15.1 The court in which a conviction has been entered, and any court of competent jurisdiction thereafter, may make an order prohibiting the continuation or repetition of the offence by the person convicted, and such order shall be in addition to any other penalty imposed on the Person convicted.

## **16 Evidentiary Requirements**

- 16.1 A court or the Windsor Licensing Commission may, in the absence of evidence to the contrary, infer that a listing on the platform of a Short-Term Rental Brokerage or a public advertisement to the effect, and by any means, is proof that the premises or part thereof is being rented or offered for rent as a Short-Term Rental. For greater certainty, a witness need not possess special or expert knowledge for the court or the Windsor Licensing Commission to make any such inference.

## **17 Severability**

- 17.1 If any provision or part of this By-law is declared by any court or tribunal of competent jurisdiction to be illegal or inoperative, in whole or in part, or

inoperative in particular circumstances, the balance of the By-law, or its application in other circumstances, shall not be affected and shall continue to be in full force and effect.

**18 Force and Effect**

18.1 This By-law shall come into force on the XX day of XXX of XXXX.

## SCHEDULE 1 – SHORT TERM RETNAL LICENCE FEE

CATEGORY	INITIAL APPLICATION	RENEWAL APPLICATION*
Short Term Rental Owner	\$232.00	\$191.00

***\* STR licences are due for renewal by November 30<sup>th</sup> annually.***

## Appendix 2 : Regulatory Summary Table

**Table 1 – General Provisions for STRs** (refer to by-law for complete and exact regulations)

DESCRIPTION	PROVISION
<p><b>Applicability &amp; Scope</b> (Section 1)</p>	<ul style="list-style-type: none"> <li>• Licensing and regulations apply to all STR Owners including requirements for the associated STR operators and dwelling units within the jurisdictional boundaries of the City of Windsor;</li> <li>• By-law does not apply to hotels, motels, inns, bed-and-breakfast/guest house establishments, accommodations rented out in accordance to the <i>Residential Tenancies Act</i> or Retirement Homes licensed under <i>Retirement Homes Act</i>.</li> </ul>
<p><b>Definitions</b> (Section 2)</p>	<ul style="list-style-type: none"> <li>• <b>Dwelling Unit</b> – a room or series of rooms for complementary use, used by a person or persons living together under single tenancy where cooking, eating, sleeping and sanitary facilities are provided;</li> <li>• <b>Multiple Unit Dwelling</b> – a building or part of a building containing three or more dwelling units;</li> <li>• <b>Municipal Accommodation Tax (MAT)</b> – the tax imposed under the City’s MAT by-law (<i>the tax that must be remitted to the City by STR Owners</i>) <b>Principal Residence</b> – a dwelling unit owned or rented by an individual person either alone or jointly with others, where the individual is ordinarily resident;</li> <li>• <b>Rental Period</b> – the span of consecutive days in which an STR is rented;</li> <li>• <b>Short Term Rental (STR)</b> - a dwelling unit or part of a dwelling unit used to provide temporary accommodation for a rental period of <b>not more than 29 consecutive days</b>.</li> <li>• <b>Short-Term Rental Brokerage</b>” means any person who facilitates or assists in any capacity, the booking process of a Short Term Rental reservation for others including, without limitation, via the internet or other electronic platform;</li> <li>• <b>Short Term Rental Operator</b> – a person who has the care &amp; control of a dwelling unit used as an STR but is not the STR owner;</li> <li>• <b>Short Term Rental Owner</b> – any person who operates an STR and is the registered property owner or tenant of the property.</li> </ul>

DESCRIPTION	PROVISION
<p><b>Terms of Licence</b> (Sections 3, 4)</p>	<ul style="list-style-type: none"> <li>• Annual licence required to be renewed by November 30<sup>th</sup> each year;</li> <li>• Licence fee reduced by 50% if obtained on or after August 1<sup>st</sup> of the same year;</li> <li>• Licences not renewed are deemed to have lapsed the day after deadline and operation of the STR is prohibited;</li> <li>• Lapsed renewals are subject to a 50% penalty of the base licence fee;</li> <li>• Licences lapsed for more than 365 days will be deemed cancelled and not permitted for renewal;</li> <li>• A new licence will not be issued when cancelled until all renewal and late fees have been collected.</li> <li>• Applicants shall be registered with the City for the collection purposes of the Municipal Accommodation Tax (MAT);</li> <li>• Licensees must notify Licence Commissioner within 7 days of any changes to the application or renewal thereof;</li> <li>• Licences are non-transferable and a new licence is required where there is a legal entity or registered owner change, location change or where renovations to a STR are significant.</li> </ul>
<p><b>Powers &amp; Duties of the Licence Commissioner and the Windsor Licensing Commission</b> (Sections 5, 6)</p>	<ul style="list-style-type: none"> <li>• Provides framework and authority of the Licence Commissioner to process &amp; administer the licence application, co-ordinate the necessary inspections &amp; approvals and enforce the provisions of the by-law.</li> <li>• Provides framework for the Licence Commissioner to recommend an application to be refused or to suspend, revoke or impose conditions on a licence;</li> <li>• Provides the process for a licence hearing before the Windsor Licensing Commission;</li> <li>• Provides framework for the Windsor Licensing Commission to refuse an application or to suspend, revoke or impose conditions on a licence;</li> <li>• Windsor Licensing Commission decisions are final.</li> </ul>
<p><b>General Regulatory Requirements</b> (Section 7)</p>	<ul style="list-style-type: none"> <li>• Prohibits the operation of an STR if in contravention with the Zoning By-law or any City by-law or other applicable law;</li> <li>• Prohibits discriminatory behaviour where the Licence Commissioner deems it to be on the basis of prohibited ground.</li> </ul>

DESCRIPTION	PROVISION
<p><b>Regulatory Requirements for STR Owners</b> (Section 8)</p>	<ul style="list-style-type: none"> <li>• Owners are prohibited from accepting reservations that overlap each other;</li> <li>• Owners shall not operate a STR unless the building that the STR is located in complies with Fire and Building Codes;</li> <li>• Prohibits the operation of a STR where residential use is not permitted under the City's Zoning By-law;</li> <li>• Owners must ensure that all operators of their STR are registered with the City and that the list of operators is maintained;</li> <li>• Licence must be posted in a conspicuous place that can be visible from the outside of the dwelling unit, on, or as near as possible to the entrance of the STR;</li> <li>• Must be registered with the City for the purposes of collection of the MAT and be current with all City collection requirements prior to operating a STR;</li> <li>• Shall not permit/advertise occupancy of a STR to exceed the allowance under Fire and Building Codes or which may pose a safety hazard or public nuisance.</li> <li>• Shall not use or permit a STR to be used for the carrying on of a party for which an entrance fee is advertised charged.</li> </ul>
<p><b>Regulatory Requirements for STR Operators</b> (Section 9)</p>	<ul style="list-style-type: none"> <li>• Shall not operate a STR unless he/she has been registered with the City by the STR Owner;</li> <li>• Shall be at least 18 years of age at the time of registration;</li> <li>• Required to identify themselves upon the request of an Officer or any person authorized to administer or enforce the STR Licensing By-law.</li> </ul>
<p><b>Administrative Matters</b> (Section 10)</p>	<ul style="list-style-type: none"> <li>• Provisions for proper service of notice or required information (i.e., personal, registered mail);</li> <li>• Provisions to allow the Licence Commissioner to enter into data sharing agreements with a STR Brokerage for the purposes of collection and disclosure of information required under the by-law.</li> </ul>
<p><b>Enforcement &amp; Inspection</b> (Sections 11, 12)</p>	<ul style="list-style-type: none"> <li>• Provides provisions of who may enforce the STR regulations;</li> <li>• Provides Order to Comply provisions to discontinue a contravening activity or to do work to correct a contravention;</li> <li>• Obstruction provisions when exercising powers or during course of duty;</li> <li>• Power of entry provisions outlining when an Officer may enter upon a licensed property and/or dwelling unit;</li> <li>• Provides provisions of what is authorized for an Officer to conduct an inspection or investigation.</li> </ul>

DESCRIPTION	PROVISION
<p><b>Penalties, Fines, Offences &amp; Court Matters</b> (Sections 13, 14, 15, 16)</p>	<ul style="list-style-type: none"> <li>• Threshold provisions for progressive fines if charges are issued under the <i>Provincial Offences Act</i>;</li> <li>• Provision for a special fine upon the conviction of an STR Owner for the carrying on of a party for which an entry fee was advertised or charged;</li> <li>• Provisions for court orders to prohibit the continuation or repetition of an offence;</li> <li>• A listing or public advertisement is proof of offering.</li> </ul>

**Table 2 - Application Process for STR Owners**

APPLICANT	REQUIREMENT
<p><b>Homeowner</b> (Section 8) <i>i.e., the registered owner/s of the dwelling proposed as an STR</i></p>	<ul style="list-style-type: none"> <li>• Complete application in full and pay applicable fee;</li> <li>• Government issued photo identification &amp; name of person submitting application;</li> <li>• Proof of principal residency (e.g., driver's licence);</li> <li>• Authorization from registered property owner if dwelling is part of multi-residential (e.g., condo corporation);</li> <li>• Vulnerable sector check for every registered owner (not more than 30 days old at the time of application);</li> <li>• Valid home liability insurance in an amount of no less than \$2,000,000.</li> </ul>
<p><b>Tenant</b> (Section 8) <i>i.e., the tenant/s on the lease of the dwelling proposed as an STR</i></p>	<ul style="list-style-type: none"> <li>• Complete application in full and pay applicable fee;</li> <li>• Government issued photo identification &amp; name of person submitting application;</li> <li>• Proof of principal residency (e.g., driver's licence);</li> <li>• Letter of authorization from registered owner of the dwelling;</li> <li>• Authorization from registered property owner if dwelling is part of multi-residential;</li> <li>• Vulnerable sector check for every tenant on the lease (not more than 30 days old at the time of application);</li> <li>• Proof of valid home liability insurance in an amount of no less than \$2,000,000.</li> </ul>



APPLICANT	REQUIREMENT
<p><b>Other submissions upon application</b> (Sections 8, 9)</p>	<ul style="list-style-type: none"> <li>• Agents applying on behalf of an applicant must provide a letter of authorization listing specific authorities;</li> <li>• Provide 24 hour contact information – at least one operator is required to be available whenever a Short Term Rental is being rented;</li> <li>• Provide type of home being rented and comply with zoning requirements;</li> <li>• Provide number of existing bedrooms within the dwelling;</li> <li>• Indicate what portion of the home is to be rented - the entire home or a portion of the home, including the number of bedrooms;</li> <li>• Confirm bedroom construction – original or lawfully afterwards by building permit;</li> <li>• Identify if home is under renovation or if there are plans to renovate;</li> <li>• <b>Self declare/confirm</b> that dwelling is compliant with fire safety measures including sufficient smoke and carbon monoxide alarms where applicable;</li> </ul>



## **IMPORTANT TOOLS FOR CITY COUNCILLORS:**

### **[Neighbourhood support](#)**

You, your staff and your community members can use the Neighbourhood Support tool to report nuisances, bylaw infractions, parties or other concerns directly to our team.

### **[Law enforcement partnership](#)**

Toronto Police have access to this special portal where they can request information to help keep the community safe.

### **[Strict cleaning standards](#)**

Learn how hosts who have committed to Airbnb's industry-leading cleaning protocol now sanitize their listing to help prevent the spread of COVID-19.

### **[Emergency housing](#)**

If an emergency like a natural disaster takes place in your community, the Open Homes program allows hosts to offer their space for free to people in need.

### **[Fighting discrimination](#)**

Learn how Airbnb is undertaking new measures to uncover and measure discrimination on the site in order to better combat it.

### **[Community standards](#)**

Read about how our trust and safety standards help to foster responsible home sharing and tourism.

### **[Restrictions on gatherings](#)**

Familiarize your constituents with our party policies, which are designed to minimize disturbances to the surrounding community.

### **[Age requirements](#)**

As part of our commitment to communities' safety, guests under 25 are not allowed to book entire homes within a close proximity to where they live.



**Subject: WFRS Next Generation 911 Telecommunications - Pre-Approval - City Wide**

**Reference:**

Date to Council: February 14, 2022  
Author: Jonathan Wilker  
Deputy Fire Chief  
519-253-3016 ext.274  
jwilker@citywindsor.ca  
Fire and Rescue Services  
Report Date: January 25, 2022  
Clerk's File #: SF/14284

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

**Recommendation:**

THAT City Council **PRECOMMIT** a total of \$1,900,000 in funding, as identified below, from the WFRS Next Generation 911 Telecommunications project (FRS-004-19):

- a. \$300,000 in 2024 and;
- b. \$1,600,000 in 2025 and,

**THAT** the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign any agreement or applications necessary to achieve Next Generation 911 communication upgrade legislated by the Federal Government and it be subject to the cost within the approved budget, satisfactory in legal form to the City Solicitor, in financial content to the Chief Financial Officer, and in technical content to the Fire Chief.

**Executive Summary:**

N/A

**Background:**

Effective communication is the most critical aspect of public safety. This consists of communication with the public, firefighters, Windsor Fire and Rescue staff, and other emergency services. Emergency communications is about to enter a significant and sustained period of transformation. This will include a move to Next Generation 911 (NG9-1-1) and the implementation of the North American public safety broadband spectrum. Replacement of the aging telephone system at WFRS headquarters will be required in order to accommodate the new technology. The current analog 9-1-1 network is to be decommissioned by March 2025.

**Discussion:**

The Canadian Radio-television and Telecommunications Commission (CRTC) has mandated NG9-1-1 networks must be ready to deliver NG9-1-1 voice services and deliver all NG9-1-1 text messaging services with additional services to be added over time. Furthermore, the current analog 9-1-1 network is to be decommissioned beginning March 2025.

Telecommunication upgrade involves receiving the information in many forms like text messages, pictures, video, and telematics that will be sent directly to 911 from a variety of devices. Fire & Rescue's communication ability will require technological upgrades or replacements to all equipment, hardware, software, and workstations.

In partnership with Windsor Police Services (WPS), a fully functioning back up site, compliant with Next Generation 911, is also included in this project. The backup emergency communication center will be capable of serving the WPS and WFRS simultaneously during a disaster or other significant event. This joint phase, with WPS, is currently underway.

The pre-commitment of funds currently included within the 2022 10-year Capital budget would allow administration to proceed with communication transformation and meet the milestone target dates of the Joint Emergency Communication and Dispatch NG9-1-1 Transition Project.

**Risk Analysis:**

There is a significant risk associated with not meeting the Federal deadline as it would cause a breakdown in emergency communications between the public using the 911 emergency line and emergency communication operators who dispatch emergency help to the scene. The 911 system, alarm processing, is the first vital step in maintaining the response standard for the deployment of fire suppression, emergency medical operations, and special operations.

Any disruption in the 911 response system risks public safety and may consequently have a significant financial impact to the City.

**Climate Change Risks:**

N/A

**Financial Matters:**

Total funding allocated to the project is \$2,250,000. The project currently has \$350,000 in previously approved Capital funding. The 2022 10-year Capital Budget includes an additional \$1,900,000 in funding (years 2024 and 2025) for the WFRS Next Generation 911 Telecommunication upgrade project (FRS-004-19). Administration is recommending that the entire \$1,900,000 be pre-committed for immediate use to allow a continuous implementation process.

The first phase of the project is the establishment of the back up site compliant with NG9-1-1. It involves setting up three (3) dispatch workstations, which include consoles, computers, radios and software. Some intra-building modifications to allow operations are also required like electrical, cabling, security, etc. Construction, equipment and

software including the Motorola proposal for radio connectivity was priced and stands at \$450,000 + tax.

The second phase of the project is a transformation of the current dispatch site to digital capability. The costing is largely unknown at this time as multiple parties are currently identifying needs and requirements for the transformation. Some of the parties involved at this time are Bell, Motorola and Crisys Ltd.

The funding allocated is believed to be sufficient, but as this initiative progresses, more details will become available and management will advise and report on any changes or new information that have the potential to affect the cost of operations related to this project.

There may also be a potential operating cost impact which will be brought forward to Council through the budget process once/if it gets identified. For example, internal computer support and maintenance charges may be required for which options are currently being explored.

**Consultations:**

Monika Schneider, Financial Planning Administrator  
Melissa Osborne, Senior Manager Asset Planning

**Conclusion:**

Administration is recommending the pre-commitment of \$1,900,000 funding from the WFRS – NextGen 911 Telecommunications Rehabilitation Program project (FRS-004-19) to fund the capital project required for the WFRS Next Generation 911 Telecommunication transformation in order to meet the Federal timeline for being live and operational by year 2025.

**Planning Act Matters:**

N/A

**Approvals:**

Name	Title
Stephen Laforet	Fire Chief
Shelby Askin Hager	Commissioner, Legal & Leg. Services
Joe Mancina	Chief Financial Officer/City Treasurer
Jason Reynar	Chief Administrative Officer

**Notifications:**

Name	Address	Email
Matt Caplin		mcaplin@windsorpolice.ca

**Appendices:**

N/A



**Council Report: C 13/2022**

**Subject: 2022 Construction Projects Pre-Commitment - Wards, 4, 7, 9 & 10**

**Reference:**

Date to Council: February 14, 2022

Author: Fahd Mikhael

Manager, Design and Development

(519) 255-6257, Ext. 6734

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

Design and Development

Engineering

Report Date: January 26, 2022

Clerk's File #: SW/14285 SW/14286 SW/14287 SW14288

To: Mayor and Members of City Council

**Recommendation:**

- I. That Council **PRE-COMMIT** for immediate use, the funding noted below from the 2022 10 year Capital Budget, to allow the construction of the Provincial / Division Corridor (Phase 3) (ECP-002-08) to proceed immediately:
  - a. Year 2025 - \$3,000,000 in F028 - Sewer Surcharge, \$500,000 in F117 - Development Charges – Storm & Drains, \$6,611,000 in F169 - Pay-As-You-Go – Capital Reserve and \$3,471,800 in F221 - Service Sustainability Investment;
  - b. Year 2026 - \$4,500,000 in F028 - Sewer Surcharge, \$3,700,000 in F169 - Pay-As-You-Go – Capital Reserve and \$1,800,000 in F221 - Service Sustainability Investment.
  
- II. That Council **PRE-COMMIT** for immediate use, the funding noted below from the 2022 10 Year Capital Budget, to allow construction the Banwell Road Improvements (ECP-002-10) to proceed immediately:
  - a. Year 2026 - \$2,399,000 in F115 - Development Charges – Roads & Related.
  
- III. That Council **PRE-COMMIT** for immediate use, the funding noted below from the 2022 10 Year Capital Budget, to allow for the construction of the Parent/McDougall Ave Storm Sewer Project (ECP-023-07) to proceed immediately:
  - a. Year 2024 - \$139,000 in F028 - Sewer Surcharge;
  - b. Year 2025 - \$500,000 in F028 - Sewer Surcharge;
  - c. Year 2026 - \$561,000 in F028 - Sewer Surcharge.

- IV. That Council **PRE-COMMIT** for immediate use, the funding identified below from the 2022 10 Year Capital Budget, to allow for the construction of the Dominion – Northwood to Ojibway Project (ENG-005-17 ) to proceed immediately:
- a. Year 2024 - \$1,925,000 in F169 - Pay-As-You-Go - Capital Reserve and \$1,275,000 in F221 - Service Sustainability Investment;
  - b. Year 2025 - \$225,000 in F169 - Pay-As-You-Go – Capital Reserve and \$75,000 in F221 - Service Sustainability Investment;
  - c. Year 2026 - \$375,000 in F169 - Pay-As-You-Go - Capital Reserve and \$125,000 in F221 - Service Sustainability Investment.
- V. That Council **PRE-APPROVE** and **AWARD** Tenders related to the projects listed in Recommendation I through IV, provided that the Tender amounts are within approved budget, pursuant to the Purchasing By-Law 93-2012 and amendments thereto; satisfactory in financial content to the Commissioner of Corporate Services, Chief Financial Officer/City Treasurer; and in technical content to the Commissioner of Infrastructure Services, or designates.
- VI. That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign any required agreements or contracts, related to the projects listed in Recommendation I through IV, with successful vendors/proponent/bidder satisfactory in technical content to the Commissioner of Infrastructure Services, in financial content to the Commissioner of Corporate Services, Chief Financial Officer/City Treasurer, and in form to the Commissioner of Legal and Legislative Services; and,
- VII. That the Purchasing Manager **BE AUTHORIZED** to issue Purchase Orders as may be required to affect the recommendations noted above, subject to all specification being satisfactory in technical content to the Commissioner of Legal and Legislative Services for legal content and in financial content to the Commissioner of Corporate Services, Chief Financial Officer/City Treasurer.

### **Executive Summary:**

N/A

### **Background:**

On December 13, 2021, under B28/2021, City Council approved the 2022 Capital Budget 10-Year Plan, which had recommended allocation of the 2022 available funding, inclusive of funding required for approved projects through pre-commitments and placeholders within the balance of the 10-Year Plan.

The following Projects are planned for construction in 2022 and included in the 2022 10 Year Capital Budget.



**1) Provincial Road Reconstruction - Phase 3 - Cabana Road to 6th Concession Drain:**

The 2007 Provincial/Division Environmental Study Report recommends improvements on Provincial from City Limits to the junction with Division Road and continuing along Division to Howard near Marentette. Provincial/Cabana Intersection Improvements were completed in 2012-2013 as Phase 1 Provincial/Division Corridor Improvements. North Roseland Pump Station Upgrade and Underground Storm Water Management Facility were constructed in 2020-2021 as Phase 2. Phase 3 from south of Cabana Road East to 6<sup>th</sup> Concession Drain near Lowe's traffic signal intersection is scheduled to commence construction in 2022.

**2) Banwell Road Reconstruction – Phase 2 - Palmetto Street to Mulberry Drive including Roundabout:**

The 2016 Banwell Road Environmental Study Report recommends improvements to Banwell Road from Tecumseh Rd E to the City Limits (Canadian Pacific Railway). Banwell Road Phase 1 from Tecumseh Rd E to Palmetto was constructed in 2020. Phase 2 from Palmetto Street to Mulberry Drive including the Banwell/Mulberry roundabout is scheduled to commence construction in the spring of 2022.

**3) Giles Boulevard Storm Sewer from Langlois Avenue to Gladstone Avenue:**

Since the 1974 Dillon's Report to relieve basement, street and property flooding in the Parent/McDougall storm relief area (Area limits - CPR, McDougall, Lincoln and Detroit River), 24 projects were completed to date. The next project is the construction of the storm sewer on Giles from Langlois to Gladstone and is scheduled to commence construction in 2022.

**4) Dominion Boulevard reconstruction from Northwood Street to Ojibway Street:**

The 2017 Central Box Environmental Study Report proposes road and infrastructure improvements to an area bounded by Eugenie Street to the north, Howard Avenue to the east, West Grand/South Cameron to the south, and Dominion Boulevard to the west. Dominion Boulevard from south of EC Row to Northwood Street was constructed in 2020. Dominion Boulevard reconstruction from Northwood Street to Ojibway Street is scheduled to commence construction in 2022.

**Discussion:**

Funding for major corridor projects improvements are traditionally funded over multiple years. Budget pre-commitments are required in order to facilitate the timely award of tenders. The following pre-commitments are required:

- 1) \$23,582,800 for Provincial Road Reconstruction - Phase 3 - Cabana Road to 6th Concession Drain (ECP-002-08);
- 2) \$2,399,000 for Banwell Road Reconstruction – Phase 2 - Palmetto Street to Mulberry Drive including Roundabout (ECP-002-10);
- 3) \$1,200,000 for Giles Boulevard Storm Sewer from Langlois Avenue to Gladstone Avenue (ECP-023-07); and,
- 4) \$4,000,000 for Dominion Boulevard reconstruction from Northwood Street to Ojibway Street (ENG-005-17).

All four projects were planned for construction in 2022, contingent on the required budget being pre-committed and available prior to tendering. These are not the full compliment of approved projects for 2022. The report is a result of the approved multi-year budgeting process and, the budget pre-commitments being requested were not a part of the approved 2022 Capital Projects Budget as the approval was reached in 2021 and some of the required funding was from the year 2026, which was beyond the possible five year pre-commitment limit. Now that we are in 2022, funding pre-commitment of up to 2026 is being requested to allow the tendering and construction of the four mentioned Capital Projects. Furthermore, if projects arise outside of the 10-year approved capital plan, Council would need to reconsider the 10 year capital forecast and plan.

### **Risk Analysis:**

Approval of the recommendations of this report allows for timely issuance of tenders allowing construction to proceed in 2022. If approval of the budget pre-commitment is not granted, the four major capital projects will not proceed in 2022 and would be postponed to future years when funds are available.

### **Climate Change Risks**

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

Construction will result in GHG emissions that are accounted for within the Community GHG emissions inventory. Construction emissions in general will be offset by improved drivability and functionality of the infrastructure.

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

The life and service levels of roads and sewer infrastructure may be impacted by a number of climate variables, including temperature extremes and precipitation. Sewer and drainage work should assist in maintaining these assets in good working condition during significant precipitation. Maintaining these assets in good/excellent condition increases the resiliency of the infrastructure.

## Financial Matters:

The funding for these projects were approved in principle as part of the 2022 Capital Budget 10-Year Plan as approved through B28/2021.

It should be noted that the majority of the funding sources to be pre-committed, in particular sewer surcharge and development charges, have limited flexibility in the types of projects which they can be used for. The pre-commitment of this funding is consistent with the current capital budget guidelines in that these assets require replacement, and in some cases should they fail will reduce current service levels expected.

Administration is recommending that the following funding be pre-committed for immediate use so that tendering and construction can begin in 2022. All projects would be subject to interim financing charges as necessary during the pre-committed period of funding:

1. 7086003 – Provincial / Division Corridor (Phase 3) (ECP-002-08)
  - a. \$3,000,000 in 2025 from F028 – Sewer Surcharge
  - b. \$500,000 in 2025 from F117 – Development Charges – Storm & Drains
  - c. \$6,611,000 in 2025 from F169 – Pay-As-You-Go
  - d. \$3,471,800 in 2025 from F221 – Service Sustainability
  - e. \$4,500,000 in 2026 from F028 – Sewer Surcharge
  - f. \$3,700,000 in 2026 from F169 – Pay-As-You-Go
  - g. \$1,800,000 in 2026 from F221 – Service Sustainability
2. 7171077 – Banwell Road Improvements (ECP-002-10)
  - a. \$2,399,000 in 2026 from F115 – Development Charges – Roads & Related
3. 7182005 – Parent/McDougall Ave Storm Sewer (ECP-023-07)
  - a. \$139,000 in 2024 from F028 – Sewer Surcharge
  - b. \$500,000 in 2025 from F028 – Sewer Surcharge
  - c. \$561,000 in 2026 from F028 – Sewer Surcharge
4. 7171084- Dominion – Northwood to Ojibway (ENG-005-17 )
  - a. \$1,925,000 in 2024 from F169 – Pay-As-You-Go
  - b. \$1,275,000 in 2024 from F221 – Service Sustainability
  - c. \$225,000 in 2025 from F169 – Pay-As-You-Go
  - d. \$75,000 in 2025 from F221 – Service Sustainability
  - e. \$375,000 in 2026 from F169 – Pay-As-You-Go
  - f. \$125,000 in 2026 from F221 – Service Sustainability

## Consultations:

Carrie McCrindle – Financial Planning Administrator

Michael Dennis – Financial Manager, Asset Planning

Melissa Osborne – Senior Manager of Asset Planning

Alex Vucinic – Purchasing Manager

Jane He – Engineer III

Tiffany Pocock – Engineer III

Anna Godo – Engineer III

June Liu-Vajko – Technologist III

Aojeeen Issac – Engineer II

**Conclusion:**

In order to be able to proceed this year with tendering and construction of the four capital projects listed in this report, it is recommended that Council approve the recommendations of budgets pre-commitment and pre-approval of tenders award.

**Approvals:**

Name	Title
France Isabelle-Tunks	Senior Manager, Engineering /Deputy City Engineer
Chris Nepszy	Commissioner, Infrastructure Services
Shelby Askin Hager	Commissioner, Legal & Legislative Services
Joe Mancina	Commissioner, Corporate Services CFO / City Treasurer
Jason Reynar	Chief Administrative Officer

**Notifications:**

Name	Address	Email

**Appendices:**