

City Council Meeting Agenda

Date: Monday, October 16, 2023

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

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

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

MEMBERS:

Mayor Drew Dilkens

Ward 1 – Councillor Fred Francis

Ward 2 – Councillor Fabio Costante

Ward 3 – Councillor Renaldo Agostino

Ward 4 – Councillor Mark McKenzie

Ward 5 – Councillor Ed Sleiman

Ward 6 – Councillor Jo-Anne Gignac

Ward 7 – Councillor Angelo Marignani

Ward 8 – Councillor Gary Kaschak

Ward 9 – Councillor Kieran McKenzie

Ward 10 - Councillor Jim Morrison

ORDER OF BUSINESS

Item #	Item Description
1.	ORDER OF BUSINESS

2.	CALL TO ORDER - Playing of the National Anthem
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READING OF LAND ACKNOWLEDGEMENT

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

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

“Child Care Worker and Early Childhood Educator Appreciation Day” – October 17, 2023

“Dress Purple Day” – October 27, 2023

“SUDEP (Sudden Unexpected Death Epilepsy) Awareness Week” – October 16, 2023 – October 22, 2023

Flag Raising Ceremony

“SUDEP (Sudden Unexpected Death Epilepsy) Awareness Week” – October 18, 2023

“Hungarian Heritage Month” – October 23, 2023

Illumination

“Light it Up” Initiative for National Disability Employment Awareness Month – October 19, 2023

“Hungarian Heritage Month” – October 23, 2023

6. **COMMITTEE OF THE WHOLE**

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

7.2. Windsor Canada Utilities Ltd. 2nd Quarter 2023 Financial Statements - City Wide **(C 143/2023)**

7.3. The Streamline Development Approval Fund (SDAF) - A Catalyst For Ongoing Transformation -City Wide **(C 145/2023)**

7.4. Engineering/Architectural Consultants Engaged via Roster – January 1 2023 to June 30, 2023 "CITY WIDE" **(CM 8/2023)**

8. **CONSENT AGENDA**

8.1. Application to Demolish Residential Dwelling Located at 244 Crawford Avenue, which is Subject to Demolition Control By-law 131-2017 (Ward 3) **(C 132/2023)**

8.2. Amend Subdivision Agreement with Community Living Windsor - Ward 5 **(C 133/2023)**

CONSENT COMMITTEE REPORTS

8.3. Kildare Avenue (Richmond Street to Ottawa Street), Partington Avenue (Columbia Court to Labelle Street) and Lone Pine Street (Provincial Road to Maple Leaf Crescent) Traffic Calming – Wards 4, 10 & 9 **(SCM 264/2023) & (C 140/2023)**

8.4. Windsor's Bird Friendly City Designation - City Wide **(SCM 263/2023) & (S 114/2023)**

8.5. Community and Corporate Greenhouse Gas Emissions and Energy Monitoring Report – 2021 - City Wide **(SCM 262/2023) & (S 4/2023)**

8.6. Minutes of the Essex-Windsor Solid Waste Authority Regular Board Meeting Minutes of its meeting held Wednesday, August 9, 2023 **(SCM 261/2023) & (SCM 254/2023)**

8.7. Minutes of the July 12, 2023 Essex Windsor Solid Waste Authority Board meeting **(SCM 260/2023) & (SCM 233/2023)**

8.8. Update of Round 2 of the Arts, Culture and Heritage Fund 2023 – City Wide **(SCM 237/2023) & (S 103/2023)**

8.9. Economic Revitalization Community Improvement Plan (CIP) application submitted by JBM Capital Inc. for 4611 Walker Road (Ward 9) **(SCM 253/2023) & (S 111/2023)**

- 8.10. Brownfield Redevelopment Community Improvement Plan (CIP) application submitted by Windsor Essex Community Housing Corp. for 3321-3493 Bloomfield Road (Ward 2) **(SCM 252/2023) & (S 110/2023)**
- 8.11. Closure of east/west alley located between Alexandra Avenue and Academy Drive, and north/south alley located between Northwood Street and east/west alley, Ward 10, SAA-6922 **(SCM 251/2023) & (S 100/2023)**
- 8.12. University Avenue and Wyandotte Street Community Improvement Plan Grant Applications made by Ali Ahmed for 1342 Wyandotte Street West (Ward 3) **(SCM 250/2023) & (S 113/2023)**
- 8.13. Closure of part of east/west alley located east of Perth Street, Ward 1, SAA-6765 **(SCM 249/2023) & (SCM 122/2023) (S 28/2023) & (AI 13/2023)**
- 8.14. Closure of north/south alley between Clairview Avenue and 8445 Riverside Drive East, and east/west alley between Dieppe Street and north/south alley, Ward 6, SAA-6844 **(SCM 248/2023) & (S 99/2023)**
- 8.15. Revision to Zoning By-law 8600 – University Residential Land Corp. – 0 Huron Church – Ward 2 **(SCM 247/2023) & (S 101/2023)**
- 8.16. Rezoning – Meo & Associates Inc. – 1646 Alexis Road – Z-043/22 ZNG/6940 - Ward 5 **(SCM 246/2023) & (S 96/2023)**
- 8.17. Official Plan Amendment and Zoning Bylaw Amendment Site specific regulations for Multiple Dwelling – Z 001-22 [ZNG-6653] Riverside Horizons 3251 Riverside Dr. E & 222 Belleview Ave - Ward 5 **(SCM 245/2023) & (S 93/2023)**
- 8.18. Zoning By-law Amendment Application for 3335 Woodward Boulevard, Z-021/23 [ZNG-7066], Ward 9 **(SCM 244/2023) & (S 95/2023)**
- 8.19. Delegation Authority for Heritage Matters (City-wide) **(SCM 242/2023) & (S 90/2023)**

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

10. **PRESENTATIONS AND DELEGATIONS**

- 10.1. City of Windsor Heritage Recognition 2023 (City-wide) **(SCM 243/2023) & (S 105/2023)**

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

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**

Environment, Transportation & Public Safety Standing Committee
Wednesday, October 25, 2023
4:30 p.m., Council Chambers

City Council Meeting
Monday, October 30, 2023
4:00 p.m., Council Chambers

21. **ADJOURNMENT**



Subject: Windsor Canada Utilities Ltd. 2nd Quarter 2023 Financial Statements - City Wide

Reference:

Date to Council: October 16, 2023
Author: Lorie Gregg
Deputy Treasurer – Taxation, Treasury & Financial Projects
519-255-6100 Ext. 6522
lgregg@citywindsor.ca
Taxation & Financial Projects
Report Date: September 27, 2023
Clerk's File #: MU2023

To: Mayor and Members of City Council

Recommendation:

THAT City Council **RECEIVE** for information, the Windsor Canada Utilities Lt. 2nd Quarter 2023 Financial Statements.

Executive Summary:

N/A

Background:

The Shareholder direction for Windsor Canada Utilities Ltd. (WCU) requires that Quarterly Financial Statements be provided to the shareholder.

Discussion:

In compliance with this requirement, WCU has provided consolidated financial statements as at June 30, 2023 with comparatives as at June 30, 2022.

Risk Analysis:

N/A

Climate Change Risks

Climate Change Mitigation:

N/A

Climate Change Adaptation:

N/A

Financial Matters:

See attached Appendix A, which includes the following as at June 30, 2023:

- Covering letter from WCU’s Vice President and Chief Financial Officer and the President and Chief Executive Officer
- Consolidated Balance Sheet
- Consolidated Income Statement
- Consolidated Statement of Cash Flows

Consultations:

N/A

Conclusion:

Information is submitted to City Council in compliance with the requirements of the Shareholder Directions for WCU.

Planning Act Matters:

N/A

Approvals:

Name	Title
Lorie Gregg	Deputy Treasurer – Taxation, Treasury & Financial Projects
Janice Guthrie	Commissioner, Corporate Services & CFO/City Treasurer
Shelby Askin Hager for Joe Mancina	Chief Administrative Officer

Notifications:

Name	Address	Email
Geoff Boose	4545 Rhodes Drive, Windsor, ON N9A 5T7	gboose@enwin.com

Appendices:

- 1 Appendix A - WCU - 2023 2nd Quarter Financial Statements



To: Mayor and Members of City Council

2023 09 01

From: Matt Carlini

Re: Windsor Canada Utilities Ltd. June 2023 Quarterly Financial Statements

BACKGROUND AND BASIS OF REPORTING

Enclosed are the financial reports for Windsor Canada Utilities Ltd. (“WCU”) as at June 30, 2023.

WCU’s financial statements are presented in accordance with International Financial Reporting Standards (“IFRS”) which is a requirement, as WCU is a publicly accountable entity. WCU is not eligible to use Public Sector Accounting Standards, which is what the Corporation of the City of Windsor uses for external reporting. Within the Windsor Canada Utilities Ltd., consolidated operations are the operations of the local distribution company (ENWIN Utilities Ltd.) and ENWIN Energy Ltd. The Ontario Energy Board (“OEB”) regulates ENWIN Utilities Ltd. (“EWU”), and the regulator requires certain regulatory balances to be recognized and tracked for rate-setting purposes. These rate-setting accounts are considered for regulatory purposes as either regulatory assets or liabilities; however, those accounts are not recognized under IFRS.

In January 2021, the International Accounting Standards Board (“IASB”) published the Exposure Draft *Regulatory Assets and Regulatory Liabilities*, which sets out proposals that aim to give investors better information about the financial performance of companies that are subject to rate regulation. The Exposure Draft is still in the consultation and review stages. It is anticipated that EWU will have the ability to recognize regulated assets and liabilities within the IFRS financial statements once this standard is published. The final standard is expected to be issued in 2025 with an effective date of January 1, 2028, however, early adoption may be an option for EWU. Until such time when this new standard is adopted, EWU will maintain

two sets of records to report regulated activities and to fulfil external financial reporting requirements.

DISCUSSION

The objective of this report is to provide quarterly consolidated financial performance updates to the Mayor and members of City Council. Further financial analysis and explanations can be found under the 'Financial Matters' section.

RISK ANALYSIS

The results reported to the City Council are for internal reporting purposes and are intended to provide an update of the company's financial performance relative to budget and prior year. The figures are not audited and do not contain all the note disclosure that would be present in a full audited financial statement.

FINANCIAL MATTERS

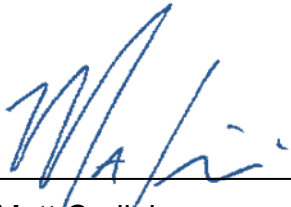
Financial Highlights

Overall, the performance of the group was slightly better than budget in the first two quarters of the year and is projected to outperform the original budget when regulatory adjustments are excluded (MIFRS net income). Net Income however is highly sensitive to changes in electricity pricing as well as other regulatory rate adjustments and those are currently reducing reported earnings on an IFRS basis.


As of the quarter-ended June 30, 2023, WCU is reporting Total Revenue of \$27.0 million, Operating Income of \$10.7 million, and Net Income of \$1.4 million under IFRS. The 2023 forecast shows revenue favourability largely driven by favourability within EWU however that is partially offset with higher than anticipated regulatory adjustments which, at this time, are expected to put downward pressure on net income. These regulatory adjustments are often impacted by market conditions but management will continue to monitor financial performance and liquidity throughout the year.

Liquidity and Financial Strength

As at June 30, 2023, WCU is in a positive cash flow position despite having to settle some regulatory balances. Cash is expected to slowly decrease throughout 2023 – 2024 because over \$5 million per year is anticipated to be settled through rate riders, however WCU continues to experience a strong balance sheet and consistent credit profile.



Matt Carlini
Vice President, Corporate Services and CFO



Garry Rossi
President and CEO

encls Appendix A – WCU Q2 2023 Consolidated Financial Review Statements

Appendix A

Windsor Canada Utilities Ltd.

Board Financial Review Statements

June 30, 2023

Unaudited

	Page Reference
Consolidated Balance Sheet.....	i
Consolidated Income Statement.....	ii
Consolidated Statement of Cash Flows.....	iii

Windsor Canada Utilities Ltd.

Consolidated Balance Sheet
(In thousands of Canadian dollars)

June 30, 2023, with comparative information for 2022

	June 2023	June 2022	December 2022
Assets			
Current assets:			
Cash and cash equivalents	\$ 12,811	\$ 25,538	\$ 18,398
Investment	14,847	15,594	14,483
Accounts receivable	43,754	40,430	45,984
Due from related parties	3,796	3,844	3,650
Inventory	8,094	5,675	6,438
Other assets	3,082	2,300	2,251
	86,384	93,381	91,204
Non-current assets:			
Property, plant and equipment	255,012	246,709	252,912
Intangible assets	1,047	954	1,302
Investment, sinking fund	15,270	12,677	13,680
Investment in joint venture	136	170	158
Due from related parties - debentures and post-retirement	52,000	52,000	52,000
Deferred income taxes	2,841	8,274	2,841
	326,306	320,784	322,893
Total assets	\$ 412,690	\$ 414,165	\$ 414,097
Liabilities			
Current liabilities:			
Accounts payable and accruals	\$ 24,013	\$ 23,983	\$ 27,964
Payments in lieu of income taxes payable	1,788	1,129	1,213
Due to related parties	9,114	8,415	7,851
Current portion of customer deposits	1,345	1,136	1,053
Deferred revenue	4,088	5,246	4,089
	40,348	39,909	42,170
Non-current liabilities:			
Customer deposits	6,061	5,095	5,497
Deferred revenue - customer contributions	19,345	18,869	19,301
Long-term debt	102,534	102,519	102,526
Employee future benefits	44,151	66,749	43,729
	172,091	193,232	171,053
Total liabilities	212,439	233,141	213,223
Equity			
Common shares	81,842	81,842	81,842
Contributed surplus	516	516	516
Retained earnings	117,893	98,666	118,516
	200,251	181,024	200,874
Total liabilities and equity	\$ 412,690	\$ 414,165	\$ 414,097

Windsor Canada Utilities Ltd.

Consolidated Statement of Income
(In thousands of Canadian dollars)

June 30, 2023, with comparative information for 2022

	YTD - June 30, 2023			YTD - June 30, 2022		2023 Annual	2023
	Actuals	Budget	Variance	Actuals	Variance	Budget	Forecast
Distribution revenue:							
Residential	\$ 13,973	\$ 13,876	\$ 97	\$ 13,423	\$ 550	\$ 27,752	\$ 27,947
General service - small	9,066	8,732	334	8,897	169	17,912	18,305
General service - large	2,050	2,021	29	1,925	125	3,949	3,931
Street lighting	853	843	10	819	34	1,686	1,702
	25,942	25,472	470	25,064	878	51,299	51,885
Net service revenue							
Services provided to WUC	10,016	10,260	(244)	9,387	629	20,520	20,312
Services provided to City	1,236	1,382	(146)	1,188	48	2,764	2,659
	11,252	11,642	(390)	10,575	677	23,284	22,971
Cost of services - MSA	(10,625)	(10,975)	350	(9,966)	(659)	(21,949)	(21,661)
Cost of services - depreciation - MSA	(377)	(391)	14	(369)	(8)	(779)	(761)
	250	276	(26)	240	10	556	549
Other income	824	338	486	695	129	795	1,098
Total revenue	27,016	26,086	930	25,999	1,017	52,650	53,532
Operating expenses:							
Distribution operation and maintenance	6,903	6,409	(494)	6,265	(638)	12,279	12,953
Billing and collection	1,774	1,569	(205)	1,695	(79)	3,157	3,392
Community relations	106	152	46	127	21	246	254
Administration and general	1,861	1,846	(15)	1,759	(102)	3,809	3,946
Property and tools and maintenance	1,028	998	(30)	925	(103)	1,999	2,019
Salaries and benefits	3,465	3,769	304	3,097	(368)	6,805	6,351
Regulatory	239	262	23	235	(4)	524	518
Employee future benefits	902	1,002	100	985	83	2,004	1,795
	16,278	16,007	(271)	15,088	(1,190)	30,823	31,228
Operating income / EBITDA	10,738	10,079	659	10,911	(173)	21,827	22,304
Other income/expenses:							
Share of joint venture's net loss (gain)	21	(6)	(27)	15	(6)	(11)	(7)
Depreciation and amortization	3,663	3,574	(89)	3,397	(266)	7,160	6,964
Net finance expense	(704)	550	1,254	1,723	2,427	1,111	(121)
Loss (gain) on sale of PP&E	1	-	(1)	(131)	(132)	-	14
	2,981	4,118	1,137	5,004	2,023	8,260	6,850
Income before tax	7,757	5,961	1,796	5,907	1,850	13,567	15,454
Provision for PILs of corporate taxes	2,443	1,720	(723)	1,468	(975)	3,866	4,651
Deferred income taxes	-	8	8	-	-	17	10
	2,443	1,728	(715)	1,468	(975)	3,883	4,661
Net income - MIFRS	5,314	4,233	1,081	4,439	875	9,684	10,793
Regulatory adjustment (IFRS)	(3,935)	(461)	(3,474)	(8,345)	4,410	(922)	(4,396)
Net income (loss) - IFRS	1,379	3,772	(2,393)	(3,906)	5,285	8,762	6,397

Windsor Canada Utilities Ltd.

Consolidated Statement of Cash Flows
(In thousands of Canadian dollars)

June 30, 2023, with comparative information for 2022

	June 2023	June 2022	December 2022	Forecast 2023
Cash flows from operating activities:				
Total IFRS net income (loss) for the year	\$ 1,379	\$ (3,906)	\$ 17,943	\$ 6,397
Adjustments for:				
Depreciation and amortization	5,896	5,666	11,461	10,978
Amortization of deferred revenue customer contribution	(272)	(262)	(526)	(562)
Remeasurement of employee future benefits	-	-	(23,579)	-
Loss (gain) on investment	(1,354)	800	408	(1,720)
Loss (gain) on sale of property, plant and equipment	(26)	(154)	148	(22)
Amortization of debt issuance costs	8	8	15	16
Share in joint venture's net loss	21	15	27	(7)
Net finance expense	(541)	789	1,802	(52)
Income tax expense	2,443	1,468	1,515	4,645
	7,554	4,424	9,214	19,673
Changes in:				
Accounts receivable	2,231	2,765	(2,789)	(2,810)
Due from related parties	(146)	(1,574)	(1,791)	(498)
Inventory	(1,655)	(820)	(1,584)	49
Other assets	(835)	(815)	(781)	(501)
Investment in joint venture	-	-	-	(100)
Deferred income taxes	-	-	5,432	10
Accounts payable and accruals	(3,951)	(5,357)	(1,374)	(214)
PIL of income taxes	(1,180)	(754)	354	1,099
Due to related parties	1,263	1,270	706	508
Deferred revenue	-	43	(1,114)	(4,089)
Customer deposits	855	806	1,127	855
Employee future benefits	422	623	1,181	2,884
	(2,996)	(3,813)	(633)	(2,807)
Interest paid	(2,482)	(2,147)	(4,832)	(4,630)
Interest received	3,024	1,366	3,045	4,682
Income taxes paid	(688)	(775)	(1,839)	(2,584)
	4,412	(945)	4,955	14,334
Cash flows from investing activities:				
Acquisition of PP&E and intangible assets	(7,934)	(6,410)	(19,274)	(22,588)
Acquisition of investments	(600)	(600)	(1,300)	(1,200)
Deferred revenue - customer contributions	336	5	701	1,535
Proceeds from investments	-	-	1,200	10,440
Proceeds on sale of PP&E	199	503	720	172
	(7,999)	(6,502)	(17,953)	(11,641)
Cash flows from financing activities:				
Decrease (Increase) in shareholder note Payable	-	-	-	(126)
Increase (decrease) in shareholder note receivable	-	-	-	126
Change in bank indebtedness				
Decrease in due from related parties	-	-	411	-
Dividends paid	(2,000)	(2,000)	(4,000)	(4,000)
	(2,000)	(2,000)	(3,589)	(4,000)
Net increase (decrease) in cash and cash equivalents	(5,587)	(9,447)	(16,587)	(1,307)
Cash and cash equivalents, beginning of period	18,398	34,985	34,985	18,398
Cash and cash equivalents, end of period	\$ 12,811	\$ 25,538	\$ 18,398	\$ 17,091

**Subject: The Streamline Development Approval Fund (SDAF) - A
Catalyst For Ongoing Transformation -City Wide**

Reference:

Date to Council: October 16, 2023
Author: Mary Ellen Bernard
Project Manager
519-255-6100 x 6163
mbernard@citywindsor.ca
Economic Development & Innovation
Report Date: September 28, 2023
Clerk's File #: SS/14302

To: Mayor and Members of City Council

Recommendation:

THAT the report from the Commissioner of Economic Development and Innovation satisfying the requirements of the provincial Streamline Development Approval Fund grant program **BE RECEIVED** for information.

Executive Summary:

N/A

Background:

The Province of Ontario set an ambitious goal to get 1.5 million homes built in Ontario in the next decade. The government enacted several pieces of legislation to assist with that goal, including Bill 108, *More Homes More Choices Act, 2019*; Bill 109, *More Homes for Everyone Act, 2022*; and Bill 23, *More Homes Built Faster Act*.

Administration has brought several reports to City Council regarding the impacts of these legislated changes and its response to address, including an in-camera report from the Chief Building Official. CQ33-2020 inquired about the timelines associated with securing a building permit and methods to improve the speed of the permitting process. Windsor's timeframes are compared to other municipalities in Appendix A. As the response to this question directly related to customer expectations and pending legislative changes, the CBO brought a fulsome report to Council in August 2022. As part of their approval (CR361/2022), Council had asked for a progress update after one year. That update is provided within this report.

In January 2022, Premier Doug Ford introduced the Streamline Development Approval Fund (SDAF), a \$45 million investment to assist municipalities to take further actions which would improve and accelerate the approval of housing development. The SDAF was created to support the implementation of streamlined development approval initiatives, including business processes reviews, development of e-permitting systems, hiring temporary staff, development of online application portals, and other projects aimed at facilitating development approvals in order to “unlock the housing supply.” The City of Windsor was allocated \$1,750,000 to implement streamlined development approval initiatives.

On February 14, 2022, City Council approved entering into a Transfer Payment Agreement (TPA) with the Province and further approved municipal funding of \$140,000 to cover ineligible costs as well as provide a contingency for any project costs that could come in over anticipated budgets (C 17/2022). This contribution created a total budget of \$1,890,000 for SDAF initiatives. Initially the SDAF was slated to conclude in February of 2023, however in January of 2023, the Minister of Municipal Affairs and Housing advised the City that the deadline for the SDAF deadline was extended to November 1, 2023. In July 2023 a report related to the SDAF allocation was presented to and approved by Council in-camera.

An interim report on the SDAF allocation was submitted to the Province in April 2022 and a revised summary of initiatives was submitted in June 2023, as required by the Province. In that the reporting period is complete as of November 1, 2023, this report is submitted to inform Council as to the actions taken within the Corporation utilizing the SDAF allocation, and serves as the final requirement in the Transfer Payment Agreement with the Province.

Discussion:

Subsequent to Council’s approval to enter into an agreement with the Province, a working group of staff from Asset Planning, Building, Planning, Engineering and Information Technology met to review the criteria for the initiative with consideration for the spectrum of current corporate policies and practices related to housing development. This examination was done with consideration of the expanding economy, changes to legislation, and the potential impact of those dynamics on Corporate services. As the work impacted across multiple departments already experiencing significant capacity issues, temporary staff assumed the role of Project Manager to provide oversight to the SDAF initiative. As a team, a plan was developed to utilize the SDAF allocation, which included deliverables in four streams: Policy, Modernization, Digitization and Technology.

- 1) Policy: A review of the Official Plan and Zoning By-law to identify specific areas within policy and regulations which can be amended to streamline the planning processes as directed by the Province to address housing intensification and in response to changing legislation;
- 2) Service Modernization: A review of current policies and practices within Building, Planning and Engineering - Right of Way to identify improvements related to

“people, processes and technology’ to streamline the application process and enhance the customer service experience;

- 3) Digitization: Electronic versions of physical records from Building, Planning and Engineering - Right-of-Way was identified as a critical component in the process of establishing a fully digitized development application. While the City of Windsor is formalizing a Corporate policy regarding electronic storage and retention, the digitization of past and current files provides easier access by staff, thereby facilitating a faster review of applications; and
- 4) Technology: Initially a component of the second work stream (Service Modernization) a thorough examination of the technology used by relevant departments determined a new technological solution for the City of Windsor was required to expedite the development approval process. To enhance efficiency, the new solution must operate with fewer systems, reduce manual effort, and improve processes and data integrity. The result will be a fully digitized ‘end to end’ solution for development applications.

Third party services to support the workstreams were secured through Requests for Proposals and a Sole Source in accordance with Purchasing By-law 93-2012. Each work stream was assigned a Project Lead who served as a liaison between the vendors and cross departmental teams developed to guide the SDAF work streams.

In their totality, the SDAF initiatives allowed the City of Windsor to make significant strides to modernize and customize service delivery to meet the needs of developers and residents. Operational change of this magnitude is a dynamic and long term process that must occur on multiple levels. The Building, Planning and Engineering departments are already in the midst of Council-approved restructuring to enhance service delivery. They strategically leveraged the SDAF to explore better ways to provide services. The SDAF has been the catalyst to widespread operational change, which has resulted in a transition from working in silos to a vision for a comprehensive service delivery system which envelopes all Development Services.

Work Stream #1: Official Plan and Zoning By-Law Review

The SDAF was accessed to research and implement a significant number of changes to the development approval process, particularly in the Planning Department. The interim report submitted to the Province focused primarily on a Phase 1 study which served as a base for subsequent work. It was conducted by an external consulting firm, Municipal Planning Consultants (MPC), which worked directly with Project Leads from the Planning Department. MPC produced two reports for the City of Windsor, with a third report awaiting completion. Each report built on the previous research.

- 1) Phase 1: ‘Multi-Residential Interim Control Bylaw Study- Background Report’;
- 2) Phase 2: ‘Bill 109: Adapting the Development Process- Strategic Directions’; and
- 3) Phase 3: ‘Streamlining the Development Approvals Process- Proposed Official Plan Amendments’ (Draft)

These amendments facilitate streamlining and effectively reduce approval timelines. In some circumstances, the need for a development approval has been completely removed as a requirement. A summary of the outcomes are as follows:

- 1) Phase 1 resulted in amendments which have already been made to the City of Windsor Official Plan and Zoning By-law, which now make it possible for multi-storey/high density mixed use developments (i.e. typically ground floor commercial/residential dwellings above) to be developed along transit corridors and collector roads as-of-right;
- 2) Phase 2 also resulted in a series of changes which were approved by Windsor City Council earlier this year. The changes focused on a new standardized process for pre-consultation including new applications which have been simplified and can be generated through an on-line form-fillable PDF document. This new process makes completing and submitting applications quicker and easier for applicants and clarifies the timing of decisions. These changes will help applicants receive a decision of City Council within the legislated time frames. All changes have been communicated to members of the development community (including developers and their agents), as well as members of the general public. To date, feedback on these changes has been favourable.
- 3) Phase 3 will advance streamlined processes through a reduced need for development applications, where applicable. Once approved, applications which are impacted include minor variances, consents, minor zoning amendments and site plan control.

The benefits of these actions are expected to be numerous. First and foremost, the City will be compliant with provincial legislative changes, and able to address the provincial direction to build more homes faster by reducing timelines for approvals, streamlining processes and eliminating red tape. Residential/mixed use developments can now be permitted as-of-right in many areas of the City, without the proponent needing to apply for amendments to the Official Plan or Zoning By-law. These changes also allow residential development to assume a higher density in many areas of the City.

The SDAF allocation enhanced the City of Windsor's capacity to streamline development approval timelines and expedite the development approval process. Recommendations have been implemented to ensure that decisions on many applications can be made within regulated timelines established under the Planning Act. Finally, the work currently underway in Phase 3 will further streamline development by recommending amendments to the City of Windsor Official Plan.

The proposed amendments will include alternate notices to improve public consultation and delegation of authority to Administration to further reduce the need for applications in certain circumstances and improve clarity for applicants regarding the types of studies and information that may be required with their application.

Phases 1 and 2 of the SDAF Project are complete and have been implemented as of July 1, 2023. Phase 3 is nearing completion. Amendments to the Official Plan have been drafted and are in the process of being finalized.

The approval of the amendments must follow the required public notice and consultation processes as prescribed under the Planning Act and are expected to be considered by the City's Development and Heritage Standing Committee and City Council before the end of 2023. As noted, these amendments are expected to decrease the need for applications to be required in specific circumstances and streamline the development approval process.

Work Stream #2: Building/ Planning/ Right of Way Modernization Review

The City of Windsor chose to undertake a comprehensive service review of the development processes in the Building, Planning and Engineering - Right of Way Departments. Through a Request for Proposals (RFP), Perry Group Consulting (PGC) Ltd. was selected to conduct the review.

PGC worked with a Corporate Project Lead and assembled a series of working groups comprised of City staff and as appropriate, community stakeholders. The SDAF Service Modernization working group consisted of representatives from each of the departments in development services as well as IT.

Meeting bi-weekly throughout the SDAF project, the working group dedicated a significant amount of time and effort to collaborate, provide feedback, review recommendations/reports, and support the modernization work. The review sought to identify business processes that could be simplified and streamlined to increase efficiencies, improve service delivery, and simultaneously improve customer experience by improving access to services and information. The analysis conducted by PGC was able to critically assess the effectiveness of the existing processes and equally important, the technology used throughout development services. The data and information gathered by PGC revealed the need for the Corporation to consider its long-term goals, primarily the need for an 'end to end' digital automated process, which could better meet the needs of residents and provide staff with the tools required to provide exceptional customer service and simplify access to development services.

Implementation of the recommendations from the Modernization review (*Building, Planning, and Right of Way Service Modernization Review* by Perry Group Consulting) are anticipated to have a positive impact on the creation of housing by simplifying the access to information and services related to development services. The modernization review recommends a modern and efficient digital application process to improve the timelines for application/permit approvals. Changes in technology, process, procedures and governance within development services will ensure that customers receive the support they need to bring their development applications to completion. This customer-centered approach will incentivize development and reduce abandoned applications.

The Perry Group's analysis of eight key services which operate within Building/ Planning and Right of Way, estimate overall potential time savings of approximately 1 hour and 21 minutes in total for each transaction/application. This time savings would allow staff to manage increased workloads more efficiently and process applications in a shorter time period.

Additional anticipated outcomes include:

- Moving to a single technology solution to deliver services to customers will streamline processes and create efficiencies;
- Cost savings over the long term by eliminating redundant processes;
- Cross department collaborative approach to providing services and improvements to the website that simplify access to information; and
- Simplified, efficient and streamlined services will encourage and support increased development activities.

Perry Group Consulting Inc. provided detailed recommendations to improve each of the eight processes reviewed. There is now an opportunity to implement those recommendations and further review all of the land development related services using the Business Process Optimization methodology to find additional improvements and efficiencies.

Common themes identified for opportunities moving forward are:

- Technology improvements
- Rethinking organizational structure for development services
- Collaboration and integration between departments that deliver development services
- Staff training and development
- Ongoing process improvements

As a result of the Modernization review, the PGC encouraged the City of Windsor to review and revamp the website, with collective goals of reducing content and changing the focus from services provided by unique departments to a customer-centric focus on the spectrum of development services. This challenge resulted in the additional services of a PGC expert on website design working with a staff committee to examine the best way to organize a development services website. The consultant oversaw:

- Review of the current state.
- Design of the future state.
- Plan for the future state.

This work is ongoing and is anticipated for completion early in 2024. The redesign of the website is considered to be an important vehicle to enhance communication with the development community and the general public.

While SDAF was allocated to initiate the review and provide direction, alternate sources of funding will be used to complete this work.

Restructuring as a Component of Modernization

References to the impact of “people, processes and technology” on streamlining have been made throughout this section and are evident throughout the SDAF work. A key enabler of improvement to processes and technology, and the essence of superior

customer service, is people. City Council recognized this fact when it approved a restructuring of the Building department in August of 2022. Since that time, measured progress has been made towards the new structure.

While a concierge approach to customer service delivery is still the collective goal, corporate processes and procedures are essential to successful implementation. Organizational restructuring requires extensive work with Human Resources to determine titles, job requirements and qualifications for all proposed new positions, prior to new positions being posted. Each position requires a new position code and review through the respective job evaluation process to ensure the rating accurately reflects the duties and responsibilities. Administration is obligated to rigorously follow the CUPE Local 543 Collective Agreement. Recruitment for Building positions, as well as other departments within the Corporation, continues to be a challenge.

To date:

- Union staff working hours have been standardized to 35 hours per week to improve coverage and align with customer expectations.
- The CUPE Local 543 salary schedule was expanded during negotiations for the collective agreement and the Inspector positions rated higher. This will assist the department's recruitment and retention efforts.
- The Development Application Coordinator positions have been posted, with two hired and eight pending. As noted in the August report to City Council, building permit applications will be assigned to these positions and they will be responsible to shepherd the application through the process and be the point of contact for any inquiries related to that application. These "concierge" positions are key positions to ensure superior customer service.
- Recruitment for the two additional Plan Examiner positions is underway.
- Recruitment for the Research and Policy Analyst is underway.
- A temporary full time Document Clerk position has been posted to address the heavy workload pending completion of the job creation process and recruitment for the three Development Care Clerks.
- A temporary full time Permit Service Clerk has been hired pending completion of the job creation process and recruitment for the Policy & Regulatory Services Clerk.

Recruitment efforts continue and, subject to candidates accepting the employment offers, the full staff complement in the Building department is anticipated to be achieved by December 2024.

The staffing enhancements are a key component of the work to address the significant volume and complexity of building permit applications. Raw data comparisons year over year do not tell the full story. The value of construction paints a clearer picture on the types of projects and their complexity. In 2022, the value of construction was \$413,112,226. To the end of August 2023, the value has more than doubled to in excess of \$880,000,000.

Work Stream #3: Digitization of Physical Records

A Request for Proposal was issued in December 2022 to secure services from an external vendor to digitize physical paper records in the Building, Planning and Right-of-Way departments. The vendor was also required to provide an Electronic Document and Records Management Solution/Software (EDRMS) where the newly digitized records could be electronically stored/filed, accessed and used by staff in the departments. Image Advantage was the successful proponent and they worked directly with the Project Leads from Council Services. Starting in March, the Project Leads created three working groups to manage the digitization project:

- 1) *Logistics* - staff from Building, Planning and Engineering were responsible for working within their area to identify and box files to be digitized. It was estimated that approximately 10,000 individual records (800 boxes) would be boxed for digitization over a 6-month period, with Image Advantage picking up the boxed records every two to three weeks to take back to their facility to be scanned, processed and digitized;
- 2) *Quality Control* - every month, staff from IT department downloaded the scanned files into the new EDRMS - Filehold. Once downloaded, each department and IT reviewed the scanned files to ensure that they were accessible and the digitized files had good resolution; and
- 3) *Training* - 'super user' staff from each department were trained on accessing digital files in Filehold.

While the City of Windsor has increasingly operated on a paperless basis, the SDAF provided the opportunity to digitize files that are older but still essential components within the development approval process, as experienced by Building, Planning and Engineering Departments. An estimated 10,000+ files were digitized, releasing staff from the obligation to access, use and refile paper copies of files related to previous or current development applications. It is further anticipated that electronic copies of files will now be easier for the public and developers to access for building maintenance and/or future development.

Once digitized, these files are transferred to the new electronic filing system called FileHold. Approximately 75 staff in the Building, Planning and Engineering departments were trained in how to read, modify and/ or add new records into FileHold. Application Super Users were identified in each department who will be responsible for training new users on the system as required, to ensure that the new technology becomes the standard.

Staff from Council Services and Information Technology Departments have also had extensive training in the new electronic storage system. FileHold uses The Ontario Municipal Records Management System (TOMRMS) for the classification and retention of the digitized records. This system was also purchased through SDAF and will be used corporate wide, replacing the system currently cited in the existing Records Retention By-Law for the Corporation of the City of Windsor.

It is expected that having physical records digitized and retained in an electronic storage system that is organized according to the Provincial standard (TOMRMS), will facilitate smooth access within the development application process, by staff and the public. This

new system will also ensure confidentiality of development approval files, as per Corporate standard.

The use of FileHold and TOMRMS will assist all departments in the easy retrieval of electronic records. Staff will no longer have to look in filing cabinets and off-site storage facilities to review documents related to the development process. The new process is expected to reduce duplication of information and files between departments, as digitized records will be organized in a new corporate classification system.

Work Stream #4: E-Permitting/ Technology

As noted in Work Stream #2, the City secured the Perry Group to conduct a service review of the development processes in the Building, Planning and Engineering - Right of Way Departments. In July 2023, City Council approved adopting an end to end technology system. At that time, the work related to E-Permitting/Technology became an independent SDAF work stream with a dedicated Project Lead. It is understood that the development of a fully integrated 'end to end' digital system is a multi-year project. The SDAF has allowed the City of Windsor to purchase equipment and expertise to start this journey. When the transition is complete, it will dramatically streamline the City of Windsor's development application process.

The numerous anticipated outcomes associated with an 'end to end' technology solution include the following:

- Will benefit customers by providing an 'end to end' digital self service option for development applications;
- Will allow staff more time to assist customers who require assistance throughout the application process;
- Will eliminate duplication in technology and processes with the potential for cost savings long term;
- Will result in more efficient use of time and resources; and
- Will be adaptable to new business processes/ changes in legislation.

The actions expected to be achieved include the following:

- Creation of a Technology Roadmap, which will provide a comprehensive plan for the implementation of a fully integrated system designed to streamline development approval processes;
- Creation and adoption of a Technology Framework that enables a fully integrated digital 'end to end' application system for development services; and
- Creation of dashboards to generate reliable data analytics to support Provincial and Municipal decision making.

Risk Analysis:

As required through the SDAF criteria, the Corporation is responsible to submit a completed template to the Province outlining how the SDAF was allocated and its anticipated streamlining impact on housing applications. This submission must occur by deadline or there is a risk that final funding may be jeopardized.

The Province has clearly articulated its goal to build 1.5 million homes over 10 years, as evidenced by assigning housing targets to municipalities. Windsor has been assigned a target of 13,000 homes. Not only will the City's reputation be at risk if the streamlining work started through the SDAF is delayed or discontinued, but the city's ability to access future funding may be limited. Progress towards the housing target will be monitored and influence future funding decisions from upper levels of government. The city's risks losing revenue, and impacting its reputation as a solid business partner if the goal to deliver superior customer service falls short. The SDAF has been a critical tool to expand the Corporate capacity to streamline processes as directed by the Province and hence mitigate those risks. This Council Report reflects the information contained in the template which will be submitted by Nov 1, 2023.

Climate Change Risks

N/A

Climate Change Mitigation:

N/A

Climate Change Adaptation:

N/A

Financial Matters:

The City of Windsor was allocated \$1,750,000 to implement streamlined development approval initiatives. In addition, municipal funding of \$140,000 was allocated to this project in order to cover ineligible costs and to provide for a small contingency for any project costs which exceeded anticipated budgets. This contribution created a total budget of \$1,890,000 for SDAF initiatives and is expected to be fully spent by October 31st. The chart below summarizes the total project costs to October 31, 2023.

Streamlined Development Approval Fund	
Description	Estimated Actuals
Work Stream #1: Streamlined Development Permit System	\$194,800
Work Stream #2: Service Modernization and Improvements	\$230,600
Work Stream #3: Digitization of Physical Records and Document Management	\$533,748
Work Stream #4: E-Services to support Development Applications	\$527,462
Additional Items (staff salaries)	\$263,390
Total Estimated Cost	\$1,750,000
Municipal Contribution	\$140,000
Total SDAF Funding	\$1,890,000

Final costs will be tabulated on October 31st, once the funding period has expired. Although it is fully expected that all funds will be spent by the funding deadline, any surplus in grant funding that may occur is required to be returned to the grant provider. Any surplus related to City funds would be returned to the original funding source and reported through the normal variance process.

Consultations:

Sandra Bradt
 Michael Cooke
 Susan Fitzsimmons
 Natasha Gabbana
 Terri Knight- Lepain
 Grace Montgomery
 Tina Moore
 Adam Pillon
 John Revell
 Neil Robertson
 Rosa Maria Scalia
 Dave Soave

Conclusion:

In announcing the Streamline Development Approval Fund (SDAF), the Province of Ontario noted that addressing the housing supply will require a long-term commitment, collaboration and coordination. The City of Windsor appreciates the allocation of \$1.75M from the SDAF and has used the funding according to the grant criteria and taken additional steps to modernize, streamline and accelerate processes for managing and approving housing applications.

Planning Act Matters:

N/A

Approvals:

Name	Title
Mary Ellen Bernard	Project Manager
Jelena Payne	Commissioner, Economic Development and Innovation
John Revell	Chief Building Official
Neil Robertson	City Planner (A)
Stacey McGuire	Executive Director Engineering, Deputy City Engineer
Aftab Ahmad	Chief Information Officer, Executive Director of Information Technology

Name	Title
Natasha Gabbana	Senior Manager of Asset Planning
Janice Guthrie	Commissioner of Corporate Services/Chief Financial Officer/City Treasurer
Shelby Askin Hager for Joe Mancina	Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:

- 1 Appendix A - Processing Timelines in Ontario Municipalities

PROCESSING TIMELINES IN ONTARIO MUNICIPALITIES VS WINDSOR

- Official Plan Amendments - Average of 24.2 months, with a range of between 13.8 and 31.4 months (Windsor 6.4 months);
- Zoning By-law Amendments - Average of 21.4 months, with a range of between 9.2 and 36.2 months (Windsor 4.6 months);
- Site Plan Approval - Average of 20.2 months, with a range of between 13.7 and 34.7 months (Windsor 1 month);
- Plan of Condominium - Average of 11.4 months, with a range of 9.4 months and 18.2 months (Windsor 1.8 months); and,
- Plan of Subdivision - Average of 24.6 months, with a range of between 16.1 and 34.4 months (Windsor 5.4 months).

Source: "Bill 109: Adapting the Development Process". Municipal Planning Consultants. 2023



Subject: Engineering/Architectural Consultants Engaged via Roster – January 1 2023 to June 30, 2023 "CITY WIDE"

Reference:

Date to Council: October 16, 2023
Author: Alex Vucinic
Manager of Purchasing & Risk Management
519-255-6100 ext. 6280
avucinic@citywindsor.ca
Purchasing
Report Date: September 12, 2023
Clerk's File #: SW/13041

To: Mayor and Members of City Council

Recommendation:

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

Background:

Section 163 of the Purchasing Bylaw provides:

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

This report is provided in satisfaction of these requirements.

Discussion:

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

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

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

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

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

Risk Analysis:

There is no risk associated with receipt of this report.

Financial Matters:

Forty-Eight consultant contracts were awarded under section 163 of the Purchasing Bylaw during the first half of 2023 totalling \$1,741,435.90 (excluding HST).

Consultations:

Jennifer Musson, Senior Buyer

Conclusion:

Forty-Eight consultant contracts were awarded under section 163 of the Purchasing Bylaw during the first half of 2023 totalling \$1,741,435.90 (excluding HST).

Approvals:

Name	Title
Alex Vucinic	Manager of Purchasing & Risk Management
Shelby Askin Hager	Commissioner, Legal & Legislative Services
Chris Nepszy	Commissioner, Infrastructure Services
Joe Mancina	Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:

1 Appendix "A" - Engineering/Architectural Consultants Engaged via Roster – January 1 2023 to June 30, 2023

APPENDIX "A"

Rostered Consultants Used by Public Works, Parks and Facilities – January 1 2023 to June 30 2023

Contract Number	Consultant	Description	\$ Value
6817	WSP E&I Limited	Excess Soil investigations pickleball construction at Fountainbleu, Goldenwood and Wilson Parks	\$17,800.00
6819	Dillon Consulting	3136-3140 Walker Road ESA & DSS Report	\$7,750.00
6820	Dillon Consulting	3142-3146 Walker Road EAS & DSS Report	\$7,750.00
6823	WSP E&I Limited	1573 McDougall Volatile Organic Compound Impacts	\$59,500.00
6825	WSP E&I Limited	Elizabeth Kishkon Park 1415 Banwell Rd. Windsor	\$10,700.00
6826	WSP E&I Limited	Dawson & O'Neil Drains Hydraulic Analysis	\$84,889.00
6828	Stantec	Combined Sewer Overflow Discharge Study	\$22,680.00
6856	Dillon Consulting	2022 Regulatory Reporting WBPF	\$4,850.00
6858	WSP E&I Limited	Geotechnical & Excess Soils Jefferson Blvd	\$61,577.00
6859	Archon Architects	Landspeary Park Pool Building Retrofit	\$39,500.00
6861	Haddad Morgan	Forest Glade Pickelball Court Fence Review	\$1,900.00
6864	EXP Services Inc.	2023 Construction Season Inspection & Testing	\$45,000.00
6865	WSP Canada	2023 Construction Season Material Testing & Lab Services	\$90,000.00
6866	WSP E&I Limited	2023 Construction Season Material Testing & Inspection	\$90,000.00
6868	WSP Canada	Provincial Road Phase 3 Materials Testing & Lab Services	\$53,205.00
	WSP E&I Limited	Geo Technical Investigation Little River Corridor Washroom Building	\$18,625.00
6887	Aecom	Structural Report VIA Rail Overhead Wyandotte/Drouillard	\$80,640.00
6891	WSP Canada	2023 Annual Monitoring East Riverside Landfill	\$62,100.00
6894	Land Surveying	Prince Road Phase 9B Topographic & Legal Survey	\$32,500.00
6898	Baird AE	6th Concession Drain Report/Contract Admin	\$35,000.00
6902	GHD	Baseline Road Geotech & Soil Management	\$58,975.00
6907	WSP Canada	Geotechnical Exploration Prince Road Phase 9B	\$74,200.00
6908	Aleo Associates Inc.	Lakeview Marina Boat Launch Repair and Construction Phase	\$7,250.00
6911	CIMA	Transportation Team High Level Review	\$59,300.00
6914	Stantec	Installation of LRPCP Overflow Flow Measurement	\$58,320.00
6916	WSP E&I Limited	Geotechnical Investigation Riverside Drive Parking Lot Reconstruction	\$14,637.00
6918	WSP E&I Limited	Geotechnical Investigation Lauzon Parkway	\$92,792.00
6919	GHD	Geotechnical East Marsh Phase 2 Clover/Clairview	\$60,980.00
6921	WSP E&I Limited	Excess Soil Investigations Riverside Parking Lot Reconstruction	\$10,604.00
6926	WSP Canada	Geotechnical Paving Project WFCU	\$21,600.00
6927	Dillon Consulting	Drainage Act Appointment Gouin Drain	\$39,900.00
6929	WSP Canada	Materials Testing & Laboratory Services Cabana Road Phase 4	\$66,000.00
6932	Verhaegan	Legal Survey Plan EC Row Banwell Interchange Improvements	\$8,250.00
6934	WSP E&I Limited	Soil Delineation & Ground Water Assessment Legacy Beacon	\$50,175.00
6939	Stantec	Southwood Lakes Elevation Adjustment Study	\$99,257.40
6941	Aleo Associates Inc.	Goyeau Garage Structural Assessment	\$25,000.00
6942	WSP Canada	Goyeau Garage Evaluation	\$5,700.00
6944	Chall Eng	Consulting outdoor firing range at the Tilston Armory	\$8,850.00
6946	Indoor Environmental	DDS 3324 and 3326 Howard Ave., Windsor, ON	\$3,809.50
6948	WSP E&I Limited	WBPF New Dust Collection Geotechnical Study	\$12,150.00
6952	Chorley + Bisset	Electrical services for installation of new back up generator at 2696 Jefferson Blvd.	\$6,000.00

APPENDIX "A"**Rostered Consultants Used by Public Works, Parks and Facilities – January 1 2023 to June 30 2023**

6954	Dillon Consulting	East End Transit Terminal Preliminary Design	\$27,750.00
6955	RWDI	7310 Tecumseh Road ESA	\$6,500.00
6956	WSP E&I Limited	7310 Tecumseh Road Species at Risk	\$6,870.00
6957	Verhaegan	Legal Survey Howard/South Cameron Project	\$2,450.00
6964	WSP Canada	Goyeau Garage Repairs - Design Services	\$8,650.00
6965	Soils & Materials	Excess Soils & Geotechnical Investigation Barrymore Lane	\$70,500.00
6966	RC Spencer	Intersection Safety Study Wyandotte/Pillette	\$9,000.00
TOTAL			\$1,741,435.90



Subject: Application to Demolish Residential Dwelling Located at 244 Crawford Avenue, which is Subject to Demolition Control By-law 131-2017 (Ward 3)

Reference:

Date to Council: October 16, 2023
Author: Tracy Tang, MCIP, RPP
Planner II - Revitalization & Policy Initiatives
ttang@citywindsor.ca
519-255-6543 x 6449

Greg Atkinson, Manager of Development
gatkenson@citywindsor.ca
519-255-6543 x 6582
Planning & Building Services
Report Date: August 25, 2023
Clerk's File #: SB2023

To: Mayor and Members of City Council

Recommendation:

- I. THAT the Chief Building Official **BE AUTHORIZED** to issue a demolition permit to the property owners Xhemal Vila and Gezim Hamja for the single residential dwelling located at 244 Crawford Avenue to facilitate redevelopment of the property into a semi-detached dwelling (two primary units) with two additional dwelling units (ADUs), resulting in a total of four residential dwelling units; and,
- II. THAT any minor changes **BE SUBJECT** to the approval of the City Planner and Chief Building Official at the time of issuance of the Building Permit; and,
- III. THAT the Chief Building Official **BE DIRECTED** to require, as a condition of the demolition permit, that:
 1. The Redevelopment identified in Appendix 'C' 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,
- IV. THAT the City Solicitor **BE DIRECTED** to register a notice of Condition #2 in the land registry office against the property in the event that the redevelopment is not

substantially complete within two (2) years following the commencement of the demolition.

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 University Avenue 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 2.2 (RD2.2), which permits one single unit dwelling, duplex dwelling, double duplex dwelling, semi-detached dwelling, townhome dwelling, and one multiple dwelling containing a maximum of four dwelling units.

Discussion:

The City has received an application to demolish a detached single unit residential dwelling located at 244 Crawford Avenue (see Appendix A). The owners (Xhemal Vila and Gezim Hamja) propose to demolish the existing dwelling and replace it with a semi-

detached dwelling (two primary units) with two additional dwelling units (ADUs), resulting in a total of four residential dwelling units.

Exemption from Demolition Control By-law 131-2017

Section 3 of the Demolition Control By-Law 131-2017 states that “...no person shall demolish the whole or any part of any residential property in the control area described in Section 2 hereof unless the person is the holder of a demolition permit issued by Council under the provisions of this by-law.” The decision to issue (or not to issue) a demolition permit is at City Council’s sole discretion.

Section 5 of the Demolition Control By-Law 131-2017 states that “...Council shall, on an application for a demolition permit, issue a demolition permit where a building permit has been issued to erect a new building on the site of the residential property sought to be demolished.” Section 7 states that a demolition permit may be issued with the following conditions:

- (a) *That the applicant for the demolition permit construct and substantially complete the new building to be erected on the site of the residential property to be demolished by not later than such date as may be determined by Council, provided, however, that such date is not less than two years from the day demolition of the existing residential property is commenced;*
- (b) *That, on failure to complete the new building within the time specified in the permit issued, the Clerk shall be entitled to enter on the collectors roll, to be collected in like manner as municipal taxes, such sum of money as may be determined by Council but not in any case to exceed the sum of Twenty Thousand Dollars (\$20,000.00) for each dwelling unit contained in the residential property in respect of which the demolition permit is issued, and such sum shall, until payment thereof, be a lien or charge upon the land in respect of which the permit to demolish the residential property is issued;*
- (c) *That notice of conditions in this section 7 be registered in the land registry office against the land to which it applies.*

Section 11.11 of the City’s Official Plan requires the filing of redevelopment plan as a condition of approval for a demolition permit for areas subject to Demolition Control By-Laws. Section 11.11.1.2 requires that “*Redevelopment plans shall include plans for:*

- (a) Replacement Buildings;*
- (b) Replacement of Demolished dwelling units and;*
- (c) Landscaped open space.”*

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 University Avenue West between Randolph Avenue and Salter Avenue (See Appendix B).

The subject property is located at 244 Crawford Avenue. A two-storey vinyl siding-clad single residential detached dwelling constructed in approximately 1900 is on the property. The parcel is 677 square metres in size (i.e. 50 feet by 145.75 feet). The property is not listed on the Municipal Heritage Register.

The proposed drawings (Appendix C) show a semi-detached dwelling with ADUs in the lower level. The dwelling's total gross floor area is 419.1 square metres (4511 square feet). The two main-floor units and the two lower level ADUs will have three bedrooms and two bathrooms in each unit. The redevelopment proposal underwent Zoning By-law review, where the need for relief from the maximum gross floor area was identified. On July 27, 2023, the Committee of Adjustment granted the requested variance to allow a gross floor area of 419.1 square metres where 400 square metres is the maximum permitted under the Zoning By-law.

The application and drawings are consistent with the requirements of Sections 11.11 regarding a Redevelopment Plan.

Risk Analysis:

There is little risk associated with approval of the requested demolition. The proposed redevelopment has undergone a Zoning By-law review through the Committee of Adjustment application process. The building permit review process will take into consideration the plan's compliance with the Ontario Building Code and other relevant legislation. The owners have demonstrated there is a redevelopment plan for the property and, should Council decide to approve their request, are expected to construct the new dwelling within the two-year time frame set out in the recommendations section.

A building permit is required for the new construction, and any new construction approval must conform to the Ontario Building Code. Inspections will be undertaken as part of the permit issuance process for new development.

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.

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. The proposal

will increase the residential density and 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 \$110,000 and municipal tax levy is \$1,946.66. The assessment is anticipated to increase once the new dwelling is constructed.

Consultations:

The property owners have been consulted regarding the application for exemption from Demolition Control By-law 131-2017 and the requirement of a Redevelopment Plan. 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 244 Crawford Avenue will facilitate the construction of a semi-detached dwelling (two primary units) with two ADUs for a total of four residential dwelling units. The proposed redevelopment was provided relief from the Zoning By-law through Committee of Adjustment, constitutes orderly development, and the requested demolition is not considered speculative.

It is recommended that Council grant the requested demolition permit application submitted by the property owners Xhemal Vila and Gezim Hamja, 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
Neil Robertson	Acting City Planner / Executive Director, Planning & Development Services
Brandon Calleja	Acting Manager of Permits / Deputy CBO
John Revell	Chief Building Official

Name	Title
Wira Vendrasco	Deputy City Solicitor, Legal Services & Real Estate
Jelena Payne	Commissioner, Economic Development & Innovation
Shelby Askin Hager for Joe Mancina	Chief Administrative Officer

Notifications:

Name	Address	Email
Xhemal Vila		
Gezim Hamja		

Appendices:

- 1 Appendix A - Location Map
- 2 Appendix B - Demolition Control Area
- 3 Appendix C - Proposed Redevelopment Plan for 244 Crawford Ave (Not Approved for Construction)
- 4 Appendix D - Site Photos



LOCATION MAP : 244 CRAWFORD AVENUE



SUBJECT PROPERTY



DETROIT RIVER



SCHEDULE A : DEMOLITION CONTROL BY-LAW
UNIVERSITY AVENUE WEST



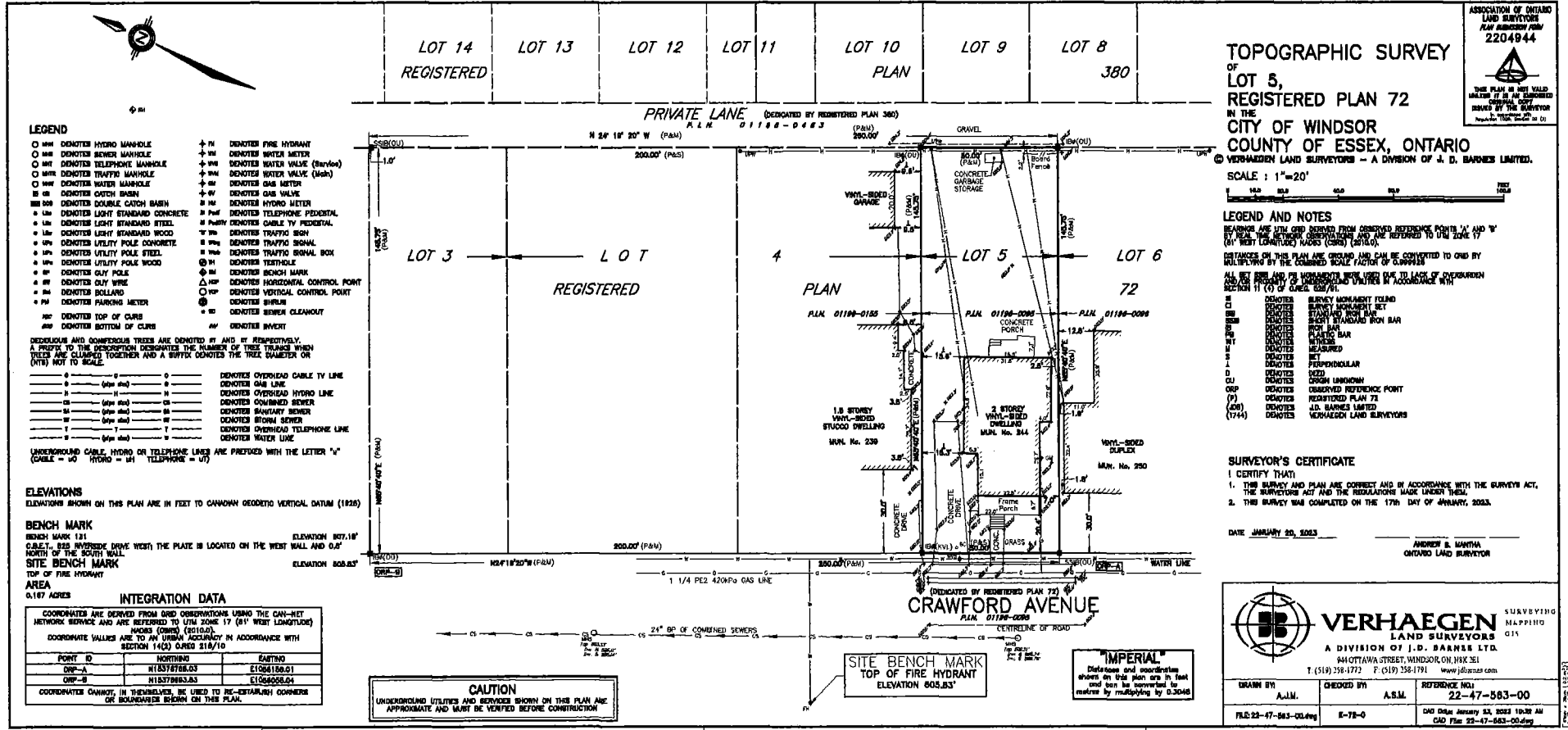
DEMOLITION CONTROL BY-LAW BOUNDARY AREA

City Council Agenda - Monday, October 16, 2023

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PROPERTIES INCLUDED IN DEMOLITION CONTROL BY-LAW

1:7,500 
 AUGUST 2017



- LEGEND**
- MH DENOTES HYDRO MANHOLE
 - SW DENOTES SEWER MANHOLE
 - TH DENOTES TELEPHONE MANHOLE
 - TR DENOTES TRAFFIC MANHOLE
 - WM DENOTES WATER MANHOLE
 - CB DENOTES CATCH BASIN
 - DB DENOTES DOUBLE CATCH BASIN
 - LB DENOTES LIGHT STANDARD CONCRETE
 - LW DENOTES LIGHT STANDARD WOOD
 - UP DENOTES UTILITY POLE CONCRETE
 - UW DENOTES UTILITY POLE WOOD
 - GP DENOTES GUY POLE
 - HW DENOTES HULL WIRE
 - BM DENOTES BOLLARD
 - FM DENOTES FURNACE METER
 - TP DENOTES TOP OF CURB
 - BT DENOTES BOTTOM OF CURB
 - ▲ FH DENOTES FIRE HYDRANT
 - ▲ WM DENOTES WATER METER
 - ▲ WV DENOTES WATER VALVE (Bar/tee)
 - ▲ WV DENOTES WATER VALVE (Msh)
 - ▲ WM DENOTES GAS METER
 - ▲ GV DENOTES GAS VALVE
 - ▲ HM DENOTES HYDRO METER
 - ▲ TP DENOTES TELEPHONE PEDestal
 - ▲ PM DENOTES CABLE TV PEDestal
 - ▲ TS DENOTES TRAFFIC SIGN
 - ▲ TR DENOTES TRAFFIC SIGNAL
 - ▲ TB DENOTES TRAFFIC SIGNAL BOX
 - ▲ TM DENOTES TELEPHONE
 - ▲ BM DENOTES BENCH MARK
 - ▲ HP DENOTES HORIZONTAL CONTROL POINT
 - ▲ VP DENOTES VERTICAL CONTROL POINT
 - ▲ SM DENOTES SURVEY
 - ▲ SC DENOTES SEWER CLEANOUT
 - ▲ SW DENOTES SWYRT
- DECIDUOUS AND CONIFEROUS TREES ARE DENOTED BY AND BY RESPECTIVELY. A PREFIX TO THE DESCRIPTION DESIGNATES THE NUMBER OF TREE TRUNKS WHEN TREES ARE CLUMPED TOGETHER AND A SUFFIX DENOTES THE TREE DIAMETER OR (N/A) NOT TO SCALE.
- DENOTES OVERHEAD CABLE TV LINE
 - DENOTES GAS LINE
 - DENOTES OVERHEAD HYDRO LINE
 - DENOTES OVERHEAD SEWER
 - DENOTES SANITARY SEWER
 - DENOTES STORM SEWER
 - DENOTES OVERHEAD TELEPHONE LINE
 - DENOTES WATER LINE
- UNDERGROUND CABLE, HYDRO OR TELEPHONE LINES ARE PREFIXED WITH THE LETTER "U" (CABLE = UO HYDRO = UH TELEPHONE = UT)

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

BENCH MARK
BENCH MARK 131
O.B.E.T., 828 RIVERSIDE DRIVE WEST THE PLATE IS LOCATED ON THE WEST WALL AND 0.2' NORTH OF THE SOUTH WALL
SITE BENCH MARK
TOP OF FIRE HYDRANT
ELEVATION 807.18'
ELEVATION 808.85'

INTEGRATION DATA
0.167 ACRES

COORDINATES ARE DERIVED FROM GRID OBSERVATIONS USING THE CAN-HET NETWORK SERVICE AND ARE REFERRED TO UTM ZONE 17 (81° WEST LONGITUDE) MGRS COORD. (5010.0)

COORDINATE VALUES ARE TO AN URBAN ACCURACY IN ACCORDANCE WITH SECTION 14(2) CASED 218/10

POINT ID	NORTHING	EASTING
CRP-A	N1837888.03	E1084188.01
CRP-B	N1837888.53	E1084258.04

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

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

TOPOGRAPHIC SURVEY
OF
LOT 5,
REGISTERED PLAN 72
IN THE
CITY OF WINDSOR
COUNTY OF ESSEX, ONTARIO
© VERHAEGEN LAND SURVEYORS - A DIVISION OF J. D. BARNES LIMITED.
SCALE : 1"=20'

LEGEND AND NOTES
BEARINGS ARE UTILISED DERIVED FROM OBSERVED REFERENCE POINTS 'A' AND 'B' BY REAL TIME NETWORK OBSERVATIONS AND ARE REFERRED TO UTM ZONE 17 (81° WEST LONGITUDE) MGRS COORD. (5010.0).

DISTANCES ON THIS PLAN ARE GIVEN AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE CORRECTED SCALE FACTOR OF 0.999998.

ALL NET AREA AND PERIMETER VALUES WERE USED DUE TO LACK OF OVERLAP AND THE PROBABILITY OF UNDERGROUND UTILITIES IN ACCORDANCE WITH SECTION 11 (1) OF CASED 218/10.

- DENOTES SURVEY MONUMENT FOUND
- DENOTES SURVEY MONUMENT SET
- DENOTES SPLIT STANDARD IRON BAR
- DENOTES PECH BAR
- DENOTES PLASTIC BAR
- DENOTES METRES
- DENOTES MEASURED
- DENOTES SET
- DENOTES PERPENDICULAR
- DENOTES 1:20
- DENOTES CURVE UNKNOWN
- DENOTES OBSERVED REFERENCE POINT
- DENOTES REGISTERED PLAN 72
- DENOTES J.D. BARNES LIMITED
- DENOTES VERHAEGEN LAND SURVEYORS

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
- THIS SURVEY WAS COMPLETED ON THE 17th DAY OF JANUARY, 2023.

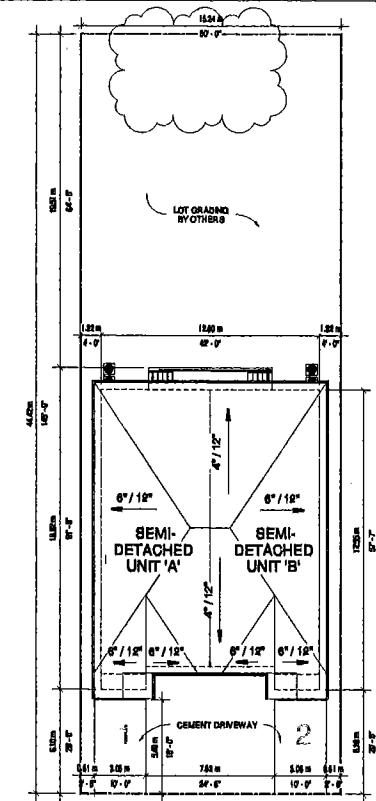
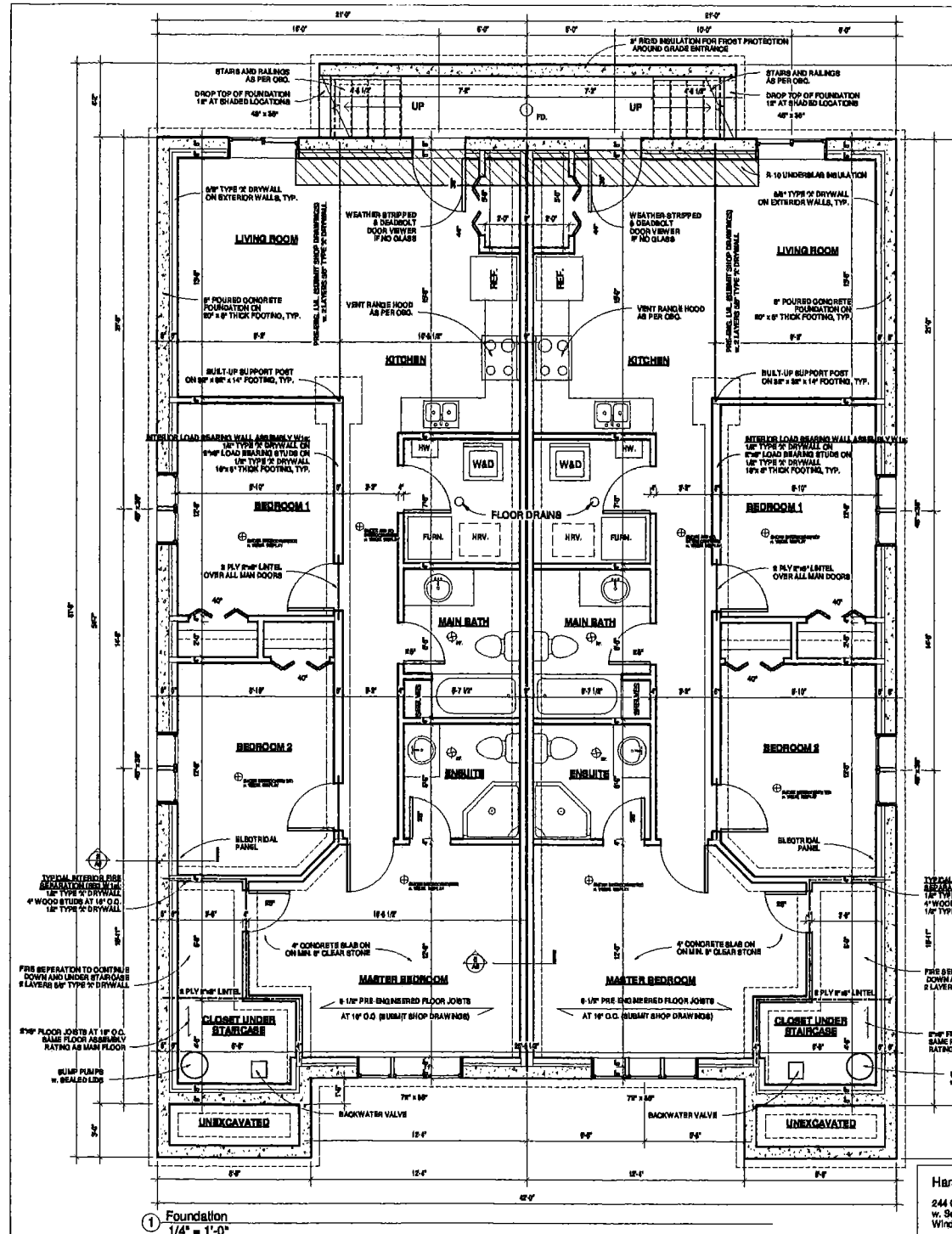
DATE: JANUARY 20, 2023

ANDREW B. WATKINS
ONONDIA LAND SURVEYOR

VERHAEGEN LAND SURVEYORS
A DIVISION OF J. D. BARNES LTD.
844 OTTAWA STREET, WINDSOR, ON, N9K 2E1
T: (519) 258-1773 F: (519) 258-1791 www.jdbarnes.com

IMPERIAL
Distances and coordinates shown on this plan are in feet and feet are converted to metres by multiplying by 0.3048

DRAWN BY	CHECKED BY	REFERENCE NO.
A.J.M.	A.S.M.	22-47-563-00
FILED 22-47-563-00-496	E-78-0	DATE: January 20, 2023 10:26 AM CAD: File 22-47-563-00.dwg



DRAWING NOTES

The Ontario Building Code, Latest Edition shall be the basis of design and construction. Any inconsistencies on the drawings must be reported to the designer before proceeding with the work.

The contractor or owner shall notify the designer of any discrepancies prior to construction.

All footings shall be placed on natural undisturbed soil capable of sustaining an allowable pressure of 3000 psf.

Concrete strength to be 20 MPa for footings and walls, 25 MPa for floor slabs, 30 MPa minimum for outside concrete.

Concrete cover for reinforcing steel shall be 3 inches for concrete cast against earth and 2 inches for walls.

All concrete exposed to weather shall have between 5% to 7% air entrainment.

Mechanically vibrate all concrete.

Pre-engineered floor system to be certified by lumber provider.

TJI blocking to be installed 4'-0" o.c. for rim board support parallel with floor system.

Truss supplier/designer to confirm all point loads over windows and doors. These of Floor designer to provide LVL shop drawings as required.

Windows are representative due to the many styles and sizes available, therefore the contractor and the window supplier are to ensure size, fit and O.B.C. compliance of doors and windows conforming to the energy performance evaluation standard CAN/CSA-A440.2.

Dimensions always take precedence over scaled measurements.

All interior doors are 28" x 80" UNO.

These plans may not be re-used or copied without the written permission in whole or in part from GA Designs.

MITL DATA

MAIN FLOOR UNIT 'A'	1 188 SF.
MAIN FLOOR UNIT 'B'	1 188 SF.
COVERED PORCH UNIT 'A'	88 SF.
COVERED PORCH UNIT 'B'	88 SF.
TOTAL BUILDING AREA	2 308 SF. 31.7%
LOT SIZE AND LOT COVERAGE TOTAL	7 387 SF.

2 Site Plan
1/16" = 1'-0"

TABLE S 1.1.2.A
ZONE 1 - COMPLIANCE PACKAGE
FOR SPACE HEATING EQUIPMENT
WITH AFUE 92% OR GREATER

COMPONENT	A1	COMPONENT	A1
CEILING WITH ATTIC SPACE MINIMUM RSI (R)-VALUE	R-60	HEATED SLAB OR SLAB LESS THAN 2" BELOW GRADE MINIMUM RSI (R)-VALUE	R-10
CEILING WITHOUT ATTIC SPACE MINIMUM RSI (R)-VALUE	R-31	WINDOWS AND SLIDING GLASS DOORS MAXIMUM U-VALUE	0.28
EXPOSED FLOOR MINIMUM RSI (R)-VALUE	R-31		
WALLS ABOVE GRADE MINIMUM RSI (R)-VALUE	R-22	SKYLIGHTS MAXIMUM U-VALUE	0.49
BASEMENT WALLS (LESS THAN 50% ABOVE GRADE) MINIMUM RSI (R)-VALUE	R-20 cl. OF (R-10 cl. + R-12 BATT)	SPACE HEATING EQUIPMENT MINIMUM AFUE	96%
		HRV MINIMUM EFFICIENCY	75%
		DOMESTIC HOT WATER HEATER MINIMUM EF	0.8

AREA OF EXTERIOR WALL = 2 042 sf.
AREA OF WINDOWS & SLIDING DOORS = 281 sf.
RATIO OF EXTERIOR WALLS = 9.8 %

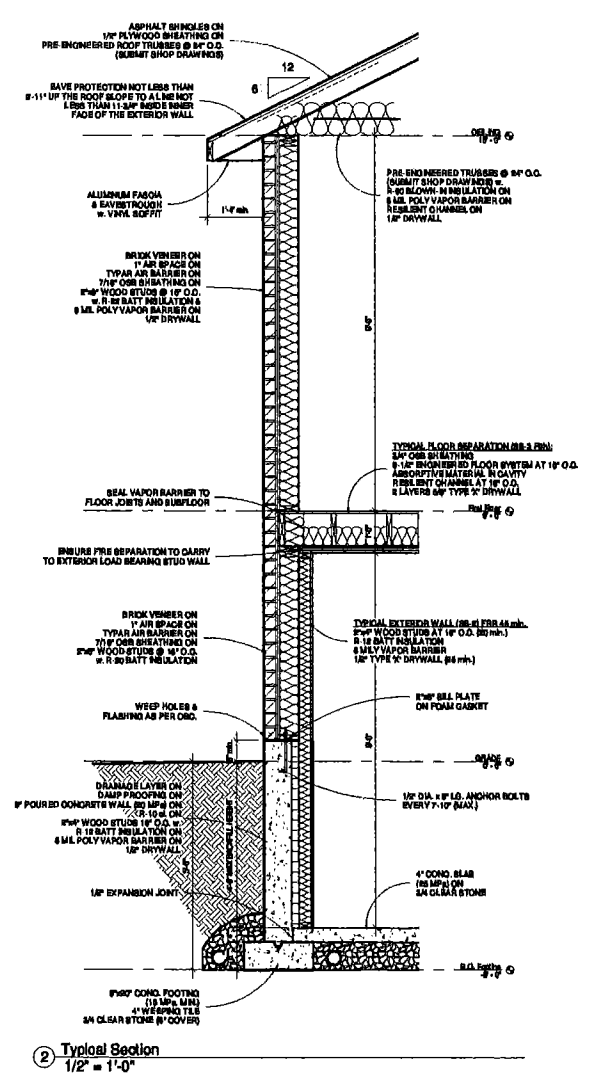
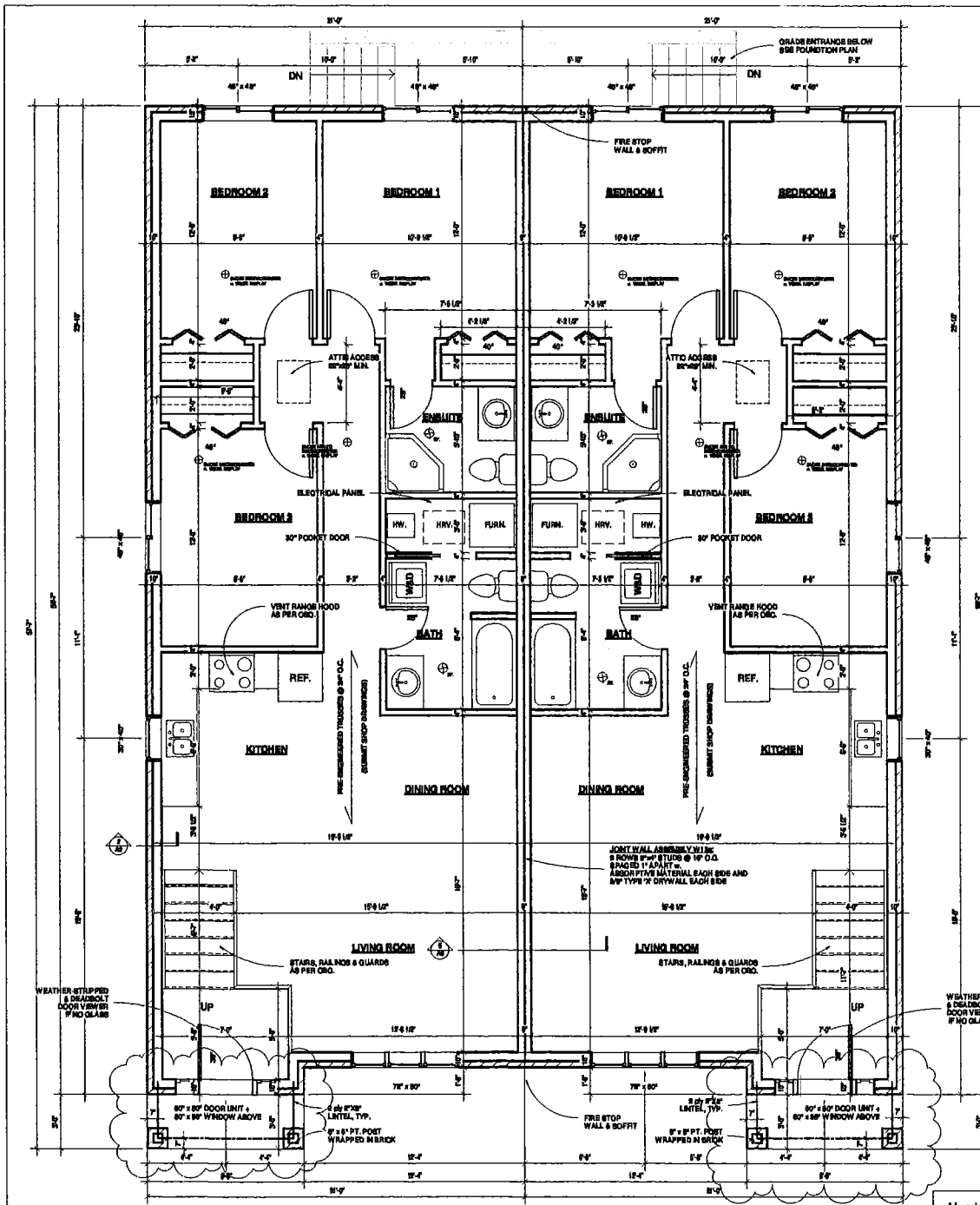
1 Foundation
1/4" = 1'-0"

Hamja Duplex
244 Crawford Semi-Detached w/ Secondary Units Windsor



No.	Description	Date
1	Town Comments	06-13-23

Site and Foundation Plan	
Project number	A1
Date	Mar. 4, 2023
Scale	As Indicated



1/2" = 1'-0"

DOOR AND/OR WINDOW			FLOOR DOOR AND/OR WINDOW		
LEVEL, SIZE	MAX OPENING	MAX OPENING (OTHER WALL)	LEVEL, SIZE	MAX OPENING	MAX OPENING (OTHER WALL)
1-F-10'	8'-0"	8'-0"	1-F-10'	8'-0"	8'-0"
1-F-11'	8'-0"	8'-0"	1-F-11'	8'-0"	8'-0"
1-F-12'	8'-0"	8'-0"	1-F-12'	8'-0"	8'-0"
1-F-13'	8'-0"	8'-0"	1-F-13'	8'-0"	8'-0"
1-F-14'	8'-0"	8'-0"	1-F-14'	8'-0"	8'-0"
1-F-15'	8'-0"	8'-0"	1-F-15'	8'-0"	8'-0"

APPROXIMATE LOADS (LBS/FT)
 UNIFORM: 10-15 (1-F-10' TO 1-F-14')
 POINT: 100 (1-F-15')

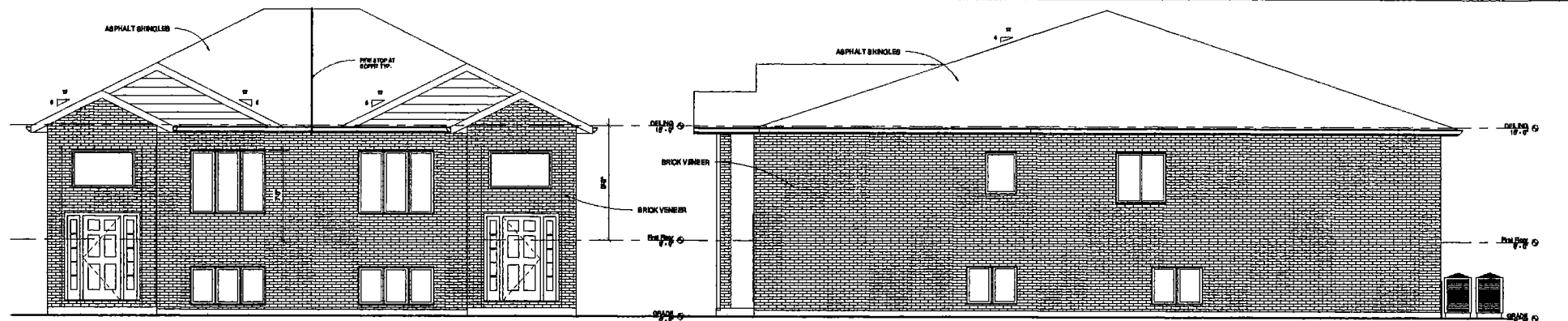
1 First Floor
1/4" = 1'-0"

Hanjia Duplex
244 Crawford Semi-Detached
w. Secondary Units
Windsor



No.	Description	Date
1	Town Comments	06-13-23

First Floor Plan		
Page number	28	A2
Date	Mar. 4, 2023	Scale: As Indicated



③ Front Elevation
3/16" = 1'-0"

① Right Elevation
3/16" = 1'-0"

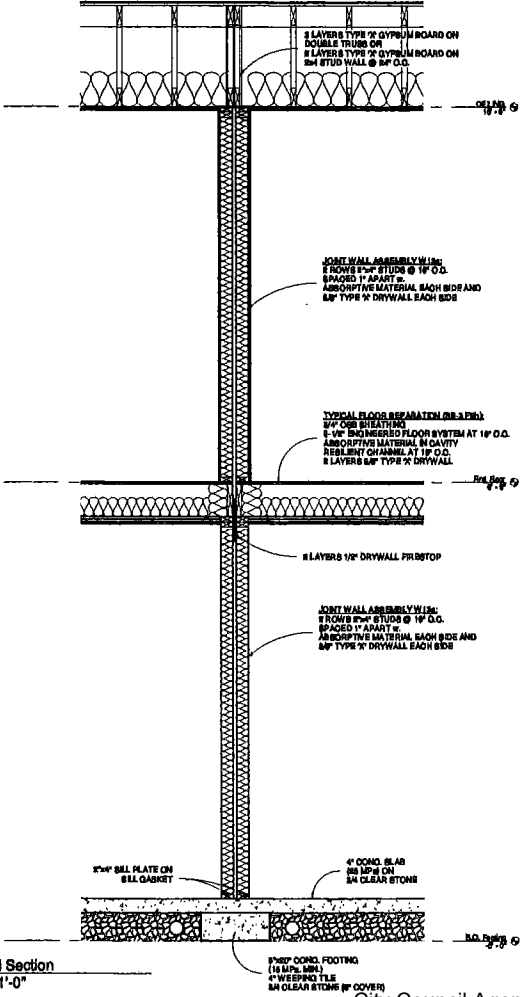
④ Left Elevation
3/16" = 1'-0"

② Rear Elevation
3/16" = 1'-0"

Spatial Separation
Exposed Building Face = 75 ft
Glazed Openings = 4.7 ft (6%)
Allowable Glazed Openings 7%

Spatial Separation
Exposed Building Face = 75 ft
Glazed Openings = 4.7 ft (6%)
Allowable Glazed Openings 7%

⑤ Firewall Section
1/2" = 1'-0"



Hamja Duplex
244 Crawford Semi-Detached
w. Secondary Units
Window



No.	Description	Date

Elevations	
Project number	28
Date	Mar. 4, 2022
Scale	As Indicated
A3	

Appendix D – Site Photos of 244 Crawford Avenue

Google Streetview, October 2022





Subject: Amend Subdivision Agreement with Community Living Windsor – Ward 5

Reference:

Date to Council: October 16, 2023
Author: Kate Tracey
400 City Hall Square East, Suite 201
Windsor, Ontario N9A 7K6
(519) 255-6100 x 1774
ktracey@citywindsor.ca
Legal Services, Real Estate & Risk Management
Report Date: August 25, 2023
Clerk's File #: APM2023 & Z2023

To: Mayor and Members of City Council

Recommendation:

- I. THAT the Subdivision Agreement dated the 12th day of September, 1988, and registered on title as Instrument No. R1078100 (the "**Subdivision Agreement**") **BE AMENDED** by releasing Windsor Community Living Support Services (the "**Owner**") from its obligations under subsection 2(20)(i); and,
- II. THAT the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to sign the Amending Agreement and all necessary documents approved as to form and content satisfactory to the City Solicitor, and that the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003; and,
- III. THAT the City **WILL BEAR** the costs of the above-referenced transaction, and further that the costs be charged to 001-4025-5119-02942-0125230.

Background:

By CAO 149/2023, as amended, the Chief Administrative Officer approved the acquisition of an easement from the Owner over Part of Lot 14, Plan 12M-256, designated as Part 5 on Plan 12R-10475 as shown in Appendix A (the "**Lands**") to allow for the City to access the Lands in order to repair and maintain a storm pond and pumping station.

Discussion:

CAO 149/2023, as amended, authorized the acquisition of a storm pond and pumping station easement (the "**Easement**") from the Owner over the Lands.

In accordance with subsection 2(20)(i) of the Subdivision Agreement, the Owner, together with the other parties to the Subdivision Agreement, was responsible for the installation and maintenance of a storm retention pond and pumping station (collectively, the “**Works**”), the approximate location of which is attached as Appendix B.

Through discussions with Administration and parties to the Subdivision Agreement, including the Owner, it was determined that the storm pond in question has not been properly maintained, and that the pumping station is no longer functional. CAO 149/2023, as amended, approved the City taking over the operation and maintenance responsibilities of the Works in exchange for the gratuitous granting of the Easement to the City by the Owner.

By the City undertaking completion of the Works, the Owner is effectively relieved of its obligations under subsection 2(20)(i) of the Subdivision Agreement.

Solicitor for the Owner, Gerald E. Trottier, has requested that the City enter into an amending agreement with the Owner, pursuant to which:

1. The City confirms that the maintenance and repair of the Works will be completed at the City's sole expense; and
2. The Owner is released from all liability for such maintenance and repair;
3. The Owner is released from its obligations under subsection 2(20)(i) of the Subdivision Agreement.

Administration is requesting an amendment to the Subdivision Agreement in order for the Easement to be granted from the Owner to the City. Only if such amendment is granted will the Owner agree to granting the Easement to the City. Without the Easement, the City will not be able to enter the Lands in order to maintain and repair the Works.

Risk Analysis:

Should the Subdivision Agreement not be amended, the City will be unable to enter the Lands in order to maintain and repair the Works.

Climate Change Risks

Climate Change Mitigation:

The amending of the Subdivision Agreement does not pose a climate change risk.

Climate Change Adaptation:

N/A

Financial Matters:

In this instance, it is recommended that the City bear the cost of registration of the amendment of the Subdivision Agreement on title to the Lands, which is approximately \$80.

The city will also be liable for the cost of upgrade and repair of the storm pond and pumping station. The estimated cost of the upgrade is \$850,000, in which there is a sufficient budget in capital project #7035119 for the Temple Pump Station Upgrades. Ongoing maintenance costs will also be incurred and paid for through Pollution Control.

Consultations:

Denise Wright, Manager of Real Estate Services
 Rob Perissinotti, Development Engineer
 Rosa Maria Scalia, FPA

Conclusion:

Amending the Subdivision Agreement will allow for the City to be granted the Easement from the Owner in order to enter onto the Lands to maintain and repair the Works.

Approvals:

Name	Title
Kate Tracey	Senior Legal Counsel
Shelby Askin Hager	City Solicitor, Commissioner of Legal and Legislative Services
Chris Nepszy	City Engineer, Commissioner of Infrastructure Services
Janice Guthrie	City Treasurer, Commissioner of Corporate Services/CFO
Shelby Askin Hager for Joe Mancina	Chief Administrative Officer

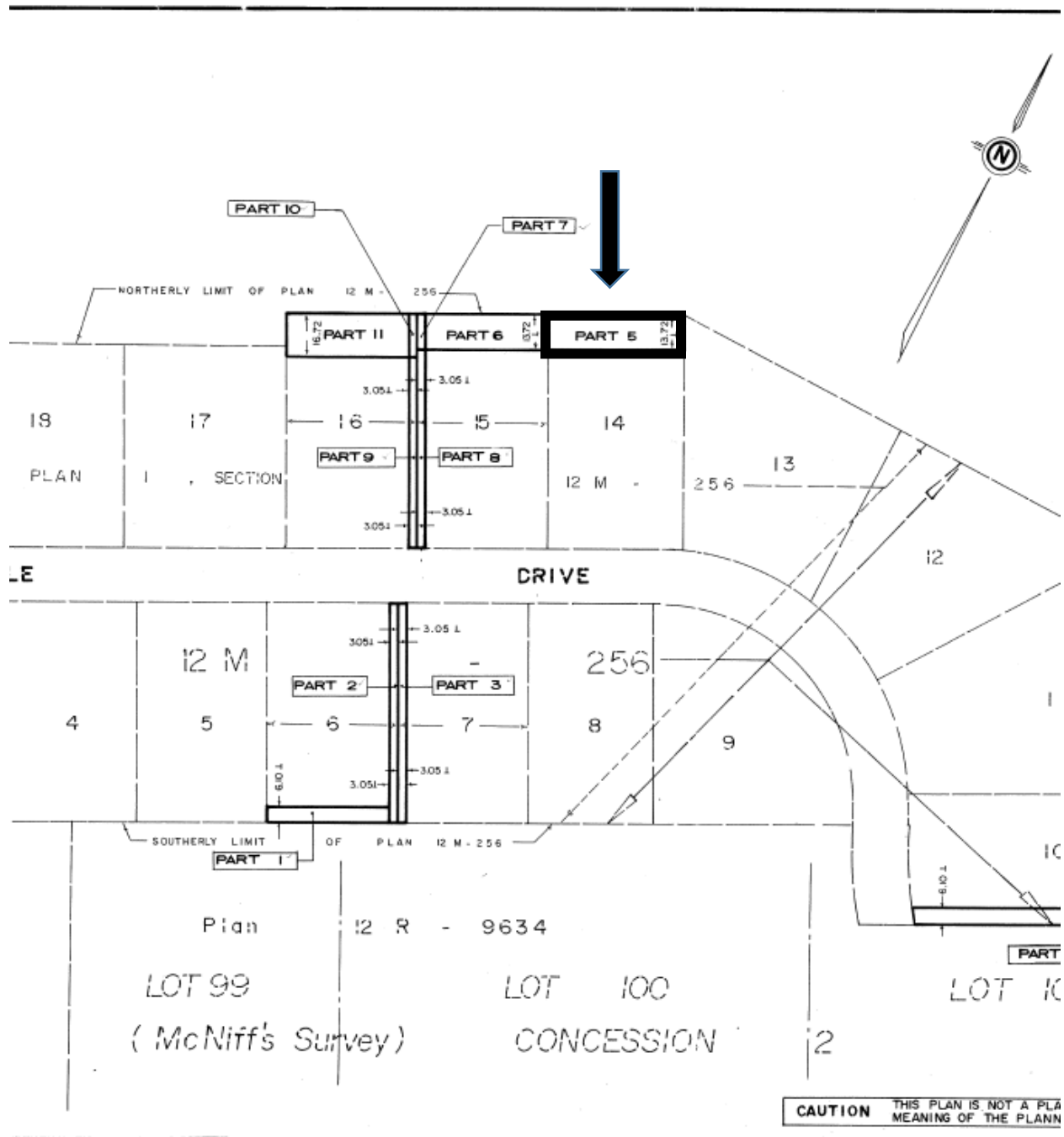
Notifications:

Name	Address	Email

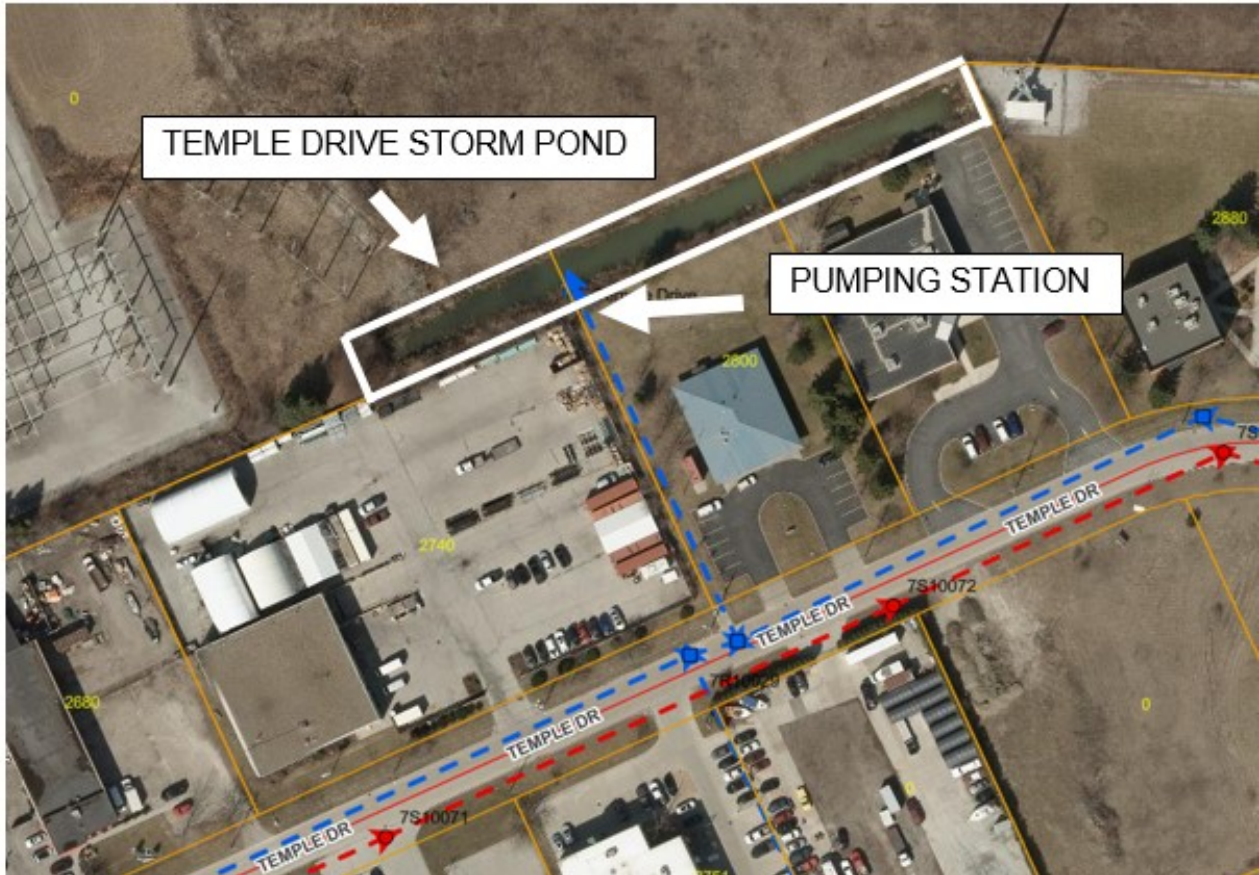
Appendices:

- 1 Aerial view of the Lands
- 2 Aerial view of the Works

Appendix A



Appendix B





Committee Matters: SCM 264/2023

Subject: Kildare Avenue (Richmond Street to Ottawa Street), Partington Avenue (Columbia Court to Labelle Street) and Lone Pine Street (Provincial Road to Maple Leaf Crescent) Traffic Calming – Wards 4, 10 & 9

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

Decision Number: **ETPS 958**

THAT Administration **BE DIRECTED** to install speed humps on Kildare Avenue between Richmond Street and Ottawa Street; and,

THAT Administration **BE DIRECTED** to install speed humps on Partington Avenue between Columbia Court and Labelle Street; and,

THAT Administration **BE DIRECTED** to install speed humps on Lone Pine Street between Provincial Road and Maple Leaf Crescent; and,

THAT City Council **SUPPORT** an expenditure in the amount of \$105,000 which will be charged to the Traffic Calming Initiatives project, OPS-021-07; and,

THAT the CFO/City Treasurer **BE DIRECTED** to consider the \$105,000 a pre-commitment of funding allocated in principle in 2026 as part of the 2024 10-year capital plan and allow the funds to be made available for immediate use; and,

THAT a budget issue with regards to annual maintenance of \$8,030 **BE CONSIDERED** as part of the 2024 operating budget development process as a priority item based upon approval for the installation of the speed humps noted.
Carried.

Report Number: C 140/2023
Clerk's File: ST/13863

Clerk's Note:

1. The recommendation of the Environment, Transportation & Public Safety Standing Committee and Administration are the same.
2. Please refer to Item 8.3 from the Environment, Transportation & Public Safety Standing Committee held on September 27, 2023.
3. To view the stream of this Standing Committee meeting, please refer to:
<http://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20230927/-1/9434>

Subject: Kildare Avenue (Richmond Street to Ottawa Street), Partington Avenue (Columbia Court to Labelle Street) and Lone Pine Street (Provincial Road to Maple Leaf Crescent) Traffic Calming – Wards 4, 10 & 9

Reference:

Date to Council: 9/27/2023
Author: Clare Amicarelli
Transportation Planning Coordinator
519-255-6100 ext 6463
camicarelli@citywindsor.ca

Public Works - Operations
Report Date: 9/7/2023
Clerk's File #: ST/13863

To: Mayor and Members of City Council

Recommendation:

THAT Administration **BE DIRECTED** to install speed humps on Kildare Avenue between Richmond Street and Ottawa Street; and,

THAT Administration **BE DIRECTED** to install speed humps on Partington Avenue between Columbia Court and Labelle Street; and,

THAT Administration **BE DIRECTED** to install speed humps on Lone Pine Street between Provincial Road and Maple Leaf Crescent; and,

THAT City Council **SUPPORT** an expenditure in the amount of \$105,000 which will be charged to the Traffic Calming Initiatives project, OPS-021-07; and,

THAT the CFO/City Treasurer **BE DIRECTED** to consider the \$105,000 a pre-commitment of funding allocated in principle in 2026 as part of the 2024 10-year capital plan and allow the funds to be made available for immediate use; and,

THAT a budget issue with regards to annual maintenance of \$8,030 **BE CONSIDERED** as part of the 2024 operating budget development process as a priority item based upon approval for the installation of the speed humps noted.

Executive Summary:

N/A.

Background:

Traffic Calming Policy and Local Road Speed Hump Procedure

The City of Windsor Traffic Calming Policy was first adopted in 2005. The Policy underwent major updates in 2015 and 2021.

When the 2021 Traffic Calming Policy was brought before Council at its April 19, 2021 meeting, in addition to adopting the proposed policy, Council directed that Administration report back with additional policy measures related to traffic calming (CR168/2021):

That administration BE DIRECTED to report back to Council with a policy, including a rollout plan, that would allow residents to request speed bumps if the majority in the subject block wish to see that happen.

The requested report back was brought before Council on May 9, 2022. The report provided a new Local Road Speed Hump Procedure as well as related minor amendments to the Traffic Calming Policy in order to implement the new procedure. Council adopted this new Procedure.

Report S 76/2022, "Local Road Speed Humps Program - Initial Set of Locations" came before Council at its September 6, 2022 meeting. In response to this report, Council resolved as follows:

Decision Number: CR374/2022 ETPS 907

That Administration BE DIRECTED to install speed humps and associated signs and pavement markings on Dandurand Avenue between Piazza Street and Northwood Street, and Partington Ave. between College Avenue to Tecumseh Road; and,

That Administration BE DIRECTED to include the seven additional signatures that were provided in the addendum (attached) to approve speed humps for Partington Avenue; and further,

That Administration BE REQUESTED to report back to a future meeting of Council to provide a review of the Speed Hump Policy and options to approve the same.

The speed hump installations directed by this resolution are currently being installed. The requested review of the Local Road Speed Hump Procedure will come forward with the next update to the Traffic Calming Policy.

Report C 118/2023, “Avondale Avenue (West Grand to Norfolk), Beals Avenue (Dougall to Huntington) and Academy (Northwood Street to North Service Road West) Traffic Calming – Wards 1, 9 & 10” came before Council at its August 8, 2023 meeting. In response to this report, Council resolved as follows:

Decision Number: CR318/2023

That Administration BE DIRECTED to install speed humps on Avondale Avenue between West Grand Boulevard and Norfolk Street; and,

That Administration BE DIRECTED to install speed humps on Beals Street East and Beals Street West between Dougall Avenue and Huntington Avenue; and,

That Administration BE DIRECTED to install speed humps on Academy Drive between Northwood Street and North Service Road West; and,

That funding from each of the above noted installations come from Traffic Calming capital budget project 7069022; and,

That a budget issue with regards to annual maintenance of \$5,420 be presented as part of the 2024 operating budget development process and be considered a priority item based upon approval for the installations; and further,

That Administration BE DIRECTED to continue, on a trial basis collecting data and getting the required feedback moving forward; and that this information BE REVIEWED and if warranted used to determine next steps with traffic calming initiatives on similar streets.

Discussion:

Kildare Road

A resident request for traffic calming on Kildare Road between Richmond Street and Ottawa Street was received in February 2023. The street was reviewed and confirmed to be eligible for speed humps under the Local Road Speed Hump Program. A resident survey to determine neighbourhood support was carried out from June 2, 2023 to July 2, 2023. Residents were able to vote online or via 311. The results of the survey are summarized in Table 1.

Table 1: Traffic Calming Approval Survey Results – Kildare Road

Criteria	Required	Actual		Result
Level of Support	50% of households or commercial properties	Yes	58% (34 households)	Pass

	voting "yes" (30 of 59 households)	No	3% (2 households)	
		Did Not Vote	39% (23 households)	

Some residents provided additional comments when voting. A summary of comments received are as follows:

- From study area residents voting in support of speed humps:
 - Lots of speeding traffic on the street
 - Kildare is used as a cut-through route
- From study area residents voting against speed humps:
 - Other traffic calming measures should be considered instead

In addition to votes by residents in the study area, 19 responses were received from addresses outside the study area. Of these responses not counted toward the approval threshold, the breakdown is as follows:

- 79% (15 responses) supported speed humps on Kildare Road
- 10.5% (2 responses) opposed speed humps on Kildare Road
- 10.5% (2 responses) provided no response to speed humps on Kildare Road

Some additional comments received from these out-of-area responses are as follows:

- Would like to see speed limits of 40km/h within the area

Partington Avenue

A resident request for traffic calming on Partington Avenue between Columbia Court and Labelle Street was received in August 2022. The street was reviewed and confirmed to be eligible for speed humps under the Local Road Speed Hump Program. A resident survey to determine neighbourhood support was carried out from June 16, 2023 to July 16, 2023. Residents were able to vote online or via 311. The results of the survey are summarized in Table 2.

Table 2: Traffic Calming Approval Survey Results – Partington Avenue

Criteria	Required	Actual		Result
Level of Support	50% of households or commercial properties voting “yes” (8 of 16 households)	Yes	63% (10 households)	Pass
		No	6% (1 household)	
		Did Not Vote	31% (5 households)	

Some residents provided additional comments when voting. A summary of comments received are as follows:

- From study area residents voting in support of speed humps:
 - Vehicles drive too fast in the neighbourhood
 - Speeding vehicles in the neighbourhood are a hazard for pedestrians and pets
 - School and park nearby so this area needs to be made safe for children
- From study area residents voting against speed humps:
 - Speed humps are not necessary
 - Speed humps will not deter vehicles from parking where there are no stopping signs

In addition to votes by residents in the study area, 4 responses were received from addresses outside the study area. Of these responses not counted toward the approval threshold, the breakdown is as follows:

- 25% (1 responses) supported speed humps on Partington Avenue
- 75% (3 responses) opposed speed humps on Partington Avenue

Some additional comments received from these out-of-area responses are as follows:

- A request to increase parking enforcement during school hours
- A request to add bollards on Partington Avenue similar to Roseland Public School on Cabana

The Traffic Calming Policy notes that speed humps should only be installed on roads with curbs however the policy is not specific to the type of curb. With standard curb and gutter, vehicles have no way to drive around the hump and therefore are forced to travel over it, hence serving the purpose of slowing down the vehicle. With a mountable curb, the concern raised by Administration is that vehicles may mount the curb and drive on the right-of-way and/or the sidewalk in order to avoid slowing down. In order to reduce this risk, Administration is recommending to use this section of Partington Avenue as a trial location. Flexible bollards will be installed on the right corner of the approach side of humps in order to keep vehicles on the road. Unfortunately bollards are required to be removed during the winter months and therefore during this time, vehicles may attempt to drive on the curb. It is intended that the trial be in place for 1 year from the time of installation of the humps and the measurement of evaluation will be the number of complaints about vehicle trajectory and evaluation of any damage in the ROW. No other streets with mountable curbs will be eligible for speed humps, pending the results of the trial.

Lone Pine Street

A resident request for traffic calming on Lone Pine Street between Provincial Road and Maple Leaf Crescent was received in July 2022. The street was reviewed and confirmed to be eligible for speed humps under the Local Road Speed Hump Program. A resident survey to determine neighbourhood support was carried out from June 30, 2023 to July 30, 2023. Residents were able to vote online or via 311. The results of the survey are summarized in Table 3.

Table 3: Traffic Calming Approval Survey Results – Lone Pine Street

Criteria	Required	Actual		Result
Level of Support	50% of households or commercial properties voting “yes” (4 of 8 households)	Yes	50% (4 households)	Pass
		No	12.5% (1 households)	
		Did Not Vote	37.5% (3 households)	

Some residents provided additional comments when voting. A summary of comments received are as follows:

- From study area residents voting in support of speed humps:
 - Lots of speeding traffic on the street

In addition to votes by residents in the study area, 17 responses were received from addresses outside the study area. Of these responses not counted toward the approval threshold, the breakdown is as follows:

- 76% (13 responses) supported speed humps on Lone Pine
- 24% (4 responses) opposed speed humps on Lone Pine

Some additional comments received from these out-of-area responses are as follows:

- Would like to see speed humps near Maple Leaf Park
- Would like to see a traffic light at the intersection of Lone Pine St and Provincial Road.

Due to timing of this report and subsequent approvals, these humps will be installed in the 2024 construction season.

Risk Analysis:

No critical or significant risks have been identified with the report recommendations.

Risks related to the Partington installation are noted above.

Construction costs for speed humps are subject to normal price variability for materials and tender costs. These financial risks are mitigated by following the procedures in the Purchasing By-law and normal project management practices.

Climate Change Risks

Climate Change Mitigation:

N/A

Climate Change Adaptation:

N/A

Financial Matters:

Tables 4 through 6 below will detail the specific costs related to each speed hump installation by location. Table 7 below will summarize the costs of all installations and proposed funding sources for the initial capital costs of installation and the ongoing annual operating cost to maintain the speed humps.

Kildare Road

The estimated cost to install speed humps and related signage on Kildare Road between Richmond Street and Ottawa Street is summarized in Table 4.

Table 4: Cost Estimate – Kildare Road Traffic Calming

Item	Unit	Cost per Unit		Quantity	Total Cost	
		Initial Installation	Annual Maintenance		Initial Installation	Annual Maintenance
Speed humps and associated signs and pavement markings	Each	\$10,250	\$770	5	\$51,250	\$3,850
“Traffic Calmed Neighbourhood” Signs	Each	\$350	\$5	2	\$240	\$10
Grand Total – Kildare Road					\$51,490	\$3,860 per year

Partington Avenue

The estimated cost to install speed humps and related signage on Partington Avenue between Columbia Court and Labelle Street is summarized in Table 5.

Table 5: Cost Estimate – Partington Avenue Traffic Calming

Item	Unit	Cost per Unit		Quantity	Total Cost	
		Initial Installation	Annual Maintenance		Initial Installation	Annual Maintenance
Speed humps and associated signs and pavement markings	Each	\$10,250	\$770	3	\$30,750	\$2,310
“Traffic Calmed Neighbourhood” Signs	Each	\$350	\$5	2	\$700	\$10
Flexible Bollards	Each	\$253	\$150	2	\$506	\$300
Grand Total – Partington Avenue					\$31,956	\$2,620 per year

Lone Pine Street

The estimated cost to install speed humps and related signage on Lone Pine Street between Provincial Road and Maple Leaf Crescent is summarized in Table 6.

Table 6: Cost Estimate – Lone Pine Street Traffic Calming

Item	Unit	Cost per Unit		Quantity	Total Cost	
		Initial Installation	Annual Maintenance		Initial Installation	Annual Maintenance
Speed humps and associated signs and pavement markings	Each	\$10,250	\$770	2	\$20,500	\$1,540
“Traffic Calmed Neighbourhood” Signs	Each	\$350	\$5	2	\$700	\$10
Grand Total – Lone Pine Street					\$21,200	\$1,550 per year

Table 7: Summary of Cost Estimates and Funding

Summary of Costs:				
	Initial Installation	Annual Maintenance	Funding Source	
Kildare Road	\$ 51,490	\$ 3,860	Installation - Funding Pre-Commitment - Capital Project 7069022 Maintenance - Traffic Operations Operating Budget	
Partington Avenue	\$ 31,956	\$ 2,620	Installation - Funding Pre-Commitment - Capital Project 7069022 Maintenance - Traffic Operations Operating Budget	
Lone Pine Street	\$ 21,200	\$ 1,550	Installation - Funding Pre-Commitment - Capital Project 7069022 Maintenance - Traffic Operations Operating Budget	
Total Cost	\$ 104,646	\$ 8,030		

The Traffic Calming capital budget project 7069022 was established to track and record expenditures related to the initial installation of the speed humps at all locations; however, there are currently insufficient funds available in the project.

The 2023 10-year capital funding plan currently includes funding for Traffic Calming as follows:

2023 \$0
 2024 \$0
 2025 \$0
 2026 \$400,000

2027	\$0
2028	\$100,000
2029	\$0
2030	\$0
2031	\$1,140,000
2032	\$281,000

Funding for the installation of the speed bumps identified in this report will require the use of \$105,000 from the \$400,000 approved in principal in 2026. By doing so, the project will incur financing charges over the next 2 years estimated at \$12,000.

The ongoing annual maintenance cost is estimated at \$8,030 per year. Maintenance costs for initiatives such as this project have not been previously identified within operating budgets and therefore this cost may not be able to be accommodated in the existing Signs and Markings operating budget. Should Council approve the traffic calming plan, a budget increase will be brought forward as part of the 2024 operating budget submission as a priority matter.

Consultations:

Operations: Phong Nguy, Manager of Contracts, Field Services and Maintenance

Traffic Operations: Ian Day, (A) Senior Manager of Traffic Operations and Parking Services

Human Resources: Gayle Jones, Diversity and Accessibility Officer

Windsor Fire Rescue Services: Mike Coste, Chief Fire Prevention Officer

Windsor Police Service: Barry Horrobin, Director of Planning and Physical Resources

Transit Windsor: Jason Scott, Manager of Transit Planning

Finance: Cindy Becker, Financial Planning Administrator – Public Works

Mike Dennis, Manager, Strategic Capital Budget Development & Control

Public Consultation – Kildare Road

The resident approval survey was carried out from June 2 to July 2, 2023. Methods used for resident notification and outreach were as follows:

- Mailout to all property owners and tenants in the project area, attached as Appendix A (May 31, 2022)
- A follow-up mailout to property owners and tenants that had not yet voted (June 21, 2022)
- Social media posts (June 2, 2022)

- Notification signs posted in the survey area

Public Consultation – Partington Avenue

The resident approval survey was carried out from June 16 to July 16, 2023. Methods used for resident notification and outreach were as follows:

- Mailout to all property owners and tenants in the project area, attached as Appendix B (June 14, 2022)
- A follow-up mailout to property owners and tenants that had not yet voted (July 5, 2022)
- Social media posts (June 16, 2022)
- Notification signs posted in the survey area

Public Consultation – Lone Pine Street

The resident approval survey was carried out from June 30 to July 30, 2023. Methods used for resident notification and outreach were as follows:

- Mailout to all property owners and tenants in the project area, attached as Appendix C (June 28, 2023)
- A follow-up mailout to property owners and tenants that had not yet voted (July 19, 2022)
- Social media posts (June 30, 2022)

Notification signs posted in the survey area

Conclusion:

Having met the criteria for speed humps in the Local Road Speed Humps Procedure under the Traffic Calming Policy, Administration recommends installing speed humps on Kildare Road between Richmond Street and Ottawa Street, on Partington Avenue between Columbia Court and Labelle Street and on Lone Pine Street between Provincial Road and Maple Leaf Crescent.

Planning Act Matters:

N/A

Approvals:

Name	Title
Cindy Becker	Financial Planning Administrator
Shawna Boakes	Executive Director of Operations

Name	Title
Chris Nepszy	Commissioner, Infrastructure Services and City Engineer
Janice Guthrie	Commissioner, Corporate Services and Chief Financial Officer
Joe Mancina	Chief Administrative Officer

Notifications:

Name	Address	Email
<i>Area residents and project notification list – Kildare Road (list provided to Clerks)</i>		
<i>Area residents and project notification list – Partington Avenue (list provided to Clerks)</i>		
<i>Area residents and project notification list – Lone Pine Street (list provided to Clerks)</i>		

Appendices:



Committee Matters: SCM 263/2023

Subject: Windsor's Bird Friendly City Designation - City Wide

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

Decision Number: **ETPS 957**

1. THAT the report from the Environment and Sustainability Coordinator dated August 30th, 2023 regarding Windsor's Bird Friendly City Status **BE RECEIVED** for information;
2. THAT City Council **SUPPORT** continuing efforts to be a Bird Friendly City;
3. THAT City Council **APPROVE** the creation of a Bird Friendly Working Team under the Environment and Climate Change Advisory Committee;
4. THAT Administration **BE DIRECTED** to provide an annual report card on activities related to the Bird Friendly City Status to Nature Canada.
Carried.

Report Number: S 114/2023
Clerk's File: EI2023

Clerk's Note:

1. The recommendation of the Environment, Transportation & Public Safety Standing Committee and Administration are the same.
2. Please refer to Item 8.2 from the Environment, Transportation & Public Safety Standing Committee held on September 27, 2023.
3. To view the stream of this Standing Committee meeting, please refer to:
<http://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20230927/-1/9434>

Subject: Windsor's Bird Friendly City Designation - City Wide

Reference:

Date to Council: September 27, 2023
Author: Barbara Lamoure
Environment and Sustainability Coordinator
519-255-6100 ext. 6108
blamoure@citywindsor.ca
Asset Planning
Report Date: 8/30/2023
Clerk's File #: EI2023

To: Mayor and Members of City Council

Recommendation:

1. THAT the report from the Environment Sustainability Coordinator dated August 30th, 2023 regarding Windsor' Bird Friendly City Status **BE RECEIVED** for information;
2. THAT City Council **SUPPORT** continuing efforts to be a Bird Friendly City;
3. THAT City Council **APPROVE** the creation of a Bird Friendly Working Team under the Environment and Climate Change Advisory Committee;
4. THAT Administration **BE DIRECTED** to provide an annual report card on activities related to the Bird Friendly City Status to Nature Canada.

Executive Summary:

N/A

Background:

In 2021, the Pelee Island Bird Observatory (PIBO) began efforts to make Windsor one of Canada's first Bird Friendly Cities. A designation bestowed by Nature Canada to communities working to make Cities Bird Friendly.

The Bird Friendly City Program Overview

The Bird Friendly City program demonstrates to residents how important birds are to the health and well-being of our communities. The certification provides a standard that reflects what a city needs to do to decrease bird mortality and, more generally, decrease biodiversity loss. In this sense, it can be considered a bird conservation strategy framework for a city.

“The standard is also a tool that allows for an independent assessment of how bird friendly a particular city is at any moment in time, assessing performance on key issues, establishing benchmarks and allowing for measurement of progress over time and comparison with other cities.” (Bird Friendly City Certification Rubric, Nature Canada).

The development of the Bird Friendly City program is in response to the knowledge that bird populations have decreased by more than 25% in North America over the past 50 years. Without action this trend will continue.

On May 5, 2022, a letter of support was submitted to Nature Canada from the Office of the Mayor in order to secure the City’s Bird Friendly designation, being one of the first 30 cities in Canada to be certified (Appendix A).

In the letter, several initiatives were proposed including to:

- Attain a Council resolution in support of Windsor becoming a Bird Friendly City
- Post information on Bird Friendly practices on the City of Windsor website
- Issue a proclamation in support of Migratory Bird Day held annually
- Support the selection of an Official Bird for Windsor
- Host an event for Migratory Bird Day. Note: PIBO hosted an event called the Urban Bird Challenge over Migratory Bird Day weekend in 2022 and 2023. Citizens were invited to compete in birding challenges. Ojibway Nature Guides provided birding hikes and programs during this event. PIBO desires to continue to have this event every year. The City of Windsor can continue providing support by scheduling nature hikes and programs at the Ojibway Nature Centre and offering rental space at the Nature Centre and/or Malden Park.

On June 16, 2022, the City of Windsor was certified as a Bird Friendly City. This certification came after work and partnerships, between City of Windsor staff, the Pelee Island Bird Observatory (PIBO) and Nature Canada.

In 2023, Citizens voted for an official bird in a poll organized by Tourism Windsor Essex. The Tufted Titmouse was chosen on April 12, 2023 as Windsor’s Official Bird.

“I am proud to see Windsor designated as a Bird Friendly City in partnership with Nature Canada and Pelee Island Bird Observatory, and excited to announce the Tufted Titmouse as our Official City Bird. As Windsor continues on the path to working with upper levels of government and stakeholders to create the Ojibway National Urban Park, it is more important than ever to highlight some of the animal and plant species, including the Tufted Titmouse, that make this area incredibly unique to this region, and

in Canada. Proclaiming Windsor as Bird Friendly City is a great boost for us, with economic and ecotourism potential, while positioning us alongside cities like Toronto, Vancouver, Hamilton, Guelph and London. I look forward to the positive impacts this initiative will continue to have in Windsor and across Essex County.”

- **Windsor Mayor Drew Dilkens**

To date, all of the above initiatives have been completed successfully, except for the attainment of a Council resolution, which is a recommendation of this Council report.

Discussion:

In order to maintain our status as a Bird Friendly City, there must be evidence of progress since the previous application. Nature Canada provides an evaluation rubric that outlines ways for municipalities to show their commitment. In 2023 PIBO completed the rubric for Nature Canada, but in future years, they would appreciate guidance from City administration on answering questions regarding City policies and actions.

The rubric grades actions taken by the municipality for a variety of objectives including: threat reduction, habitat protection, restoration, and climate resilience, and community outreach/education. A variety of solutions are suggested in the rubric such as building standards and outreach campaigns.

The scoring and evaluation rubric for Bird Friendly City Canada is attached as Appendix B for reference.

Next Steps

There already exist several City initiatives that align with the Bird Friendly City framework, including but not limited to:

- The 2023 Voucher program that helped sterilize 260 cats.
- Several city plans aimed to protect and increase the number of natural areas including the Environmental Master Plan and the Climate Change Adaptation Plan.
- Bird conservation efforts are spearheaded by staff at the Ojibway Nature Centre through a variety of educational programs and ecosystem monitoring efforts.
- The City already aims to reduce pesticide use, decrease plastic waste, calm roads, protect and expand the urban forest canopy. These efforts can be found in plans such as Walk Wheel Windsor, Windsor's Official Plan, and the proposed Urban Forest Management Plan.

Establishing a Bird Team

One of the mandatory criteria to maintain Bird-Friendly City status is the establishment of a Bird Team. The Bird Team is responsible to aid in advancing the objectives of Nature Canada's Bird Friendly City status.

The Bird team should be made up of diverse perspectives and may include: naturalists, birding groups, environmental organizations, municipal representatives, Indigenous communities, horticulture clubs, businesses, educational institutions, community groups, and residents.

The Bird Team's mission is to champion the implementation of bird friendly actions in their city to create safer urban environments for birds. The Bird Team will seek to complete its mission by: (1) addressing and mitigating key threats to birds in their city, (2) protecting and restoring natural habitat and increasing climate resiliency in their city, and (3) conducting community outreach and education.

The Bird Team will provide an annual report, completed jointly by City Administration and PIBO, on activities related to the Bird Friendly City Status, which include:

- Holding a World Migratory Bird Day event annually;
- Demonstrating that the municipality is taking action to protect bird populations, through the development of policies, programs and education measures.
- The team also provides evidence that the municipality is committed to Natural Area and Biodiversity protection in its Municipal Plans. And that the municipality has a climate change adaptation strategy with nature-based climate solutions. The City's Climate Change Adaptation Plan fulfills this requirement.
- The municipality must demonstrate an appropriate habitat management strategy with importance placed on the planting of native flora and efforts to increase the urban tree canopy. As mentioned above, the City is currently developing an Urban Forestry Management Plan and is actively working toward obtaining the Natural Urban Park designation for the Ojibway Complex.

Administration is recommending that the Bird Team Working Group be created under the Environment and Climate Change Advisory Committee, with the Environmental Sustainability Coordinator as the Working Group lead. Initially, a select group would be involved including: the Executive Director of the Pelee Island Bird Observatory, Ojibway Nature Centre Staff, and a representative from the ECC Advisory committee. Other individuals may be invited to join including University staff and students, local naturalists, indigenous community members, humane society staff and local environmental business owners.

The team would meet 4 times a year and focus on the initiatives described in Nature Canada's Bird Friendly Rubric.

The recommendations from the working group would be brought forward to the ECC Advisory Committee prior to being presented to the Environment, Transportation and Public Safety Standing Committee and City Council.

Risk Analysis:

There are no identified risks from participating in the Bird Friendly City Program.

Climate Change Risks

Climate Change Mitigation:

Biodiversity protection is a nature-based climate solution. Protecting birds and their habitats can reduce the negative effects of climate change by improving the functioning of ecosystems and increasing their carbon capture and storage potential.

Climate Change Adaptation:

Creating a safer urban environment for birds will increase the chances of their survival in a changing world. Protecting natural spaces for birds has a cascading effect on the local environment – from decreasing the urban heat island effect to, improving storm water absorption.

Financial Matters:

There are no financial costs associated with the participation in the Bird Friendly City Program. Existing internal resources from the Environmental Sustainability and Climate Change Team and the Ojibway Nature Centre will be sufficient to support the Bird Friendly City Program.

Consultations:

Worked closely with Suzanne Friemann, the Executive Director of the Pelee Island Bird Observatory to determine their level of contribution.

City Naturalist - Karen Alexander

Conclusion:

In order to maintain Bird Friendly City status, the rubric from Nature Canada must be completed annually and progress must be demonstrated. A World Migratory Bird Day event should be celebrated annually in May as a combined effort between PIBO and the City of Windsor with guided hikes and programming at the Ojibway Nature Centre and an Urban Birding Challenge created by PIBO. It is recommended that a Bird Friendly working group be created to campaign for the implementation of bird friendly actions.

Approvals:

Name	Title
Karina Richters	Supervisor, Environmental Sustainability & Climate Change
Rosa Maria Scalia	Financial Planning Administrator
Michael Dennis	Acting Senior Manager Asset Planning
Janice Guthrie	Commissioner of Corporate Services and Chief Financial Officer

Name	Title
Joe Mancina	Chief Administrative Officer

Notifications:

Name	Address	Email
Suzanne Friemann		Suzanne.friemann@pibo.ca

Appendices:

Letter from the Office of the Mayor in Support of the Bird Friendly City Program

Scoring and evaluation Rubric for Bird Friendly City Canada Version 2.0 2023

Nature Canada's Bird Team Structure Template



THE CITY OF WINDSOR

OFFICE OF THE MAYOR

DREW DILKENS, DBA
MAYOR

May 5, 2022

Pelee Island Bird Observatory
585 Stone Road
Pelee Island, ON N0R 1M0

Dear Windsor Bird Team and Nature Canada,

We have watched with great interest as the Windsor Bird Team, led by the Pelee Island Bird Observatory (PIBO) and comprised of local partners and volunteers from the community, have worked towards certification of Windsor as a Bird Friendly City.

We agree that healthy bird populations are of critical importance to biodiversity and ecosystem health. As proof of that commitment, the City is working hard towards an urban nature park - the Ojibway National Urban Park, an expansion of the existing Ojibway Prairie Complex - that would improve bird habitat in Windsor, among many other benefits.


Proclaiming Windsor as a Bird Friendly City would be a great boost for our city, as our region boasts many important birding areas that residents take pride in and visitors travel from around the world to experience, as well as economic benefits through added ecotourism potential. Lead cities like Toronto, Vancouver, Hamilton, Guelph, and London are already certified and many others are well on their way to certification this year. We want Windsor to be part of this environmentally enlightened group of Canadian cities.

We support the Windsor Bird Team's goal of making Windsor one of the first 30 cities to be certified in Canada. Many of the criteria for community engagement and education have already been met. To help further this initiative, we hope to:

- propose a Council resolution in support of Windsor becoming a Bird Friendly City
- include information on Bird Friendly practices on our City of Windsor website
- issue a proclamation in support of World Migratory Bird Day-May 14, 2022
- support the selection of an official City Bird for Windsor

We look forward to helping the Windsor Bird Team meet the highest standard of Nature Canada's accreditation program. We will be proud to bear the designation, **Bird Friendly City**.

Sincerely,



Drew Dilkens

Scoring and evaluation Rubric for Bird Friendly City Canada Version 2.0 2023

Criteria	Description	Indicators/evidence	Scoring	
Mandatory	Bird Team. Establish a Bird Team (standing committee) to drive the project forward. Try to ensure that your team represents different perspectives and has a liaison with the municipality	Provide a list of the Bird Team members, affiliations and contact information.		
PROOF				
Mandatory	Indigenous engagement. Provide evidence you have determined in which indigenous traditional territory (ies) your municipality occurs and that you are encouraging the participation and perspective of the local Indigenous community in the initiative.	Provide the name of the relevant Indigenous Nation (s) and report on the outcome of an invitation to participate in the initiative. Report on Progress an annual requirement		
PROOF				
Mandatory	Municipal support. Pass a council resolution nominating or supporting your municipality's efforts to be a Bird Friendly City OR a letter of support from a high ranking city official (latter only applies to entry level).	Willingness to pass council resolution within the first year of certification OR a letter of support for the certification program from a high ranking city official (mayor, CEO, etc). Intermediate and High status require a Council resolution.		
PROOF				
Mandatory	Annual Report. Once your municipality has been accorded Bird Friendly City status, the Bird Team must provide an annual report card on activities related to your Bird Friendly City status.	Provide an Annual Report card by your municipality's one-year certification anniversary.		
PROOF				

Scoring and evaluation Rubric for Bird Friendly City Canada Version 2.0 2023

Mandatory	Renewal of status. Bird Friendly City status will last two years, after which you must reapply. It is expected that the reapplying applicant can demonstrate progress and provide new evidence in many cases to support their new application.	Evidence of progress since the previous application. No evidence of change or progress will result in rejecting application or dropping a certification level.		
PROOF				
Mandatory	Program visibility. Include information about Bird Friendly City on the City website somewhere it can be easily found.	Provide a link and proof of posting.		
PROOF				
Mandatory	World Migratory Bird Day. Hold a World Migratory Bird Day event annually to celebrate birds in your municipality.	This is a mandatory action for this program. Cities must hold a Bird Day within the year of application and continue the event to maintain status. OPTIONAL: Provide proof of the event and Mayor’s or Council proclamation in support of Bird Day.		
PROOF				
		Generally all of the points are awarded contingent on evidence in support of the action. However, points can be rewarded even if the action has not been completed, as long as there is strong evidence that a process to implement or complete the action is underway.		
1.1 Threat Reduction	Cat predation of birds. Regulatory and educational measures taken to help control and reduce populations of cats roaming at large: a. Coordinated efforts directed at cat owners to reduce the number of owned cats outside such as educational campaigns, licensing and no-roam bylaws. (2) b. Within the municipality there is an active strategy to reduce	Proof of each action required. Two points per action. Generally if you can demonstrate some level of progress for each action, you will be awarded one point. Two points will be limited to comprehensive efforts to address that one issue. For example, for a. To get 2 points, you need to have a no-roam bylaw and demonstrate both enforcement of the bylaw and an educational campaign to reach the	6 points	

Scoring and evaluation Rubric for Bird Friendly City Canada Version 2.0 2023

	<p>populations of unowned (feral) cats and mitigate their threat to birds (e.g. removing feral colonies from areas of high bird importance). (2) c. The Bird Team and/ municipality either has, or is a partner in programs/ projects to estimate the number and/or distribution of cats outdoors so that progress on reducing the populations of outdoor cats can be tracked over time. (2)</p>	<p>public and make them aware of the bylaw. High level certification requires proof of a no-roam bylaw. For b, evidence of an active program to humanely reduce the number of unowned outdoor cats. 2 points will be awarded for broad, municipal-wide strategies and actions that demonstrate progress on reducing the population of unowned cats, and / or removing feral cats from important bird habitats where the present increased risk to birds. For c. proof of implementation of a cat counting/ estimating protocol to establish baseline numbers or to compare with baseline numbers will be awarded 2 points. Proof of intent to implement such a protocol gets one point. Data collected from shelters gets one point.</p>		
<p>PROOF</p>				
<p>1.2 Threat Reduction</p>	<p>Window collisions. Demonstrate that your municipality is taking measures to reduce window collisions by: a. Developing and implementing bird friendly design standards/CSA Bird Friendly Building Design standard for new construction (2) b. Assessing and mitigating risk to birds from existing and proposed municipal buildings (1) c. Informing and educating property owners and tenants of existing buildings (including home owners) of measures they can take to mitigate bird collision risk (1) d. Establishing a baseline and maintaining a database of the number of residences or buildings with treated windows in the city to demonstrate progress over time. (1)</p>	<p>Proof of each action required. Two points for a and one for b,c and d. a. refers to the municipality developing or adopting bird friendly or bird safe standards for new construction. One point is awarded if the standard is a guideline, two points if the standard is a requirement. *Note High-level communities the a municipality must have at least a guideline. b. One point if individuals or a group monitors window collisions, and/or assess risk by using BirdSafe, or a similar program. c. One point is awarded with evidence of educational campaigns focused on the broad public or specific neighbourhoods. d. Evidence of the database is provided.</p>	<p>5 points</p>	
<p>PROOF</p>				

Scoring and evaluation Rubric for Bird Friendly City Canada Version 2.0 2023

<p>1.3 Threat Reduction</p>	<p>Light pollution. a.Municipality has a light pollution reduction strategy and supports actions to reduce light pollution, particularly during migratory seasons. b. Light pollution mitigation standards for all new developments and/or retrofit program to replace street lamps with energy-efficient shielded fixtures c. Outreach campaign for residents and businesses to reduce external lighting that attracts nocturnal migrants</p>	<p>A. One point is given upon evidence of a strategy to reduce light pollution. B. One point given for either proof of mitigation standards (e.g. bylaw or guidance), and/ or proof of a retrofit program (e.g. retrofitting standard street lights with downward directional, wildlife-friendly street lighting (e.g. LED lighting that is 3000K or less). To attain “high level” certification, there must be evidence of both standards for new development and a retrofit program. C. One point for educational and outreach campaigns to reduce light attraction during migration periods such as the “lights out Toronto” campaigns of the past.</p>	<p>3 points</p>	
<p>PROOF</p>				
<p>1.4 Threat Reduction</p>	<p>Pesticides. Municipality has a policy to reduce or eliminate non-essential pesticide use that directly or indirectly harms birds, on public and private land that is implemented through local bylaws. This policy should include restrictions on pesticides used to control nuisance insects such as mosquitos (such as Bti) unless there is a demonstrated health risk (such as proof of West Nile in larvae).</p>	<p>Proof of the policy is provided. Examples of such policies would include a ban on cosmetic use of pesticides or the use of rodenticides when harm to bird populations has been demonstrated. 1 point for ban on cosmetic pesticide use. 1 point for ban on either rodenticides in areas where this is a concern for birds and/or strict controls on use of Bti. There is strong evidence that Bti reduces the available food for aerial insectivores like swallows and has a negative impact on their populations.</p>	<p>2 points</p>	
<p>PROOF</p>				
<p>1.5 Threat Reduction</p>	<p>Plastic waste reduction. Municipality has effective regulatory or non-regulatory measures that result in a reduction in the amount of plastic waste generated (e.g. banning of single use plastics).</p>	<p>Provide proof of regulatory (e.g. a municipal bylaw) and voluntary measures (e.g. a local business) such as a ban on single use plastics, shopping bags, plastic straws, etc.</p>	<p>1 point</p>	
<p>PROOF</p>				

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1.6 Threat Reduction	Collisions with vehicles. Measures in place to reduce bird collisions with vehicles such as lower speed limits when passing through important bird habitat, and measures to reduce the number of vehicles on the roads (such as a good public transit system and cycling infrastructure).	Provide proof of measures to protect birds from vehicle collisions. For example, at locations where a busy road cuts through a wildlife corridor, evidence of mitigation would include lower speed limits, signage about wildlife crossing, or proof of engineered solutions such as wildlife underpasses or overpasses.	1 point	
PROOF				
1.7 Threat Reduction	Disturbance of birds in their natural habitat. Municipality has policy and practices to prohibit or mitigate disturbance of birds from humans or their pets at natural areas or important bird habitat (e.g., leash bylaw, no-go zones certain times of year).	Provide proof of policy and examples of implementation such as signage at important bird habitat (e.g. a natural area, wetland or known migratory stopover site) or evidence of a bylaw in place.	1 point	
PROOF				
Scoring		Entry – 10 points from at least 3 categories Intermediate – 13 points from at least 5 categories including at least 2 categories worth 3 or more. High – 15 points or more. Must include at least 3 points in categories 1 and 2. Must have no roam bylaw (cats), and bird friendly building guidelines for high level.	19 points	
2.1 Habitat Protection, Restoration, and Climate Resiliency	Natural Area protection. Natural areas within the municipal boundaries are protected within the Municipal Plan and there is a commitment to increase this area. Plan distinguishes between natural areas and other types of municipal space such as recreational parks.	Provide proof of the policy. To maintain this criterion, the city must document the size of the area protected, and demonstrate a commitment to increase in this area over time. Any municipal plan that includes protection of natural area spaces will receive one point. Additional points are based on the evidence of implementation and whether there are ambitious targets to increase the number and size of the protected areas.	3 points	
PROOF				

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<p>2.2 Habitat Protection, Restoration, and Climate Resiliency</p>	<p>Biodiversity protection and recovery. Municipality has an official strategy to protect and restore the biological diversity in its parks and natural areas. The strategy can include measures such as: promoting connectivity between natural areas, buffering core biodiversity hotspots from harmful human activities, increasing the number of protected areas, and bird monitoring within municipal limits to assess the success of the strategy.</p>	<p>Provide proof of the strategy and its implementation.</p> <p>The strategy to protect and restore biological diversity can be part of the protected areas plan, or <i>vice versa</i>, but must specifically identify protection of biological diversity as a goal. One point is awarded for having an official strategy (adopted by Council). Two points if the strategy has targets and metrics for success and evidence of implementation. Three points for municipalities that meet the previous two tests as well as using monitoring to track changes to biodiversity and use results for adaptive management (e.g. bird monitoring in city owned natural areas).</p>	<p>3 points</p>
<p>PROOF</p>			
<p>2.3 Habitat Protection, Restoration, and Climate Resiliency</p>	<p>Municipality has a climate change adaptation strategy that includes specific measures including nature-based climate solutions. Examples of this include wetland creation to absorb and retain flood water, or planting trees to create shade and lower the surface air temperature.</p>	<p>Provide proof of the strategy and its implementation. One point if the City has an official strategy to address the impacts of climate change and reduce the municipality’s climate impact . Additional points are awarded based on evidence of:implementation and ambitious targets.</p>	<p>3 points</p>
<p>PROOF</p>			
<p>2.4 Habitat Protection, Restoration, and Climate Resiliency</p>	<p>Municipality has a habitat management strategy based on ecological and climate considerations. These include: a. increasing the number of trees and area of the urban forest canopy;</p>	<p>Provide proof of implementation of the strategy and each action. One point per action. Evidence for a. includes inventories of trees and plans for increasing the numbers. For b. One point on snag retention based on evidence such as policy statements or</p>	<p>4 points</p>

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	<p>b. leaving snags standing in cases where public safety is not jeopardized;</p> <p>c. protecting trees on <u>private and public</u> lands; and</p> <p>d. prohibiting active vegetation management during breeding season on municipal lands, including forests, storm-water management facilities, and easements.</p>	<p>evidence within management plans for natural areas. C. refers to a tree bylaw that protects trees as a public value from private land owners cutting them down without permits. For d. a point is accorded if a city can demonstrate that its employees involved in active habitat management do not harm breeding birds or their habitat.</p>	
PROOF			
2.5 Habitat Protection, Restoration, and Climate Resiliency	<p>Municipality has an Important Bird and Biodiversity Area (IBA) within or adjacent to its boundaries. A local partnership promotes the protection and stewardship of this area.</p>	<p>One point if there is one or more nearby IBAs and the Bird Team can provide the names of the IBAs and at least one IBA caretaker group or individual.</p>	1 point
PROOF			
2.6 Habitat Protection, Restoration, and Climate Resiliency	<p>Municipality promotes the importance of planting native flora appropriate for the ecoregion on municipal lands, especially where new development is occurring through development and landscaping guidelines and standards in areas near natural features. Subdivision permits should include conditions protecting existing natural habitat and promote use of native vegetation and include measures to discourage illegal disposal of yard waste (a source of invasive exotic plants) in natural areas.</p>	<p>One point for evidence that the municipality promotes the use of site-appropriate native flora in landscaping for its own properties and for development landscaping standards for subdivision permits.</p>	1 point
PROOF			
2.7 Habitat Protection, Restoration,	<p>Demonstrate widespread community participation in initiatives to encourage native plant habitat that supports native birds and pollinators on private property,</p>	<p>One point if you provide evidence supporting “widespread community participation” in at least one national or international initiative or local program that encourages increasing</p>	1 point

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and Climate Resiliency	to increase the urban tree canopy on private land, and to support other “green infrastructure” initiatives to address climate change.	wildlife habitat on private land. This could include membership in a program like Bee City for example.	
PROOF			
2.8 Habitat Protection, Restoration, and Climate Resiliency	Bird Friendly City partner groups implement stewardship to increase or improve breeding or stopover habitat for bird conservation priority species from your Bird Conservation Region Plan. Example species include Species at Risk (e.g. Chimney Swift) and other aerial insectivores, Eastern Meadowlark and other grassland birds and shorebirds. Example actions include providing housing (e.g., maintained Purple Martin condos), and maintaining bird-friendly hay production.	One point is awarded to cities in which there are active stewardship recovery projects such as those suggested in the criterion description. One additional point if there are stewardship projects in place for two or more species.	2 points
PROOF			
Scoring		Entry - 9 points from at least 3 categories Intermediate - 12 points from at least 4 categories High - 15 points from at least 6 categories including at least 1 point from categories 2.1, 2.2, 2.3 and 2.4.	18 points
3.1 Community Outreach/ Education	A significant percentage of local schools and other educational organizations (e.g. Scouts Canada, Earth Rangers, 4-H) provide students with opportunities to connect with nature, enjoy birds and learn how to help them. Local school boards, conservation authority, or municipality, have facilities/staffing to support outdoor/environmental education, including opportunities to observe birds. At least one school does a specific bird-related program such as Christmas bird count for kids or curriculum from Keep cats safe and save bird lives . Educational programs must include specific	One point is awarded if there are local education facilities and institutions that offer public programming on nature appreciation and bird observation. One point if there are specific bird-related nature programs for recent arrivals to Canada, underprivileged, marginalized or racialized families. One point if at least one school or organization does a specific bird-related programs for children and youth, such as Christmas bird count for kids or curriculum from Keep cats safe and save bird lives .	3 points

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	elements designed to engage members of the public who could be considered underprivileged families and groups, racialized youth and recent arrivals to Canada.		
PROOF			
3.2 Community Outreach/ Education	College and University campuses have adopted practices that actively reduce threats to birds or establish habitat that benefits birds. Implementation of practices should include or be driven by student committees or groups.	One point is awarded based on evidence that institutions that have policies and practices to benefit birds including names of institutions, the programs that they participate in (e.g BirdSafe, Bee City), as well as an example of a recent action and evidence of student involvement.	1 point
PROOF			
3.3 Community Outreach/ Education	Bird Team partners (including Municipality) provide public access to resources (web links, brochures etc.) that encourage and inform the public of: 1) the benefit to birds from native plant gardening or establishment of natural habitat patches on their property in support of birds and/or pollinators (e.g. backyard habitat program), 2) best practices in feeding birds that mitigate risks from feeding (e.g. predation at feeder, contamination from disease).	One point if you can provide evidence of the digital or paper resources, as well as evidence of public interest and knowledge of them (e.g. social media activity).	1 point
PROOF			
3.4 Community Outreach/ Education	Municipality and Bird Friendly City partners install demonstrations or displays in public areas that educate citizens on the benefits of bird friendly actions and encourage engagement (benefits of dark sky lighting, window modifications etc.)	One point based on proof of installations (e.g. photographic evidence, or news stories.)	1 point

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	PROOF		
3.5 Community Outreach/ Education	There is at least one birding location within your city or town that has infrastructure to facilitate the observation and appreciation of birds (e.g. signs, panels, observation tower, and trails). This facility is publicly accessible for people without a car (serviced by public transit and/or bicycle and pedestrian trails. Digital information on birding areas should be easily available.	One point based on evidence of a local birding area that is publicly accessible, a brief description of the infrastructures (e.g. trails, observation tower), and how the area can be accessed by someone without a car.	1 point
PROOF			
3.6 Community Outreach/ Education	A Bird Team partner periodically publishes a “Bird checklist” for your city or town. This checklist should be easily available in digital form on the Internet. Alternatively, there are eBird hotspots in your City.	One point based on proof that a local bird checklist exists in a published form or there are eBird hotspots in your city.	1 point
PROOF			
3.7 Community Outreach/ Education	Businesses in your area promote bird friendly practices (e.g. sell or offer bird friendly coffee, no single use plastics, treat their windows with feather-friendly markers, etc.). These businesses should be recognized on partner websites.	To receive a point, you must name the businesses and describe what bird-friendly practices they have. These practices must include both bird-friendly products that are sold, and demonstrated bird-friendly business practices (e.g. window treatments, low carbon footprint, plastic bag policy, etc). For cities under 100,000 residents, there must be at least 2 businesses. For cities from 100,000 to 500,000 there must be at least 3 businesses. For cities between 500,000 and 1,000,000, there must be at least 4 businesses. For cities over 1 million, there must be 5 or more businesses.	1 point
PROOF			

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3.8 Community Outreach/ Education	You have a “City Bird” species that was selected through a public engagement process.	For one point, you must provide proof that a campaign to select a “City Bird” is underway or has been successfully completed alongside evidence of community engagement. For two points, provide the name of the “City Bird” species, and proof that it is officially the “City Bird through council support/recognition.”.	2 points
3.9 Community Outreach/ Education	There are active community science programs to monitor birds in your municipality including Christmas Bird Count, Swift Night Out, and Marsh Monitoring, Project FeederWatch, the Great Backyard Bird Count, and Global Bird Rescue, which monitor birds on areas that include public land. Public participation in these programs is promoted on local media. Demonstrate efforts to engage members of the public could be considered underprivileged, racialized or recent arrivals to Canada.	To receive one point, provide a list of bird-related citizen science programs in your city and describe the level of public interest and engagement of target audiences. A second point is awarded in communities where more than three of these programs are practiced and you can demonstrate widespread community involvement.	2 points.
Scoring		Entry - 7 points from at least 3 categories Intermediate - 9 points from at least 5 categories. High – 11 points from at least 7 categories.	13 points
How your status is determined		Status achieved equals the LOWEST level of all three scored categories. I.E. if a city scores 12 in category 1, 18 in category 2 and 13 in category 3, they would achieve ENTRY level certification based on the score of 12 in category 1.	Total possible points = 50



Bird Team Structure Template - Terms of Reference

This document aims to provide terms of reference template for Bird Teams working towards helping their city become bird friendly as part of the Bird Friendly City initiative. Alterations of the team structure will be shared with Nature Canada, and can be redesigned with all party agreement at any time.

Mandate:

The Bird Team's mission is to campaign for implementing bird friendly actions in their respective city(ies) to create safer urban environments for birds. The Bird Team will seek to complete its mission by: (1) addressing and mitigating key threats to birds in their city, (2) protecting and restoring natural habitat and increasing climate resiliency in their city, and (3) conducting community outreach and education.

Principles:

- A shared responsibility
- Safe, inclusive and accessible environment for discussion and decision-making
- Proactive, innovative and goal-orientated
- Building relationships to achieve mandate
- Engaging the public to drive political action
- Bringing forward meaningful change that includes multiple levels of society (individual, civil society, institutional, business and the municipal government)
- Working towards a city that balances nature, wildlife and people

Membership:

- Membership in a Bird Team can consist of, but is not limited to naturalist groups, birding clubs, environmental organizations, municipal representatives, Indigenous groups, businesses, educational institutions, researchers, and private citizens.
- Membership in a Bird Team is strictly voluntary.
- A Bird Team should consider electing:
 - An annual Chair; or a rotational system for a chair position;
 - a representative to liaise with Nature Canada;

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✉ info@naturecanada.ca naturecanada.ca



- a representative to liaise with the municipality (if no municipal representative is on the Bird Team);
- A communications lead
- A volunteer recruitment lead.

Member Requirements:

- A strong interest in working towards helping their city become bird friendly;
- Residence or have a working connection to your city.

Roles and Responsibilities:

ALL MEMBERS WILL:

- Work towards implementing the mandate and the principles;
- Ensure a safe and inclusive working environment;
- Participate in the development and implementation of their city's Bird Friendly campaign strategy;
- Maintain regular communications with each other, and Nature Canada.

CHAIR WILL:

- Call Bird Team meetings to discuss and strategize ongoing efforts;
- Develop agendas in coordination with liaisons;
- Assist with recruitment of new members.

LIAISON (NATURE CANADA) WILL:

- Accurately represent the local Bird Team and provide updates to Nature Canada's organizer;
- Be the communicating bridge between the local Bird Team and Nature Canada;
- Highlight important considerations and context of the Bird Team's efforts;
- Assist with identifying new members.

LIAISON (MUNICIPAL) WILL:

- Be the communicating bridge between the local Bird Team and the municipality;
- Highlight important considerations and context of the Bird Team's efforts;
- Assist with identifying champions and allies on the municipality;
- Recruit municipal representatives on the Bird Team.



Decision-Making Process:

- Within the Bird Team, each member has equal voice and power to make and influence decisions;
- Make decisions by arriving a consensus as much as possible;
- Nature Canada's representative can provide support and consultation (if need be).
- The end goal (creating a bird friendly city that protects bird populations) should be considered in every decision made by the Bird Team.

Meeting Frequency:

- The members must establish the frequency of meetings; however, the Bird Team must officially meet at least 4 times a year to ensure all is going according to plan.

Reporting:

- Liaison (Nature Canada) will provide Nature Canada with, at minimum, quarterly reports on Bird Team's efforts (can be done verbally).
- Bird Team will provide an in-depth annual report, which includes information on status of Bird Team, reporting on planned and current actions, and next steps.
- If funding is provided from Nature Canada, then annual report must also include funding results.



Committee Matters: SCM 262/2023

Subject: Community and Corporate Greenhouse Gas Emissions and Energy Monitoring Report – 2021 - City Wide

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

Decision Number: **ETPS 956**

THAT the report of the Community Energy Plan Administrator dated July 30, 2023 entitled “Community and Corporate Greenhouse Gas Emissions and Energy Monitoring Report – 2021” **BE RECEIVED** for information.

Carried.

Report Number: S 4/2023
Clerk’s File: EI/10822

Clerk’s Note:

1. The recommendation of the Environment, Transportation & Public Safety Standing Committee and Administration are the same.
2. Please refer to Item 8.1 from the Environment, Transportation & Public Safety Standing Committee held on September 27, 2023.
3. To view the stream of this Standing Committee meeting, please refer to:
<http://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20230927-1/9434>

Subject: Community and Corporate Greenhouse Gas Emissions and Energy Monitoring Report – 2021 - City Wide

Reference:

Date to Council: September 27, 2023
Author: Michelle Moxley-Peltier
Community Energy Plan Administrator
519-255-6100 ext. 6109
mmoxleypeltier@citywindsor.ca
Asset Planning
Report Date: July 30, 2023
Clerk's File #: E/10822

To: Mayor and Members of City Council

Recommendation:

THAT the report of the Community Energy Plan Administrator dated July 30, 2023 entitled 2021 Community and Corporate Greenhouse Gas Emissions and Energy Monitoring Report **BE RECEIVED** for information

Executive Summary:

N/A

Background:

In 2015, the City of Windsor began the process of developing a long-term comprehensive plan to address energy and greenhouse gas emissions through the completion of a Community Energy Plan and associated Corporate Climate Action Plan. These plans were approved by City Council in July 2017 (CR426/2017).

The vision of the Community Energy Plan is to create economic advantage, mitigate climate change, and improve energy performance. It strives to position Windsor as an energy center of excellence that boasts efficient, innovative, and reliable energy systems that contribute to the quality of life of the residents and businesses.

The Community Energy Plan (CEP) included ambitious and transformative targets to support global efforts to keep global temperature increases within 1.5 degrees Celsius, and a community-wide goal to reduce greenhouse gas (GHG) emissions by 40% of 2014 levels and to reduce per-capita energy consumption by 40% by 2041. The Corporate Climate Action Plan (CCAP) also included a corporate-wide goal to reduce GHG emissions by 40% of 2014 levels and to reduce corporate energy usage by 40% of 2014 levels by 2041.

On November 19, 2019, City Council approved the Windsor Essex County Environment Committee's motion that the City of Windsor pass a Climate Change Emergency Declaration (CR570/2019). Included as an outcome of this report is the recommendation to update the City's GHG emission targets to reflect the commitment to achieve a reduction of 45% of 2005 levels by 2030 and reaching Net-Zero emissions by 2050, aligning with the Government of Canada's GHG Reduction Targets.

In an effort to achieve these reduction targets, a number of interim targets are required to accelerate the implementation of emission reduction activities and track progress. The Acceleration of Climate Change Actions (CR187/2020 ETPS 738) report was received by City Council on May 4, 2020 in response to the Climate Change Emergency Declaration.

In November of 2020, Council requested (CR558/2020) administration to report annually on greenhouse gas emissions and energy usage. Due to the drastic changes in energy consumption in 2020 and 2021 due to the COVID-19 pandemic, and very limited staffing resources in 2021, this is the first comprehensive report since 2019.

For the purpose of this report, data points for 2020 and 2021 are included for illustrative purposes. Administration made the decision to use 2019 data for historical trending, as 2019 is the last year available with a complete data set. Data sets from 2020 and 2021 were deemed outliers due to the impacts of COVID-19, which resulted in reduced energy consumption due to COVID restrictions, reduction of mobility, and working from home.

On May 9, 2022, the Science Based Targets for GHG Reduction (CR209/2022 ETPS 893) report was presented to City Council. The report recommended updating Windsor's Community and Corporate GHG Emission reduction targets and adopting the Science Based Target Network's methodology for setting Science Based Climate Targets. City Council approved in principle the following Science Based Climate Targets:

- 68% reduction in city-wide emissions (scope 1 and 2) and 55% reduction in corporate-wide emissions (scope 1 and 2) below 2005 baseline by 2030; and,
- Net-Zero by 2050.

The Community and Corporate Greenhouse Gas Emissions and Energy Monitoring Report for 2021 monitors and tracks actuals against both the CEP/CCAP and Science Based Climate Targets. Administration continues to evaluate Science Based Climate Targets and the related actions needed to reach those targets through the development of a Net-Zero Transition Plan. This plan will address both the strategies and the estimated costs to achieve the proposed Science Based Climate Targets. The plan is currently tracking to a Winter 2023/2024 completion date and will be presented to Council for endorsement. The strategies outlined in the CEP and CCAP remain valid and become the starting point for the development of the Net-Zero Transition Plan.

Discussion:

The attached Community and Corporate Greenhouse Gas and Energy Monitoring Report for 2021 provides in-depth details on our Community and Corporate Greenhouse Gas Inventories. This report highlights the changes in energy consumption and

Greenhouse Gas emissions resulting of actions taken at the provincial, community, and corporate levels. A summary of key performance metrics is found below.

Community Energy and Emissions Inventory

As part of the Community Energy Plan (CEP) implementation, an inventory of Greenhouse Gas Emissions (GHG) and energy consumption is completed each year such that trends can be recognized and progress towards the CEP emissions and energy reduction goals can be evaluated. These inventories serve to help evaluate the effectiveness of emissions reduction strategies and policies. The 2014 emissions inventory serves as the baseline inventory for the Community Energy Plan.

Since 2014, emissions and energy consumption for the Windsor community have generally followed a downward trend, with significant reductions observed in 2020 and 2021, which can be attributed to impacts from COVID-19 restrictions. In 2021 a total of 1,487,346 tonnes of Carbon Dioxide equivalent (tCO_{2e}) was emitted to the atmosphere compared to the 1,869,202 tonnes emitted in 2014 inventory¹. These emissions totals result in per-capita emissions of 8.13 tonnes CO_{2e} for 2019 compared to 8.86 tonnes CO_{2e} in the 2014 CEP baseline. The goal of the CEP is a per-capita emission of 5 tonnes CO_{2e} by the year 2041. Table 1 provides an overview of status of the CEP primary performance indicators.² The following tables compare 2019 to the 2014 baseline as the impacts of COVID-19 greatly affected energy use and the years 2020 and 2021 are not considered representative of actual community trends.

Table 1: Primary Performance Indicators vs. CEP Baseline 2014

Primary Performance Indicators	CEP Baseline 2014	2019	2021	% Change to Baseline (2019)
Total Emission (CO _{2e})	1,869,203	1,765,057	1,487,346	- 5.57
Total Energy (GJ)	39,016,987	37,912,495	30,313,199	- 2.83
Population	211,000 ³	217,185	229,600 ⁴	+ 2.93
Emissions per Capita	8.86	8.13	6.48	- 8.24
Energy per Capita	184.91	174.56	131.99	- 5.60

Table 2 highlights the primary performance indicators in 2019 as compared to the Science Based Target Baseline of 2005.

¹ 2014 Baseline emissions were adjusted in 2021 to include emissions from solid waste. Adjustment resulted in a corresponding increase to per-capita emissions.

² 2021 data impacted by COVID-19. For the purpose of this report, 2019 data is used to identify trends.

³ Population used for 2014 Baseline

⁴ Statistics Canada 2021 Census

Table 2: Primary Performance Indicators vs. Science Based Climate Target (SBCT) Baseline 2005

Primary Performance Indicators	SBCT Baseline 2005	2019	2021	% Change to Baseline (2019)
Total Emission (C02e)	2,551,303	1,765,057	1,487,346	- 30.82
Total Energy (GJ)	42,264,618	37,912,495	30,313,199	- 10.30
Population	215,010	217,185	229,600	+ 1.01
Emissions per Capita	11.87	8.13	6.48	- 31.51
Energy per Capita	196.57	174.56	131.99	- 11.20

Table 3 identifies the changes in emissions broken out by the various sectors. All sectors experienced a significant decrease in emissions in 2021, which can be attributed in part due to the economic impacts from COVID-19. It is anticipated that emissions will increase in 2022 as the region emerges from the pandemic and pandemic related restrictions.

Table 3: Community Emissions by Sector vs. CEP Baseline 2014

COMMUNITY EMISSIONS (tCO ₂ e)	CEP Baseline 2014	2019	2021	% Change to Baseline (2019)
Residential	366,188	323,127	284,527	- 11.76
Commercial	316,383	219,683	207,774	- 30.56
Industrial	385,206	410,984	336,555	+ 6.69
On Road Transportation	732,971	738,071	590,163	+ 0.70
Waste	68,454	73,192	68,327	+ 6.92

To put the Community emissions into context, 1.9 million acres of forest or 26 million seedlings planted and grown for ten years would be required to sequester the carbon emitted by the Windsor Community in 2021.

Table 4 highlights community emissions in 2019 by sector as compared to the Science Based Climate Target Baseline of 2005. The significant decrease in Commercial and Industrial emissions between 2005 and 2019 can be attributed to the: a) 2009 recession and b) actions taken by the Ontario government to remove coal as a fuel source in the generation of electricity in 2014.

Table 4: Community Emissions by Sector vs. SBCT Baseline 2005

COMMUNITY EMISSIONS (tCO₂e)	SBCT Baseline 2005	2019	2021	% Change to Baseline (2019)
Residential	354,635	323,127	284,527	- 8.88
Commercial	681,181	219,683	207,774	- 67.75
Industrial	668,726	410,984	336,555	- 38.54
On Road Transportation	767,224	738,071	590,163	- 3.80
Waste	79,537	73,192	68,327	- 7.98

Since the approval of the Community Energy Plan, the City of Windsor has been working towards implementation of many of the key strategies outlined in the plan. Some of the key initiatives include:

- 1) **Deep Energy Efficiency Retrofit program for homes**– A Program Design Study is currently being developed by Administration to create a path to retrofitting 80% of existing homes and businesses by 2041. This project was funded through a Community Efficiency Fund grant from the Federation of Canadian Municipalities.
- 2) **Active Transportation Masterplan** – This plan for expanding and improving the active transportation network of Windsor was approved in June 2019. The plan has set a target to increase the mode share to 25% by 2041. It is estimated that a modest elimination of 2 percent of average journeys results in emissions reduction of about 8,000 tonnes CO₂e.
- 3) **Transit Service Delivery Review** – This study, completed in 2019 (More Than Transit: 2019 Transit Master Plan) provided recommendations to improve the service delivery of transit, with the goals of increasing ridership and decreasing emissions.
- 4) **Sustainable Neighbourhood Action Plan** – In response to CQ12/2020 (CR544/2020) administration submitted a successful application to FCM for grant funding to complete a sustainable neighbourhood action plan.

Corporate Energy and Emissions Inventory

Concurrently with the development of the Community Energy Plan a Corporate Climate Action Plan (CCAP) was developed. This corporate wide plan outlines strategies at a corporate level to reduce energy and emissions from municipal operations and fleets.

Corporate emissions account for only two percent of the overall community emissions. Since 2014, Corporate emissions increased as highlighted in Table 5.

Table 5: Primary Corporate Performance Indicators vs. CCAP Baseline 2014

CORPORATE	CCAP Baseline 2014	2019	2021	% Change to Baseline (2019)
Total Emission (tCO₂e)	34,538	37,307	33,645	+ 8.02
Total Energy (GJ)	812,826	874,726	876,330	+ 7.62

Table 6 highlights the primary corporate performance indicators as compared to the Science Based Target Baseline of 2005.

Table 6: Primary Corporate Performance Indicators vs. SBCT Baseline 2005

CORPORATE	SBCT Baseline 2005	2019	2021	% Change to Baseline (2019)
Total Emission (tCO₂e)	44,104	37,307	33,645	- 15.41
Total Energy (GJ)	705,118	874,726	876,330	+ 24.05

Table 7 identifies the changes in emissions broken out by sector. The addition of the Pelletizing Plant to corporate assets in 2019, resulted in a significant increase in emissions for water and wastewater. The most significant reductions occurred for the street lighting component which was reduced by approximately 90% as a result of the installation of high efficiency LED street lighting throughout the City.

Table 7: Corporate Emissions by Sector vs CCAP Baseline 2014

CORPORATE	Emissions (tCO₂e)			% Change to Baseline (2019)
	CCAP Baseline 2014	2019	2021	
Building	17,054	19,975	12,998	+ 17.13
Vehicle	12,247	12,317	11,423	+ 0.57
Streetlights	1,484	136	200	- 90.84
Water & Sewage	3,752	4,879	9,024	+ 30.04

Table 8 highlights the changes in corporate emissions by sector as compared to the Science Based Climate target baseline of 2005.

Table 8: Corporate Emissions by Sector vs SBCT Baseline 2005

CORPORATE	Emissions (tCO ₂ e)			% Change to Baseline (2019)
	SBCT Baseline 2005	2019	2021	
Building	15,932	19,975	12,998	+ 25.38
Vehicle	13,557	12,317	11,423	- 9.15
Streetlights	4,593	136	200	- 97.04
Water & Sewage	10,022	4,879	9,024	- 51.32

Similar to the Community, a number of Corporate initiatives are underway to support the CCAP including, but not limited to:

- 1) **Integrated Site Energy Masterplan** – This study was conducted to evaluate the energy and emissions from wastewater treatment at Lou Romano Water Reclamation Plant and Little River Pollution Control Plant. The study presented recommendations for advancing these facilities to carbon neutral operation. This study was funded through FCM’s Municipal Climate Innovation Program and completed in 2020.
- 2) **Corporate Energy Management Plan (2019-2023)** This plan is a flexible document that sets goals, strategies, and initiatives to reduce the Corporation’s energy consumption and greenhouse gas emissions from Corporate facilities. The Corporate Energy Management is actively implementing strategies in this plan, including solar photovoltaic systems at a number of City facilities.
- 3) **Greenhouse Gas Reduction Pathway Feasibility Studies** These studies will outline an actionable path to reduce emissions to near net-zero for seven corporate facilities, encompassing five community centres/libraries and two twin-pad arena and pool facilities.
- 4) **Greening the Fleet** – The greening the fleet manual outlines strategies for improving local air quality by improving the fuel efficiency of the city vehicle fleet. The city fleet currently consists of fifteen hybrid or electric vehicles as of 2021.
- 5) **Transit Windsor Electrification Roadmap** – This roadmap will be developed to guide Transit Windsor to better plan for zero emission buses and infrastructure.

The above-described actions alone will not allow the City of Windsor to meet the approved 2017 CEP and CCAP targets. Significant work on actions in the CEP and CCAP will be an ongoing requirement to effect a drop in emissions and/or energy consumption to align with these targets.

Partnerships and Collaboration for 2023

The Environmental Sustainability and Climate Change office collaborates and engages with numerous municipalities and environmental stakeholders on a continuous basis. This allows for the sharing of knowledge, best-practices and lessons learned in the effort to streamline and coordinate efforts across many geographical and organizational jurisdictions. It is recognized that climate change is a challenge that transverses

municipal, provincial and federal borders and as such partnerships and collaboration are necessary to effectively address this challenge. It should be noted that the use of the term “partnerships” in this context does not constitute a legal arrangement, but an informal one designed to share information and reduce duplication of efforts across municipalities.

Municipal Partnerships

City of Burlington, City of Guelph, City of Kingston, City of London, City of Markham, City of Oakville, City of Ottawa, City of Toronto, City of Vaughn, County of Essex, Region of Durham, Region of Waterloo, Town of Newmarket. Other municipalities are consulted when similar priorities are identified.

The ESCC Office also engages with the City of Detroit. However, due to legislative differences between the two Countries, the focus is on sharing of ideas.

Organizational Partnerships

Federation of Canadian Municipalities’ Partners for Climate Protection, Global Covenant of Mayors for Climate & Energy and the Carbon Disclosure Project, Clean Air Partnership, QUEST Canada (Ontario Community Energy and Climate ON-CEC working group, Low-Carbon Thermal Network, Deep Energy Retrofit working group), University of Windsor, St. Clair College

Annual Greenhouse Gas Inventories

As noted in the background section of this report, in November 2020, Council requested (CR558/2020) administration to report annually on greenhouse gas emissions and energy usage. Unfortunately, during 2021, staffing resources were severely constrained and it was acknowledged that the GHG emissions in 2020 and 2021 were greatly impacted by the COVID-19 pandemic and associated restrictions and therefore, could not be used to accurately determine trends.

Administration is currently working on the 2022 GHG inventory report. The 2022 inventory will provide a better representation of actual Community and Corporate trends as many COVID restrictions were removed.

Moving forward, Council should anticipate annual inventory reports in Q4 of the following year. This is due to timing in receiving data from third parties, some of which is not received until August of the following year.

Risk Analysis:

There are no significant risks associated with this information report.

Climate Change Risks

Climate Change Mitigation:

The information outlined in this inventory report is challenging from a climate change mitigation risk perspective. Data reveals that neither the Windsor community nor the Corporation is progressing towards its environmental goals at the pace required to meet

our targets. This is logical as GHG-reduction strategies from the CEP or CCAP are only beginning to be implemented at this point. Until such time that major CEP/CCAP Strategies (ex. Deep Energy Efficiency Retrofits or District Energy expansion) are implemented, the city has little to no control over the community emissions within its jurisdiction and as such, the monitoring and validation of these emissions represent a first key step towards reduction. Understanding the quantity and distribution of emissions among the various sectors is paramount in determining the low-carbon pathway moving forward.

Major investment is required to affect emissions in a meaningful way. To determine the scale of these investments and the impact that inaction would have on the cities future, one can consider the future 2030 carbon tax of \$170/tonne CO₂ applied to the total community emissions of 1.5 MT. This corresponds in a total of \$253,000,000 dollars spent annually on carbon cost. This is a reoccurring cost and it would be fiscally prudent to invest in technologies to reduce this liability. This point is further emphasized when considering that the carbon tax is merely a symptom of the impacts of climate change, and the true cost is associated with the actual impacts to society due to a changing climate such as flooding, extreme heat, vector borne diseases and increased severity and frequency of intense storms. The majority of studies on the topic have determined that mitigation of climate change is less costly than adaptation to climate change impacts. A recent report from the Federal Emergency Management Agency in the US states that for every dollar spent on mitigation, six dollars are saved on adaptation. As such, investment into mitigation now will be less expensive than adaptation in the future.

Climate Change Adaptation:

Over a 50-year planning horizon, a certain level of climate change adaptation will be required regardless of mitigation efforts. This is due to a concept known as “climate inertia” which can be viewed as the time delay between the instance of emission and occurrence of the impacts caused by such emission. There is the opportunity however to prevent impacts above and beyond the inertia-based climate impacts by reducing and eventually eliminating emissions.

The GHG inventory outlined herein indicates that an environmentally relevant reduction of emissions has yet to occur. Emissions from this time period will continue to contribute to future climate change impacts as addressed in the City’s Degree of Change, Climate Change Adaptation Plan.

Financial Matters:

This report is for informational purposes, and highlights the changes in energy consumption and GHG emissions resulting from actions taken at the provincial, community, and corporate levels. Although the Community and Corporate Greenhouse Gas Emissions and Energy Monitoring report does not require an outlay of funds, its generation is the accountability of the Community Energy Plan Administrator and is funded under the existing Environmental Sustainability and Climate Change (ESCC) operations budget.

The Climate Change Reserve fund has been exhausted as remaining funds were used to match grant funding for Residential Deep Energy Efficiency Retrofit Program Study

and Sustainable Neighbourhood Action Plan Feasibility Study. As part of the 2024 budget process, ESCC will make a request to replenish this fund to continue funding adaption and mitigation efforts. Global commitments to GHG reductions are required to reduce or limit the worst impacts of climate change.

The Community Energy Plan Administrator role remains a temporary-full time position. The successful implementation of CEP strategies plus the development of the Net-Zero Transition Plan requires permanent resourcing. As part of the 2024 budget process, ESCC will request transitioning the Community Energy Plan Administrator role to a permanent-full time position.

Consultations:

- Asset Planning – Corporate Energy Initiatives – Sokol Aliko, Manager Energy Initiatives and Cole Nadalin, Supervisor Energy Initiatives
- Environmental Services – Anne Marie Albidone – Manager Environmental Services
- Fleet – Angela Marazita, Manager Fleet
- Transit Windsor – Tyson Cragg Executive Director, and Jason Scott, Supervisor, Planning
- Transportation Planning – Kathleen Quenneville – Active Transportation Coordinator

Conclusion:

Community and Corporate Greenhouse gas inventories have been completed annually. Community emissions have reduced slightly when compared to the 2014 baseline. Community emissions are expected to maintain current level or rise annually until low-carbon infrastructure projects are implemented within the community.

Corporate emissions increased in 2019 over the 2014 inventory due to the addition of new corporate assets using natural gas as a fuel source, which results in higher GHG emissions (i.e. Combined Heat and Power (CHP) installations at Huron Lodge, WFCU, and WIATC, and Pelletizing Plant). Decreases in Corporate emissions in 2020 and 2021 are attributed to closures and reduction of services during the COVID-19 pandemic.

Moving forward, Council should anticipate annual inventory reports in Q4 of the following year. This is due to timing in receiving data from third parties, some of which is not received until August of the following year.

Planning Act Matters:

N/A

Approvals:

Name	Title
Karina Richters	Supervisor, Environmental Sustainability and Climate Change
Rosa Maria Scalia	Financial Planning Administration
Natasha Gabbana	Senior Manager, Asset Planning
Janice Guthrie	Commissioner of Corporate Services and Chief Financial Officer
Jelena Payne	Commissioner of Economic Development and Innovation
Joe Mancina	Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:

01 – 2021 Community and Corporate Greenhouse Gas and Energy Monitoring Report

Windsor's

COMMUNITY ENERGY PLAN

A powerful plan for the future



Community and Corporate Greenhouse Gas and Energy Monitoring Report

2021 Results

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Executive Summary



As part of the Community Energy Plan (CEP) implementation, an inventory of Greenhouse Gas Emissions (GHG) and energy consumption is completed each year such that trends can be recognized and progress towards the CEP emissions and energy reduction goals can be evaluated. These inventories serve to help evaluate the effectiveness of emissions reduction strategies and policies. The 2014 emissions inventory serves as the baseline inventory for the Community Energy Plan.

Since 2014, emissions and energy consumption for the Windsor community have generally followed a downward trend, with significant reductions observed in 2020 and 2021, which can be attributed to impacts from restrictions and shutdowns from COVID-19. In 2021, a total of 1,487,346 tonnes of Carbon Dioxide equivalent (tCO₂e) was emitted to the atmosphere compared to the 1,869,202 tonnes emitted in 2014 inventory¹. These emissions totals result in per-capita emissions of 6.48 tonnes CO₂e for 2021 compared to 8.86 tonnes CO₂e in the 2014 CEP baseline. The goal of the CEP is a per-capita emission of 5 tonnes CO₂e by the year 2041.

Did you know?

For 2021, the total yearly community emissions is equivalent to the carbon sequestered by 1.9 million acres of forest, or 26 million seedlings planted and grown for ten years.













Over the same timeframe, Corporate emissions saw a reduction of 2.2% over the CCAP baseline. All components of corporate emissions were reduced with the exception of wastewater treatment and pumping which increased by 140.5%, this is as a result of the addition of the Pelletizer Plant to the corporate assets in 2019. The most significant reductions occurred for the street lighting component, which was reduced by 86.5% as a result of the installation of high efficiency LED street lighting throughout the City that was completed in 2019. Emissions from buildings were reduced by 9.9% mainly as a result of

¹ 2014 Baseline emissions were adjusted in 2021 to include emissions from solid waste. Adjustment resulted in a corresponding increase to per-capita emissions.











closure and idling of buildings, and work from home protocols implemented to combat the spread of COVID-19. Vehicular emissions were also reduced by 6.7%.

Tables 1A and 1B below indicate the trends observed for both Corporate and Community emissions.

**Table 1A: Community Emissions
Trend 2019 vs. 2014**

COMMUNITY		
Sector	Emissions Trend	
	2019	2021
Residential		
Industrial		
Commercial		
On-Road Transport		
Total Emissions		

**Table 1B: Corporate Emissions
Trend 2019 vs. 2014**

CORPORATION		
Sector	Emissions Trend	
	2019	2021
Buildings		
Street Lighting		
On-Road Transport		
Water/Wastewater		
Total Emissions		

More detail for each of these sectors is provided in the body of the report.

Background

In 2002, the City of Windsor joined the Federation of Canadian Municipalities (FCM) Partners for Climate Protection (PCP). In 2006 Council approved the City's first *Environmental Master Plan (EMP)*. *The 2006 EMP* prioritized the following five goals:

- Goal A: Improve Our Air and Water Quality
- Goal B: Create Healthy Communities
- Goal C: Green Windsor
- Goal D: Use Resources Efficiently
- Goal E: Promote Awareness

In 2010, the City of Windsor undertook the development of the City's first greenhouse gas (GHG) inventory as outlined in FCM's PCP program (Milestone 1). Upon completion of this first inventory, City Council committed to completing a Climate Change Mitigation Plan.

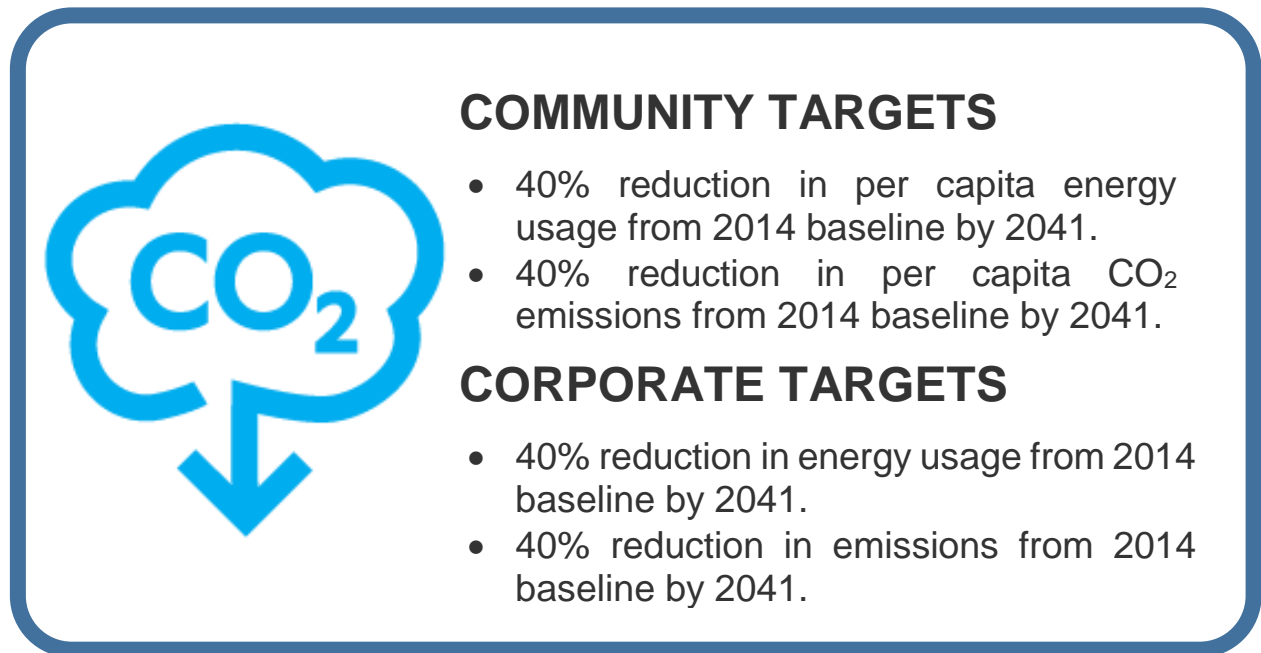
Building on the goals of the EMP and the information obtained through the original inventory, the City developed a long-term comprehensive plan to address energy and greenhouse gas emissions through the completion of a Community Energy Plan (CEP) and associated Corporate Climate Action Plan (CCAP). Both the CEP and CCAP were approved by Council in 2017.

The Community Energy Plan aims to create economic advantage, mitigate climate change, and improve energy performance. It strives to position Windsor as an energy center of excellence that boasts efficient, innovative, and reliable energy systems that contribute to the quality of life of the residents and businesses.

The CEP includes ambitious and transformative targets to support global efforts to keep global temperature increases within 1.5 degrees Celsius. By meeting CEP targets, it is anticipated that up to 2.2 billion dollars of energy expenditure can be saved.

Figure 1 illustrates the Community and Corporate energy and emission targets as stated in the CEP and CCAP.

Figure 1: Community and Corporate Energy and Emission Targets



In addition to the targets outlined in the CEP and Corporate Climate Action Plan, the City has also committed to participating in the Carbon Disclosure Project (CDP) administered through the Global Covenant of Mayors for Climate and Energy. This commitment includes reporting GHG emissions inventories, mitigation actions, as well as energy and emissions targets on a yearly basis through the CDP website.

City Council approved the Community Energy Plan, Corporate Climate Action Plan and associated targets, on July 17, 2017 (CR426/2017).

On November 19, 2019, City Council approved the Windsor Essex County Environment Committee's motion that the City of Windsor pass a Climate Change Emergency Declaration (CR570/2019). Included as an outcome of this report is the recommendation to update the City's GHG emission targets to reflect the commitment to achieve a reduction of 45% of 2005 levels by 2030 and reaching Net-Zero emissions by 2050, aligning with the Government of Canada's GHG Reduction Targets.

In an effort to achieve these reduction targets, a number of interim targets are required to accelerate the implementation of emission reduction activities and progress tracked. The Acceleration of Climate Change Actions (CR187/2020 ETPS 738) report was received by City Council on May 4, 2020 in response to the Climate Change Emergency Declaration.

Figure 2 illustrates the trajectory of Windsor's Community Greenhouse Gas (GHG) emissions inventory (red) as compared to targets from the Government of Ontario (green), the Government of Canada (blue), as well as Windsor's CEP (grey) dating back to 2005. To date, Windsor's emissions have met or exceeded all targets.

Figure 2: Community GHG Emissions Inventory – Actuals vs. Targets

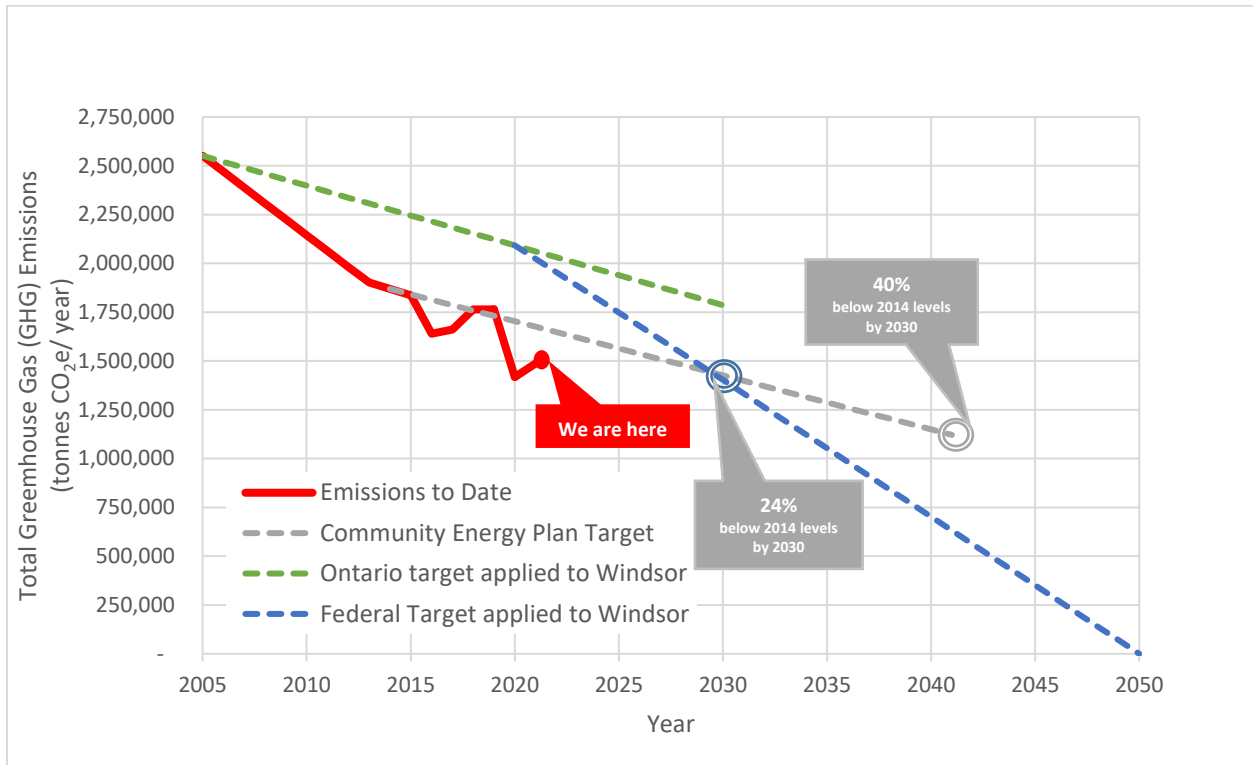
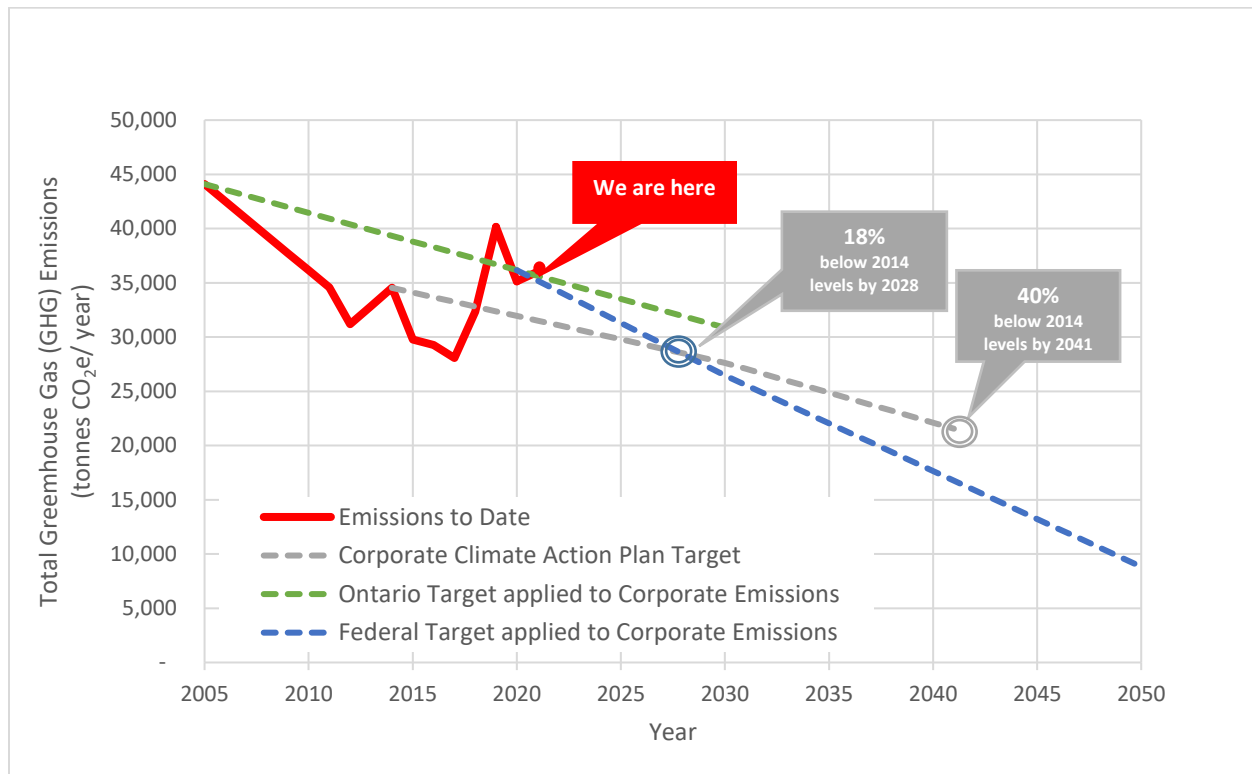


Figure 3 illustrates the trajectory of Windsor’s Corporate Greenhouse Gas (GHG) emissions inventory (red) as compared to targets from the Government of Ontario (green), the Government of Canada (blue), as well as Windsor’s CCAP (grey) dating back to 2005. Since 2018, Windsor’s corporate emissions have trended above the CCAP target.

Figure 3: Corporate GHG Emissions Inventory – Actuals vs. Targets



In November of 2020, Council requested (CR558/2020) administration to report annually on greenhouse gas emissions and energy usage. Due to the drastic changes in energy consumption in 2020 and 2021 due to the COVID-19 pandemic, this is the first comprehensive report since 2019.


For the purpose of this report, data points for 2020 and 2021 are included for illustrative purposes. Administration made the decision to use 2019 data for historical trending, as 2019 is the last year available with a complete data set. Data sets from 2020 and 2021 were deemed outliers due to the impacts of COVID-19, which resulted in reduced energy consumption due to COVID restrictions, reduction in mobility, and working from home.

On May 9, 2022, the Science Based Targets for GHG Reduction (CR209/2022 ETPS 893) report was presented to City Council. The report recommended updating Windsor’s Community and Corporate GHG Emission reduction targets and adopting the Science Based Target Network’s methodology for setting Science Based Climate Targets to align GHG emission targets to:

- The City’s Climate Change Emergency Declaration (CR570/2019);
- Government of Canada’s updated GHG Reduction Targets (reduction of 40-45% below 2005 levels by 2030 and net zero by 2050); and
- The Intergovernmental Panel on Climate Change (IPCC) Special report “Global Warming of 1.5°C” recommending that emissions must decline by about 45% globally by 2030 and reach net zero by 2050.

Figure 4 illustrates the proposed Community and Corporate energy and emission targets as approved in principle by City Council.

Figure 4: Proposed Community and Corporate Energy and Emission Targets



COMMUNITY TARGETS

- 68% reduction in GHG emissions (Scope 1 and Scope 2) by 2030 from 2005 baseline
- Net-Zero in 2050 (Scope 1 and Scope 2 emissions)

CORPORATE TARGETS

- 55% reduction in GHG emissions (Scope 1 and Scope 2) by 2030 from 2005 baseline
- Net-Zero by 2050 (Scope 1 and Scope 2 emissions)

Figure 5: Proposed Community GHG Reduction Targets illustrates the pathway for Windsor’s science-based GHG emission target as compared to targets from the CEP, Government of Ontario and the Government of Canada. Science Based targets are more aggressive than government targets between 2022 and 2050.

Figure 5: Proposed Community GHG Reduction Targets

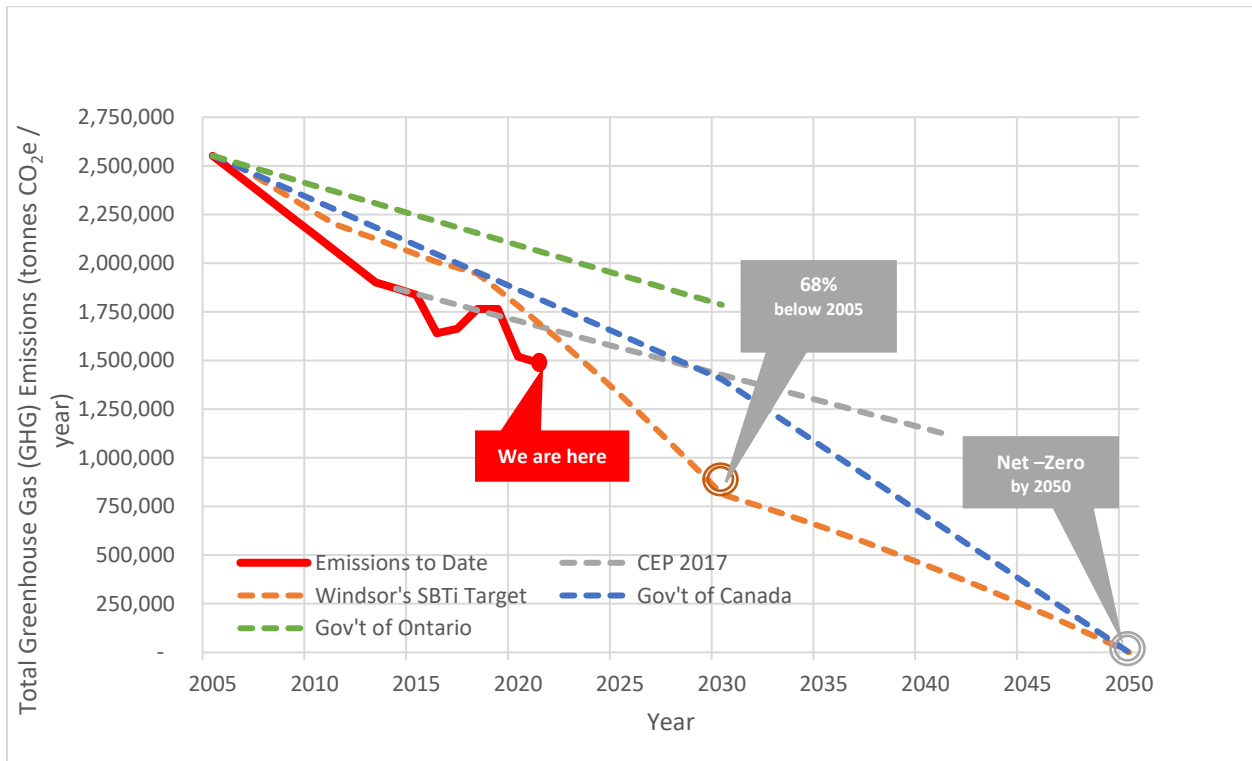
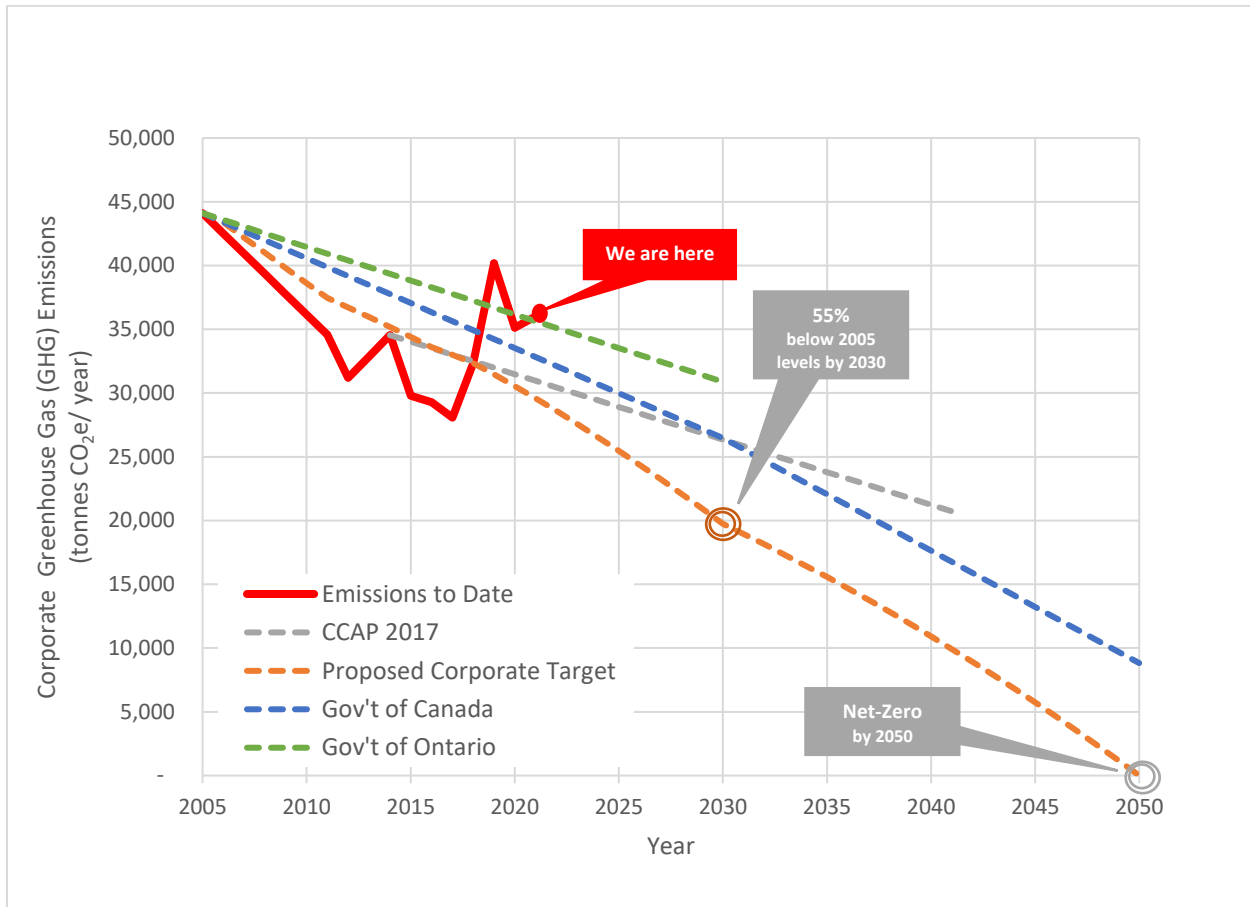


Figure 6: Proposed Corporate GHG Reduction Targets for 2030, 2035, 2040, and 2045 illustrates the pathway for Windsor’s corporate science-based GHG emission target as compared to targets from the CCAP, Government of Ontario, and the operation target from the Government of Canada. Science Based targets are more aggressive than government targets between 2022 and 2050.

Figure 6: Proposed Corporate GHG Reduction Targets



Administration acknowledges that the aspirational targets proposed will only be possible with the collaborative efforts and support of all levels of government (municipal, provincial, federal). The proposed Community and Corporate Science Based GHG Reduction targets are ambitious and aspirational. Administration acknowledges that reaching the proposed targets will not be easy. Strategies identified in the Community Energy Plan and Corporate Climate Action Plan will achieve a portion of the GHG reductions needed for Windsor to contribute its fair share. Updating the CEP and CCAP to align to the proposed Community and Corporate GHG Reduction targets is necessary by the end of 2023.

In March 2023, the Intergovernmental Panel on Climate Change (IPCC) released a Summary of its AR6 Synthesis Report Climate Change 2023, indicating that the window within which we can reduce GHG emissions and avoid overshooting the global warming limit of 1.5°C is rapidly closing.

“In this decade, accelerated action to adapt to climate change is essential to close the gap between existing adaptation and what is needed. Meanwhile, keeping warming to 1.5°C above pre-industrial levels requires deep, rapid and sustained greenhouse gas emissions reductions in all sectors. Emissions should be decreasing by now and will need to be cut by almost half by 2030, if warming is to be limited to 1.5°C.”²

The Community and Corporate Greenhouse Gas and Energy Monitoring Report details the progress made by the City of Windsor as we work towards our GHG Emission and Energy Consumption targets.

² [IPCC_AR6_SYR_PressRelease_en.pdf](#)

Community GHG Emissions and Energy Inventory

When performing Climate Change Mitigation activities, it is best practise to utilize an internationally recognized protocol, which provides a methodology and framework for creating Greenhouse Gas (GHG) and Energy inventories. This includes mapping out strategies and actions for improving these inventories, and setting requirements for monitoring and verification. The protocol used by the City of Windsor for climate change mitigation is the Partners for Climate Protection (PCP) supported by the Federation of Canadian Municipalities. This protocol includes 5 milestones.

Milestone 1 – Create a baseline emissions inventory and forecast

Milestone 2 – Set emissions reduction targets

Milestone 3 – Develop a local action plan

Milestone 4 – Implement the local action plan

Milestone 5 – Monitor progress and report results.

Milestones 1, 2 and 3 have been completed as part of the Community Energy Plan and administration is currently in the process of completing Milestone 4 through the implementation of emissions reduction strategies outlined in the CEP. This report along with the associated yearly inventories represents Milestone 5. Milestones 2 through 5 are iterative as the City of Windsor transitions to a Net-Zero pathway.

The Community GHG inventory focuses on a much larger set of emissions-generating activities within the municipality. Key reporting sectors and subsectors include:

1) Stationary energy

- Residential buildings
- Commercial and institutional buildings and facilities
- Manufacturing industries and construction

2) Transportation

- On-road transportation

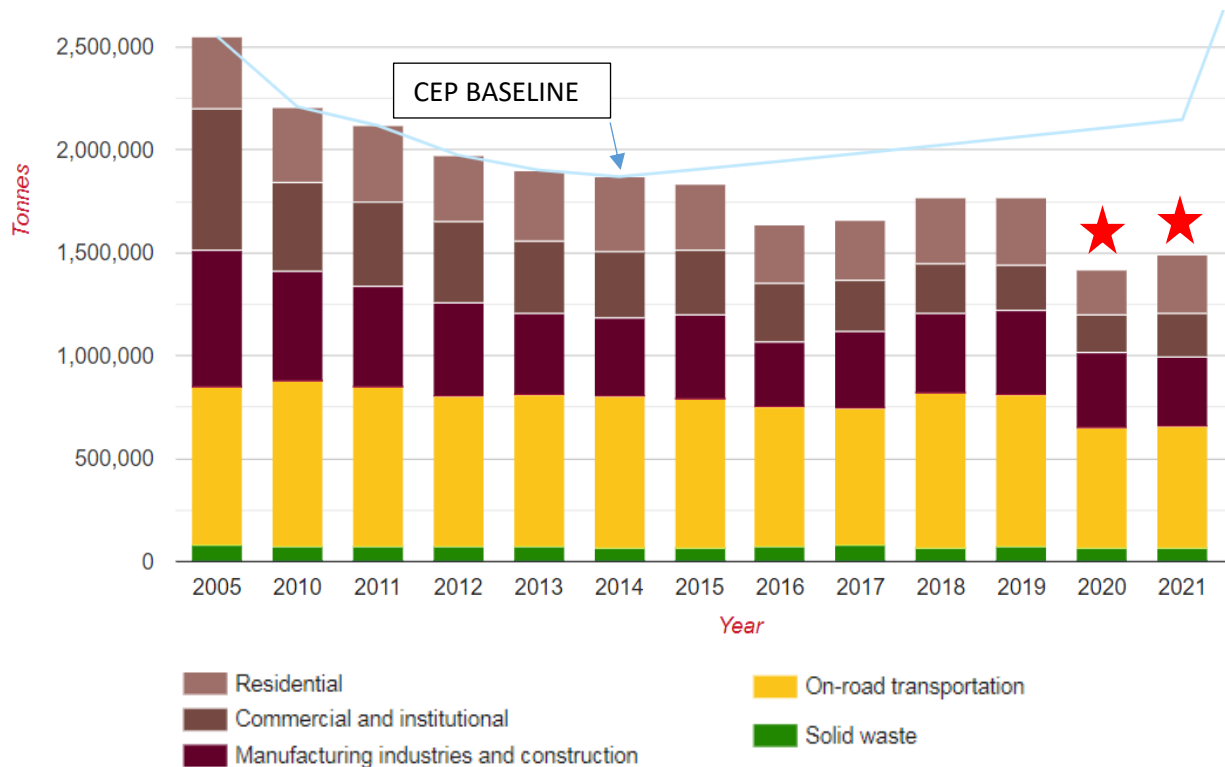
3) Waste

- Solid waste disposal

The annual GHG emissions and energy inventory is created using the Partners for Climate Protection - PCP Milestone Tool. The Milestone tool is a web-based resource designed to help local governments create inventories as well as track, monitor and report their greenhouse gas emissions and energy consumption.

Figures 7 and 9 present all completed community emissions and energy inventories to date. Please note that 2014 represents the baseline emissions and energy use against which emissions and energy reduction goals are measured. Figure 8 illustrates the percentage of emissions contributed by each sector in the Community.

Figure 7: Community GHG Emissions 2005 – 2021³



It is important to note that the emissions reduction trend that occurred for 2005 through 2014 was the result of the de-carbonization of the Ontario electricity grid and the elimination of coal based power plants throughout the province. The current Ontario electricity grid is now primarily composed of renewable and low-carbon electricity generating facilities, however, it is important to note that natural gas generation of electricity is set to increase in Ontario, which will impact greenhouse gas emissions.

³ 2020 and 2021 data sets impacted by COVID-19. Data points are used for illustrative purposes. Extreme caution should be used when attempting to identify future trends including the 2020 and 2021 data.

Figure 8: Community Emissions by Sector 2021

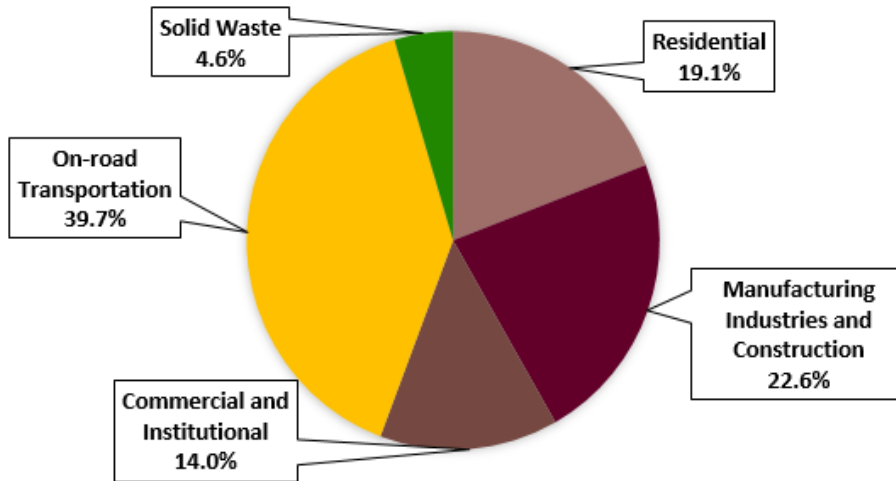
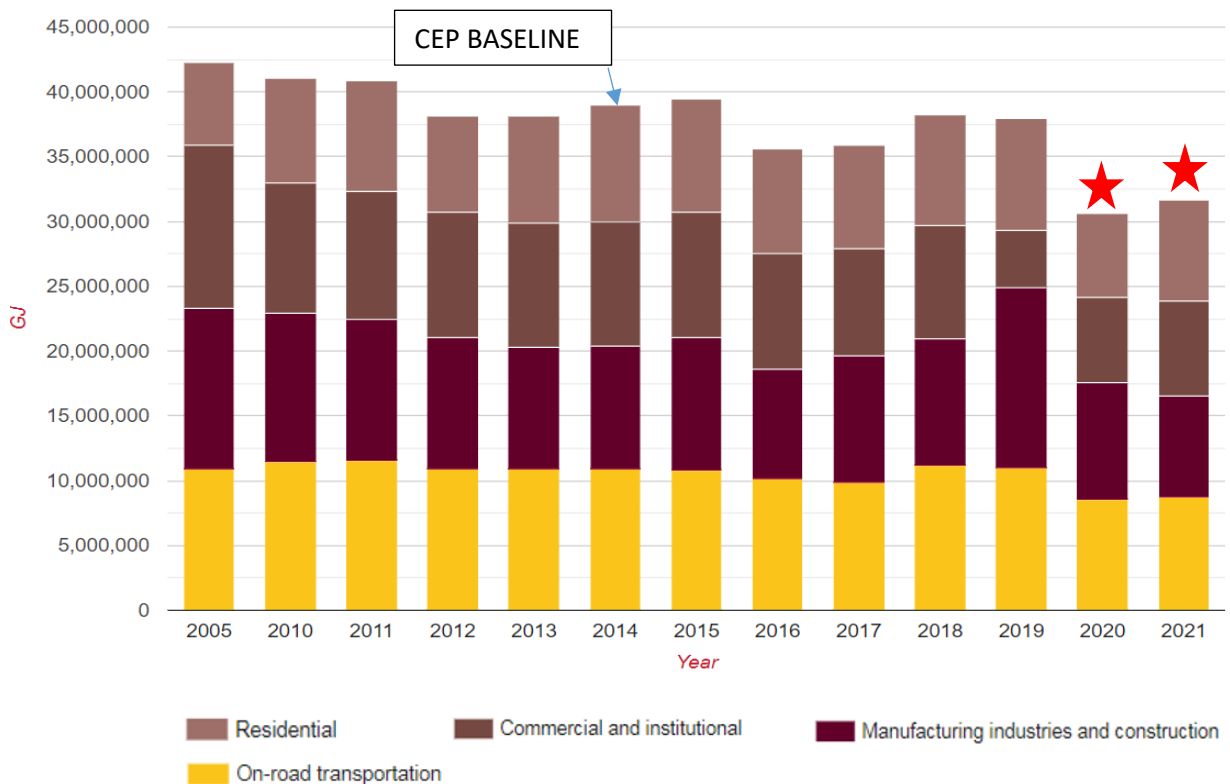


Figure 9: Community Energy Consumption 2005 - 2021⁴



⁴ 2020 and 2021 data sets impacted by COVID-19. Data points are used for illustrative purposes. Extreme caution should be used when attempting to identify future trends including the 2020 and 2021 data.

Analysis

As indicated in the figures above, both the total yearly emissions and energy consumption for the Windsor community has decreased over the time-period. Community emissions experienced significant reductions in both 2020 and 2021 due to the onset of COVID-19, which resulted in a number restrictions influencing daily life. Below is a timeline of COVID-19 related restrictions in Windsor-Essex.

- March 20, 2020 – City of Windsor declares state of emergency, malls close. Beginning of First lockdown
- May 11, 2020 – Windsor retail stores with a street entrance reopened for curbside pickup or delivery
- May 19, 2020 – Province of Ontario announces the first stage of reopening Ontario’s economy allowing for retail and recreation facilities to reopen
- June 25, 2020 – Windsor-Essex with the exception of Leamington and Kingsville move to Stage Two. Hair salons and restaurants reopen.
- August 12, 2020 – Windsor-Essex moves to Stage Three reopening, gyms reopen
- September 10, 2020 – Students return to in person learning
- December 11, 2020 – Windsor-Essex County Health Unit orders closures of schools
- December 16, 2020 –Beginning of second lockdown for Windsor-Essex.
- February 8, 2021 – Schools resume in-person learning
- February 12, 2021 – Windsor-Essex – reopening of indoor dining, gyms, and salons with restrictions and capacity limits
- February 16, 2021 – province of Ontario lifts stay at home order lifted
- April 1, 2021 – Beginning of third lockdown for Windsor-Essex
- April 12, 2021 – Province of Ontario closes Windsor-Essex schools
- June 11, 2021 – Province enters reopening Step One. Patios, non-essential retail with an outdoor entrance and outdoor fitness with 10 people is allowed
- June 30, 2021 – Windsor-Essex moves to Step Two. Haircuts allowed, malls reopen
- July 16, 2021 – Windsor-Essex moves to Step Three. Indoor dining, gyms, cinemas reopen
- October 25, 2021 – Province of Ontario removes capacity limits for restaurants, gyms, casinos, indoor recreational facilities, and indoor meeting and event spaces.
- December 10, 2021 – Windsor Essex County Health Unit placed a limit on social gatherings to 10 people inside and 25 outside
- December 19, 2021 – province of Ontario reintroduces capacity limits for indoor settings, including bars, restaurants, personal care services, retailers, and malls.
- January 5, 2022 – Province of Ontario returns to a ‘modified’ version of Step Two. Schools move to remote learning until at least January 17th.⁵ Indoor recreational facilities close with limited exceptions.

⁵ [Timeline of COVID-19 restrictions in Windsor-Essex | CTV News](#)

- Between January 31, 2022 and March 14, 2022, the Province of Ontario made three steps to ease public health measures and return to normal (no capacity limits)

Due to these restrictions, the use of 2020 and 2021 greenhouse gas emissions and energy use should be assessed with caution as these years do not reflect actual conditions.

Table 2 highlights a number of primary indicators as outlined in the CEP. Data from 2019 is used when calculating % Change to Baseline against the 2014 CEP baseline.

Table 2: Primary Performance Indicators vs. CEP Baseline 2014

Primary Performance Indicators	CEP Baseline 2014	2019	2021	% Change to Baseline (2019)
Total Emission (C02e)	1,869,202	1,765,057	1,487,346	- 5.57
Total Energy (GJ)	39,016,987	37,912,495	30,313,199	- 2.83
Population	211,000 ⁶	217,185	229,660 ⁷	+ 2.93
Emissions per Capita	8.86	8.13	6.48	- 8.24
Energy per Capita	184.91	174.56	131.99	- 5.60

Table 3 highlights a number of primary indicators as compared to the Science Based Climate Target Baseline of 2005. Data from 2019 is used for comparison purposes.

Table 3: Primary Performance Indicators vs. Science Based Climate Target Baseline 2005

Primary Performance Indicators	Science Based Climate Baseline 2005	2019	2021	% Change to Baseline (2019)
Total Emission (C02e)	2,551,303	1,765,057	1,487,346	- 30.82
Total Energy (GJ)	42,264,618	37,912,495	30,313,199	- 10.30
Population	215,010	217,185	229,660	+ 1.01
Emissions per Capita	11.87	8.13	6.48	- 31.51
Energy per Capita	196.57	174.56	131.99	- 11.20

Table 4 highlights the changes in community emissions by sector. Data from 2019 is used when calculating % Change to Baseline against the 2014 CEP baseline.

⁶ Population data used for 2014 Baseline

⁷ Statistics Canada 2021 Census

Table 4: Community Emissions by Sector vs. CEP Baseline 2014

COMMUNITY EMISSIONS (tCO₂e)	CEP Baseline 2014	2019	2021	% Change to Baseline (2019)
Residential	366,188	323,127	284,527	- 11.76
Commercial	316,383	219,683	207,774	- 30.56
Industrial	385,206	410,984	336,555	+ 6.69
On Road Transportation	732,971	738,071	590,163	+ 0.70
Waste	68,454	73,192	68,327	+ 6.92

Table 5 highlights community emissions by sector as compared to the Science Based Climate Target Baseline of 2005. Data from 2019 is used for comparison purposes.

Table 5: Community Emissions by Sector vs. Science Based Climate Target Baseline 2005

COMMUNITY EMISSIONS (tCO₂e)	Science Based Climate Baseline 2005	2019	2021	% Change to Baseline (2019)
Residential	354,635	323,127	284,527	- 8.88
Commercial	681,181	219,683	207,774	- 67.75
Industrial	668,726	410,984	336,555	- 38.54
On Road Transportation	767,224	738,071	590,163	- 3.80
Waste	79,537	73,192	68,327	- 7.98

Stationary Emissions

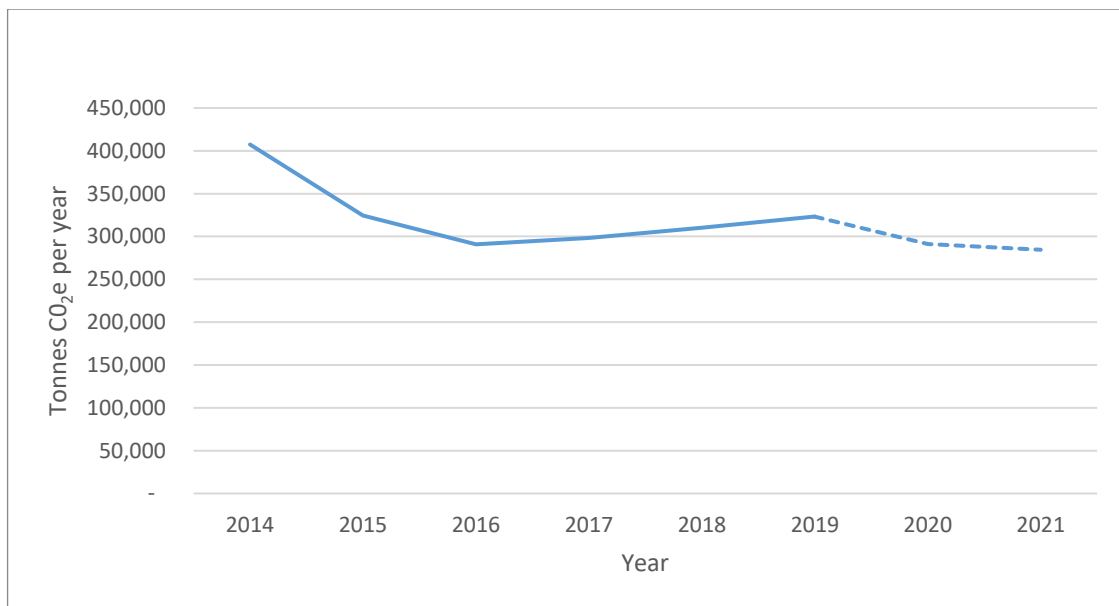
Stationary energy sources are one of the largest contributors to a community’s GHG emissions. These emissions come from the combustion of fuel in residential, commercial and institutional buildings, facilities and manufacturing industries. Removed from the total GHG emissions are GHG emissions from natural gas power plants used to generate grid-supplied electricity. Stationary emissions originate primarily from the use of natural gas and electricity. Stationary emissions within buildings include heating and cooling, lighting and operational energy usage. Operational energy for residences includes electricity for appliances, and electronic devices such as televisions, computers and cellular phones. Operational energy for commercial and institutional facilities generally include the same scope as residences. Operational energy for industrial facilities includes electricity to

operate machinery as well as natural gas used in industrial processes such as drying, casting, moulding, smelting, etc.

Residential Emissions

Residential emissions represent a significant 19.1% proportion of total emissions for the Windsor community (Figure 9). These emissions are calculated using data provided by the local Utility companies serving Windsor including Enbridge Energy (Union Gas), Enwin Utilities and Hydro One. Enbridge provides total natural gas consumption in the unit of cubic meters (m³) for the residential sector. Enwin Utilities and Hydro One provide total electricity consumption in the unit of kilowatt-hours (kWh). Hydro One customers are generally located in the Sandwich South area. Historical residential emissions are shown in Figure 10.

Figure 10: Historic residential emissions 2014 – 2021⁸



Figures 11 and 12 illustrate the GHG emissions contributions from electricity and natural gas respectively. Natural Gas contributes roughly 15 times the amount of GHG emissions for the residential sector (ex. 2021 – Electricity accounted for 17,261 tonnes of CO₂e compared to 267,267 tonnes of CO₂e for Natural Gas).

⁸ 2020 and 2021 data sets impacted by COVID-19. Data points are used for illustrative purposes. Extreme caution should be used when attempting to identify trends.

Figure 11: Residential emissions from electricity 2014 – 2021⁹

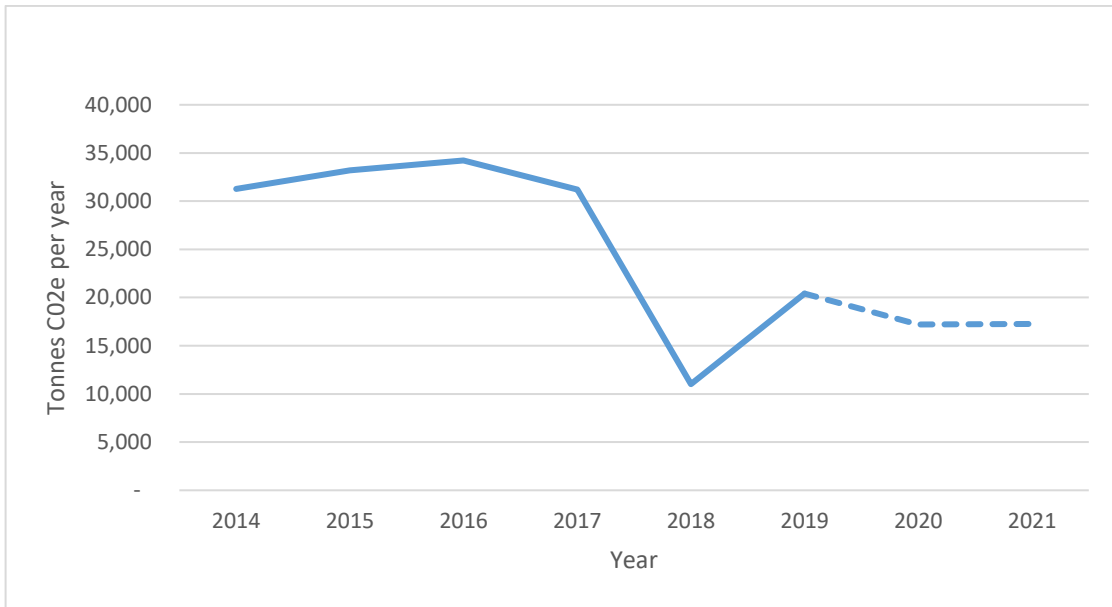
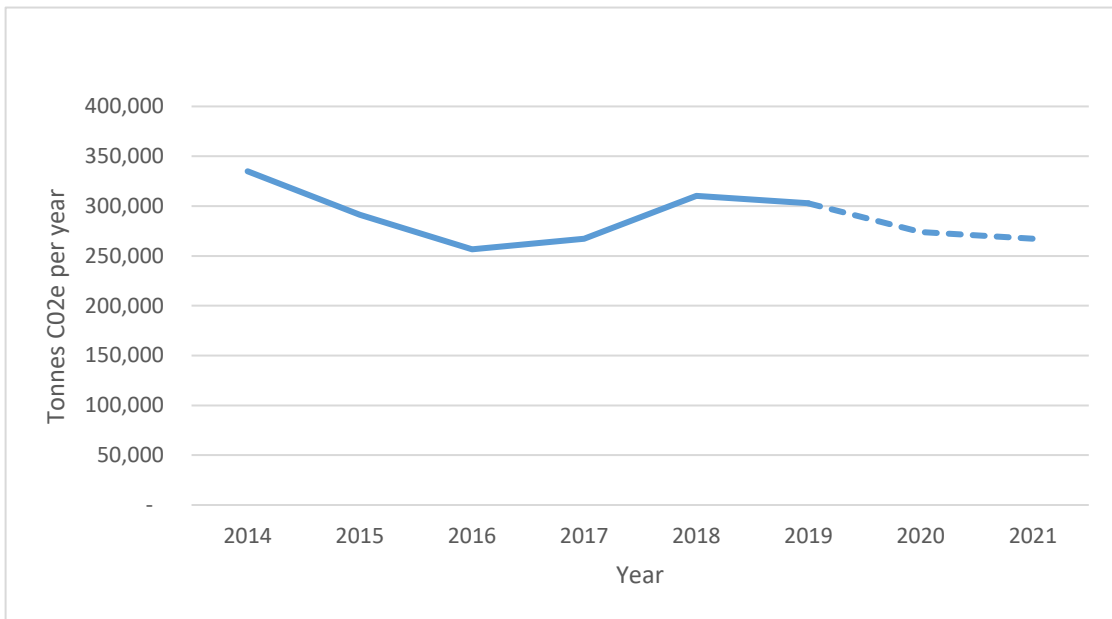


Figure 12: Residential Emissions from Natural Gas 2014 – 2021¹⁰



The quantity of residential emissions for the Windsor community is highly dependant on the weather conditions experienced in a given year, specifically expressed through heating degree-days (HDD) and cooling degree-days (CDD). Table 6 shows historic data for heating degree-days and cooling degree-days. As our average temperatures continue to rise, Windsor will generally experience a decrease in HDD and an increase in CDD

⁹ 2020 and 2021 data sets impacted by COVID-19. Data points are used for illustrative purposes. Extreme caution should be used when attempting to identify trends.

¹⁰ 2020 and 2021 data sets impacted by COVID-19. Data points are used for illustrative purposes. Extreme caution should be used when attempting to identify trends.

compared to the historic average from 1976-2005. This trending shift from heating loads to cooling loads works to decrease residential emissions as the emissions-intensive natural gas consumption from heating is decreased.

Table 6: Historic heating and cooling degree days

Year	Heating Degree Days	Cooling Degree Days
Historic 1976-2005	3541	376
2016	3179	557
2017	3073	407
2018	3255	495
2019	3526	431
2020	3223	485
2021	3130	513

Core Strategy Underway

Deep Energy Retrofit Program for Existing Homes

In order to have a significant impact on the emissions and energy utilization trends for the Windsor residential sector, existing buildings require extensive energy efficiency retrofits. Homes in Windsor are significantly older than the Ontario average and as such, result in higher energy consumption and emissions than comparable homes in other areas of the province. The average build year for the construction of a Windsor home is 1960. At that time the Ontario Building Code did not have energy efficiency requirements or considerations therefore these buildings were constructed without effective wall, attic, or basement insulation. This lack of insulation drastically increases the amount of natural gas consumed to heat the home using a furnace. The average Windsor home uses 20% more energy per square meter than the average Ontario home.

CEP Strategy 1 calls for the creation of a Deep Energy Retrofit Program for Existing Homes with the aim to improve energy efficiency by 30-50 percent depending on age and size of the home. This program would have the potential of reducing residential GHG emissions by 133,000 tonnes or 34 percent by 2041.

This is the primary action required within the residential sector to meet the CEP goals and targets. In 2019, the City of Windsor retained a consultant to develop a business case for such a program. The purpose of the business case was to investigate the feasibility of establishing an Entity to deliver high quality, standardized residential energy efficiency retrofit packages to Windsor homes. The business case explored the following program elements:

1. Goal of retrofitting 80% of Windsor homes by 2041
2. Creation of a local entity for program delivery
3. Encourage public/private partnership
4. Offer quality controlled standardized retrofits with standardized pricing
5. Retrofits realize efficiency gains of 30 to 50%
6. Financing options include repayments using Local Improvement Charges (LIC)

Recommendations were presented to City Council in February 2020. In October 2020 Administration applied to the Federation of Canadian Municipalities' Community Efficiency Financing (CEF) program. Details of the intended study and grant opportunity are available in S107/2020. In August 2021, the City of Windsor received a grant from FCM to undertake a Program Design Study. Report is due to City Council in late 2023. Figure 13 illustrates an example of eligible home energy retrofits.

Figure 13: Example of exterior upgrades to existing home



Sustainable Neighbourhood Action Plan – Sandwich South

CEP Strategy 4 calls for the creation of a Net-Zero neighbourhood as an opportunity for transformative change at the neighbourhood scale. In Q1 2021 administration submitted an application to FCM for grant funding to complete a sustainable neighbourhood action plan for Sandwich South. The Sandwich South lands represents the largest greenfield development area in the City. With a relatively blank slate, there is high potential and opportunity for development of Net-Zero (or near-zero) neighbourhoods. If the City of Windsor, wishes to achieve its environmental and sustainability goals, it is important to develop greenfield areas in a manner consistent with those goals.

Goals include emissions reduction, low-carbon economic development, and climate change resilience. The SSPD represents a unique opportunity for Windsor due to its central location, size and greenfield nature. In practice, the sustainable neighbourhood action plan will focus on:

1. Minimizing energy consumption;
2. Maximizing efficiency of energy conversion; and
3. Maximizing use of low-carbon/renewable energy sources at both the building scale, as well as the block/district scale

This creates the policy framework necessary to create new, sustainable, mixed-use communities alongside the proposed Regional Hospital. Outlined in Council Report S 116/2020 are details of this study. Work is currently underway on the development of the plan with a report due to Council in 2024. Figure 14 illustrates an example of a sustainable neighbourhood development plan.

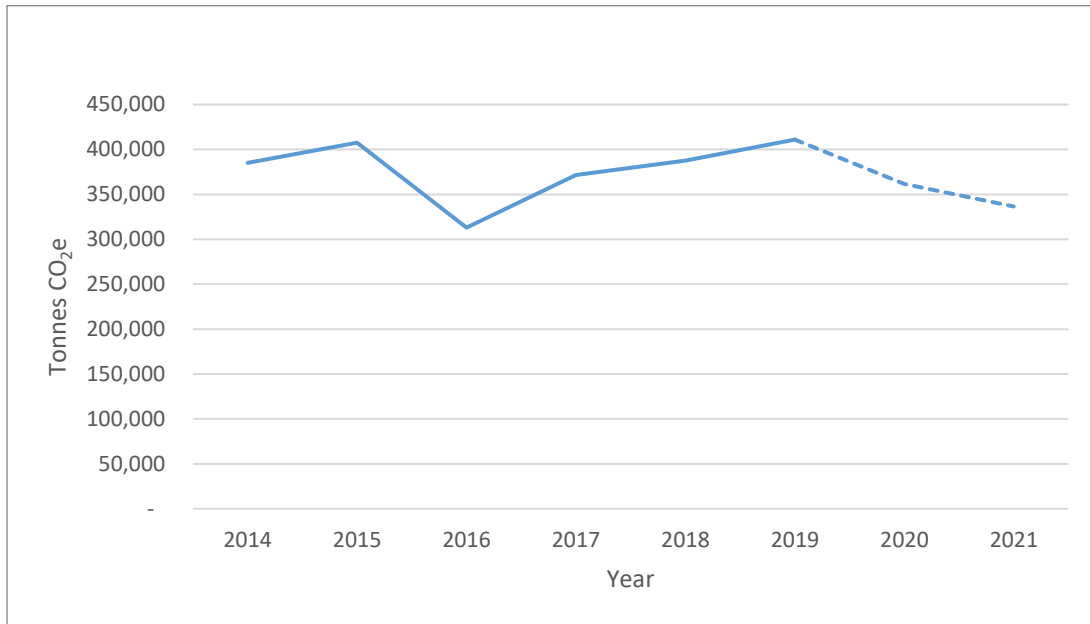
Figure 14: Example of a Sustainable Neighbourhood Development Plan



Industrial Emissions

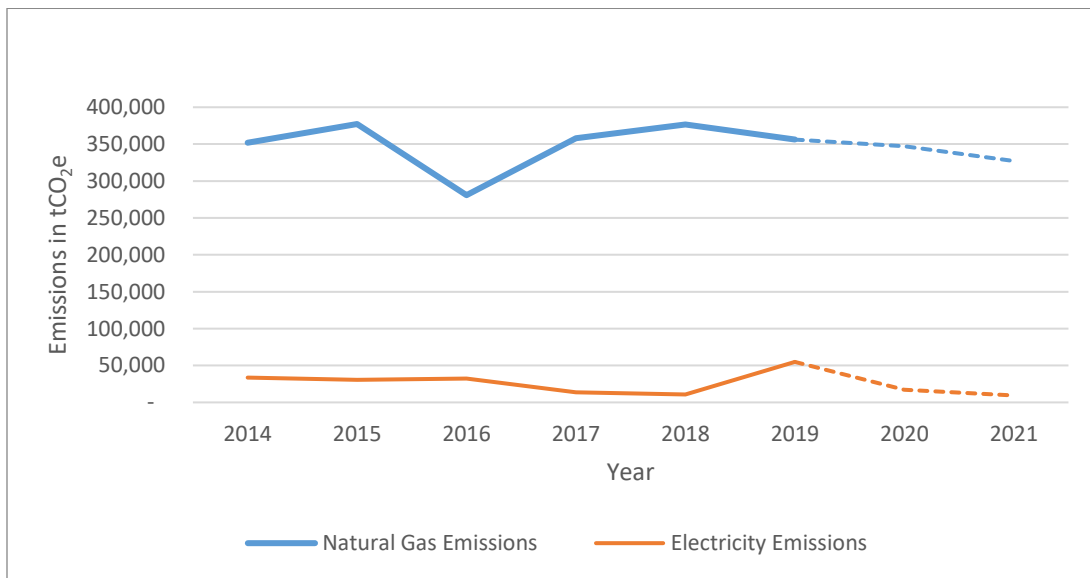
Industrial emissions represent 22.6% of total emissions for the Windsor community. Historic data reveals that industrial emissions and energy consumption in Windsor peaked in 2019 before undergoing a slight decline due to the impacts of COVID-19. A major contributing factor to this trend has been the recovery of the manufacturing industry and increases in industrial emissions. The year 2016 represented the lowest emissions produced and energy consumed in recorded history but also coincided with very low industrial energy usage. Industrial energy usage is an indicator of industrial economic activity that is intimately linked to the employment and economic wellbeing of the Windsor community. Figure 15 below displays historic Industrial emissions.

Figure 15: Industrial Emissions 2014 – 2021¹¹



For a deeper look into industrial emissions, the specific energy sources resulting in those emissions can be considered. Figure 16 below display historic industrial emissions from electrical and natural gas energy sources¹².

Figure 16: Industrial Emissions by Fuel Source 2014 – 2021



¹¹ 2020 and 2021 data sets impacted by COVID-19. Data points are used for illustrative purposes. Extreme caution should be used when attempting to identify trends.

¹² In 2020, Industrial Natural Gas consumption was capped at 2019 levels, as consumption data provided by Enbridge Gas Inc. indicated a significant increase in natural gas consumption that was unable to be verified/validated. Data point was considered as an outlier to the historical consumption trend.

Figure 16 reveals an increase in natural gas utilization results in an overall increase in emissions. As heavy industry has historically been highly reliant on natural gas, the historic trend indicates a growth in heavy industrial activity for the period of interest. The reduction in electricity based emissions reveal an increase in industrial energy efficiency in regards to electrical equipment.

The diversion of the emissions from electricity and natural gas starting in 2016 may be explained by a shift to natural gas to meet energy needs, for example large energy consumers may be utilizing combined heat and power systems (CHPs). The shift may be motivated by cost savings, as CHP systems can deliver both heat and power at lower quantity costs than direct natural gas and electricity. Unfortunately this is detrimental to the carbon footprint of the community as the standard electricity grid has lower emissions than electricity generated from a CHP system.

Industrial Activity in Windsor

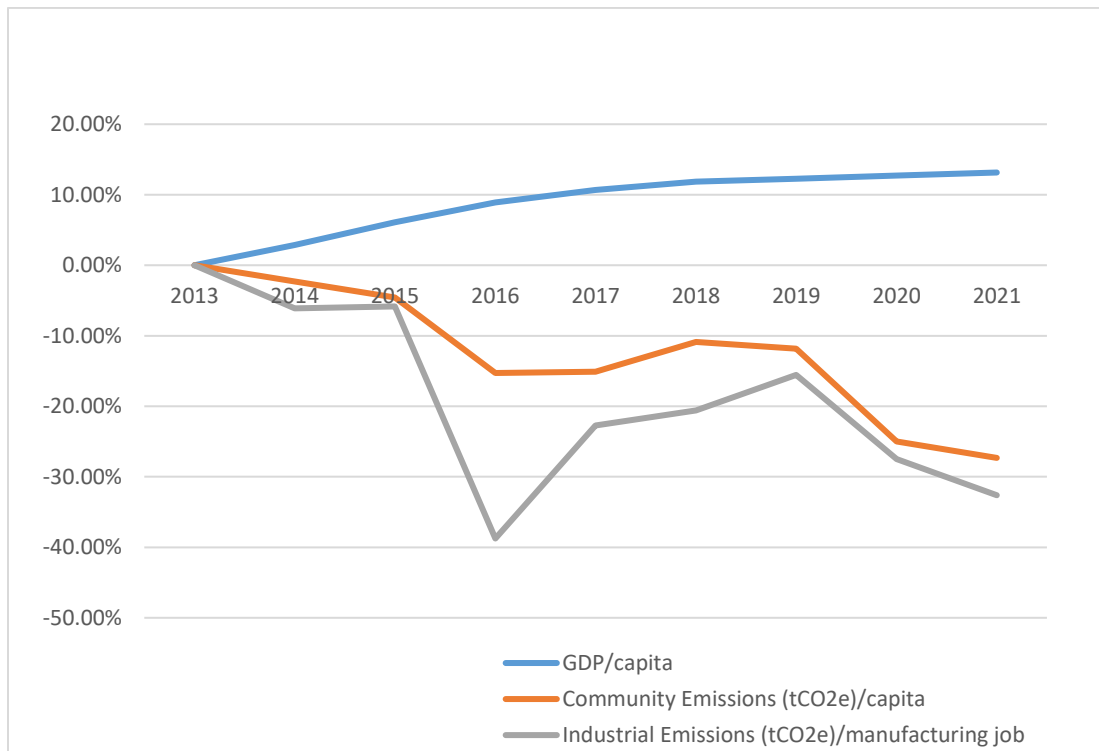
Invest Windsor-Essex released a Five Year Strategic Plan (2018-2022) focusing on strategies to transition Windsor-Essex from a traditionally transaction-based economy to a transformational, knowledge-based economy that recognizes continual innovation supported by open networks and complex systems as its foundational elements.

Historically, CO₂ emissions have been strongly tied to a Country/Region's GDP. But this relationship no longer holds true as many countries have managed to achieve economic growth while reducing emissions including the UK, France, Germany, Sweden, Finland, Denmark, Italy, Czechia, and Romania¹³.

Figure 17 highlights Windsor's efforts to decouple economic growth from CO₂ emissions. The figure shows the percent (%) change in GDP per capita, tCO₂e emissions per capita, and industrial tCO₂e emissions per manufacturing job since 2014. Windsor's economic growth indicator (GDP/capita) is increasing (growing), while the community emissions (tCO₂e)/capita and industrial emissions (tCO₂e)/manufacturing job are decreasing (reducing). Emissions and GDP have been successfully decoupled.

¹³ <https://ourworldindata.org/co2-gdp-decoupling>

Figure 17: Percent Change in per capita tCO₂e emissions and GDP 2014 – 2021



The decline in community emissions and industrial emissions can be attributed to the number of Windsor employers committed to aggressive greenhouse gas emission reduction targets including, but not limited to;

- Pernod Richard – Committed to reducing 50% of their overall footprint by 2030 and reaching net zero by 2050, addressing scope 1, 2 and 3 emissions
- Stellantis – Be the first auto maker to be carbon free by 2028
- Caesars Windsor – Goal of reducing Scope 1 and 2 emissions by 35% by 2025 and by 100% by 2050 and reduce scope 3 emissions by 60% by 2023
- Ford Motor Company – Carbon neutrality by 2050 for vehicles, facilities and suppliers and 76% reduction in Scope 1 and 2 emissions by 2035 from 2017 baseline and a 50% reduction in Scope 3 emissions by 2035 from 2019 baseline.
- Integram (Windsor Seating) – Set a target of net carbon neutrality in global operations by 2030.

Electricity Generation

The Independent Electricity System Operator (IESO) is responsible for operating the electricity market and directing the operation of the bulk electrical system in the province of Ontario. In 2021, Ontario's electricity was generated by nuclear (58%), hydro (24%), gas/oil (8.6%), wind (8.4%), with the remaining generation split between solar and bio fuel. Ontario's electricity generation is split between three tiers.

- Baseload Generation – generation that provides a steady supply of electricity 24 hours a day, 7 days a week. The output of these generators is consistent and reliable, but rarely changes. These generators are typically used first to meet Ontario’s energy needs and include nuclear and run-of-the-river hydro electric facilities.
- Intermediate and Peaking Generation – generation that provide variable supply of electricity to meet changes in demand. Generators such as natural gas plants and hydro dams play a crucial role in matching supply and demand as they can adjust their output up or down quickly. These generators can also be called upon to meet peak demand when electricity use is at its highest.
- Variable but Controllable Generation – generation that provides a supply of electricity when sun or wind is available. The amount of electricity wind and solar farms produce is always changing, their operation is very flexible, and their output can be adjusted quickly in response to the electricity system’s needs.¹⁴

There are four (4) natural gas fired electricity generation stations located within Windsor’s boundaries: Brighton Beach Power, East Windsor Cogeneration Centre, Windsor Essex Cogeneration and West Windsor Power. These generation stations provide intermediate and peaking generation to meet fluctuating demands on the electricity system as they are capable of adjusting their output quickly.

As electricity generation benefits residents, institutions, and companies in Windsor and beyond, City Administration has made the conscious decision to remove power generation emissions from the industrial and community total, and track it separately, to avoid double counting. Double counting refers to a situation where two parties claim the same emissions. The Government of Ontario through the IESO attributes the greenhouse gas emissions from natural gas plants to an CO₂ equivalency for Ontario’s electricity system.

Windsor’s community GHG inventory includes purchased electricity used within the city of Windsor, with updated equivalencies to reflect the changing fuel mix of Ontario’s electricity system. Therefore, the city’s community inventory incorporates the City of Windsor’s fair share (proportional share) of the output from the local plants, assuming a portion of the electricity generated locally will be used locally and is reflected in the purchased electricity of residents, institutions, and corporations.

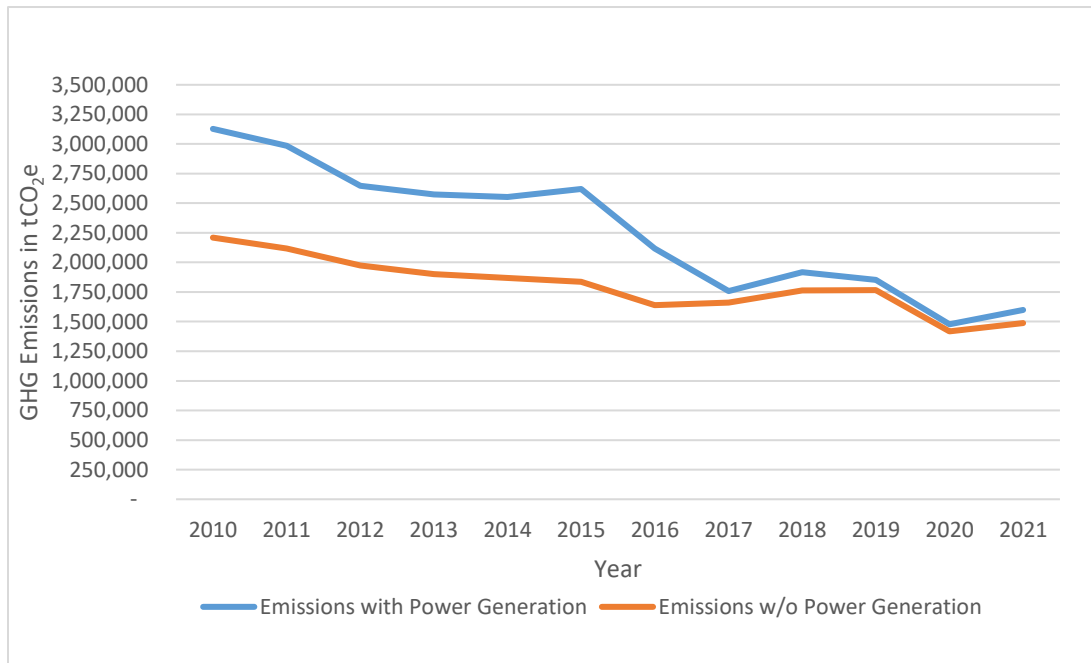
Figure 18 below illustrates the differences to industrial emissions with and without accounting for emissions from Windsor’s four (4) natural gas-fired power generation stations. Since 2015, the proportion of emissions attributed to Windsor’s natural gas-fired power generation stations have decreased significantly. Changes to Ontario’s energy mix, coupled with a reduced reliance on natural gas generation to meet system demand are contributing factors. The increase in emissions experienced in 2021 can be attributed to an increased reliance on natural gas-fired generation to compensate for system capacity reductions due to the refurbishment of Ontario’s nuclear facilities. Depending

¹⁴ [Supply Mix and Generation \(ieso.ca\)](https://www.ieso.ca)

on the annual generation, GHG emissions from natural gas fired electricity generation could have a significant impact on the community's overall GHG emissions if included. For example, if emissions from electricity generation were included in the community GHG inventory, overall emissions would have increased by:

- 32% in 2010 to 3,128,000 tCO₂e
- 25% in 2014 to 2,551,000 tCO₂e
- 4% in 2020 to 1,478,000 tCO₂e¹⁵

Figure 18: Industrial Emissions with and without Power Generation 2010-2021

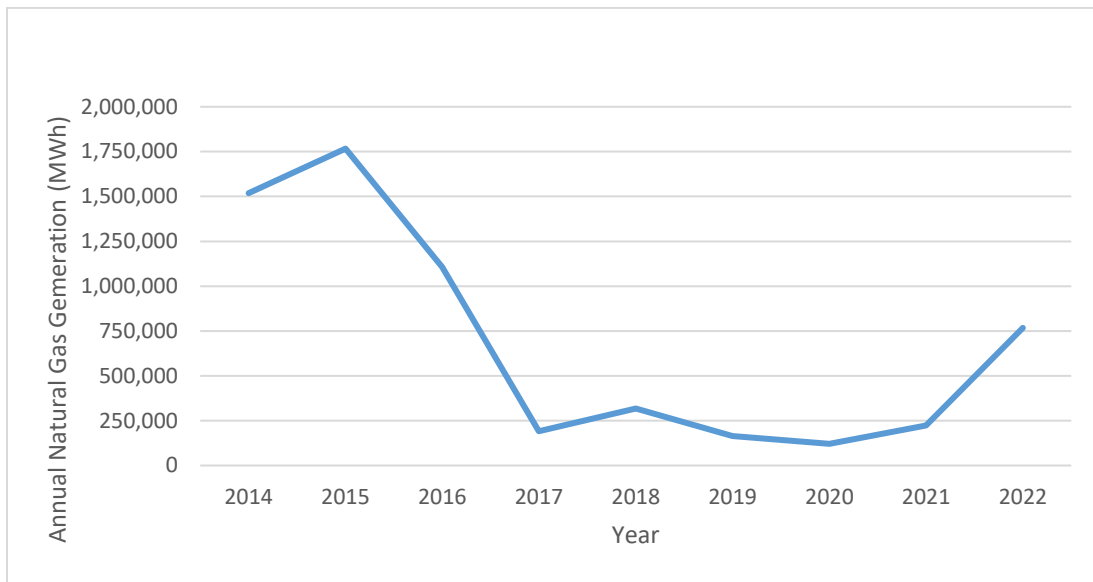


It is challenging to predict the impact of emissions attributed to natural gas-fired generation stations, as they operate to meet peak demand and compensate for system outages due to scheduled or unscheduled maintenance. Public reporting on natural gas-fired generation stations is a lagging indicator. It can take upwards of three calendar years from the time generators disclose their emissions to government entities to when disclosures are made public. Early indications are that the proportion of industrial emissions attributed to natural gas-fired generating stations will increase significantly in 2022, in direct proportion to the increase in generation. Figure 19 illustrates the annual power generation output from Windsor's four (4) natural gas-fired generation stations as reported by IESO's Generator Output and Capability Reports.¹⁶

¹⁵ Most recent data available from Greenhouse Gas Emissions (PDGES-GHGRP) - Government of Canada (tCO₂e)

¹⁶ Source: [Index of /public/GenOutputCapabilityMonth \(ieso.ca\)](https://www.ieso.ca/en/About-Us/Reports-and-Data/Generator-Output-and-Capability-Reports)

Figure 19: Windsor’s Annual Natural Gas Generation Output 2014-2022

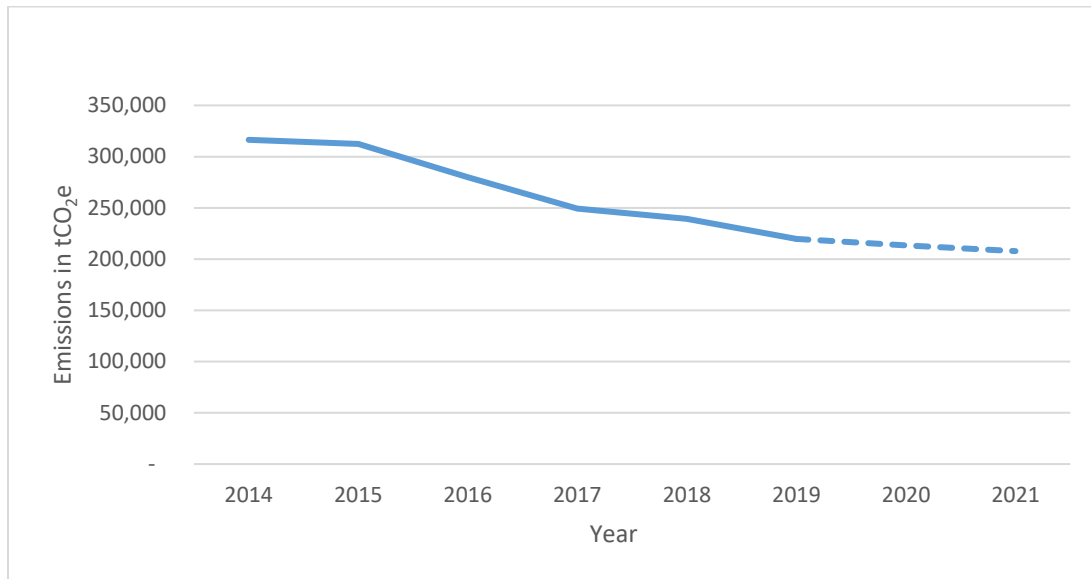


Monitoring and tracking energy and emissions data from power generation provides administration with analytical data to track how provincial decisions impacts local emissions. This will allow the City to advocate with the Government of Ontario and the IESO regarding the region’s GHG emissions attributed to electricity generation. This ensures that decarbonization plans remain a priority for the Government.

Commercial and Institutional Emissions

Commercial and Institutional emissions represent 14.0% of total community emissions and are based on natural gas consumption for this sector as reported by Enbridge Gas Inc. (formerly Union Gas Limited) and the electricity consumption reported by Enwin Utilities. Historical emissions are shown in Figure 20.

Figure 20: Commercial and Institutional GHG Emissions 2014 – 2021¹⁷



District Energy

The utilization of district energy heating and cooling systems is a strategy for reduction of commercial/institutional emissions. The expansion of the existing Windsor district energy system should be a near-term priority as the existing system is at full capacity and does not have available capacity for including other buildings and operations in this system.

In 2020, Windsor Utilities Commission sold its interest in the district energy system to Enwave. Administration and Enwave are working closely together to identify opportunities to expand the system beyond the downtown loop.

¹⁷ 2020 and 2021 data sets impacted by COVID-19. Data points are used for illustrative purposes. Extreme caution should be used when attempting to identify trends

On-Road Emissions

Another segment experiencing a significant overall decrease in emissions in 2021 due to COVID-19 was on-road, which saw emissions decline 20.0% since 2019. On-road emissions are calculated based on the reported fuel sales within the city using standard emissions factors for each of the transportation fuels (Table 7 and Figure 21). There are two primary elements, which increase the margin of error for this emissions measurement, including cross border refueling as well as national/international trucking based out of the Windsor region.

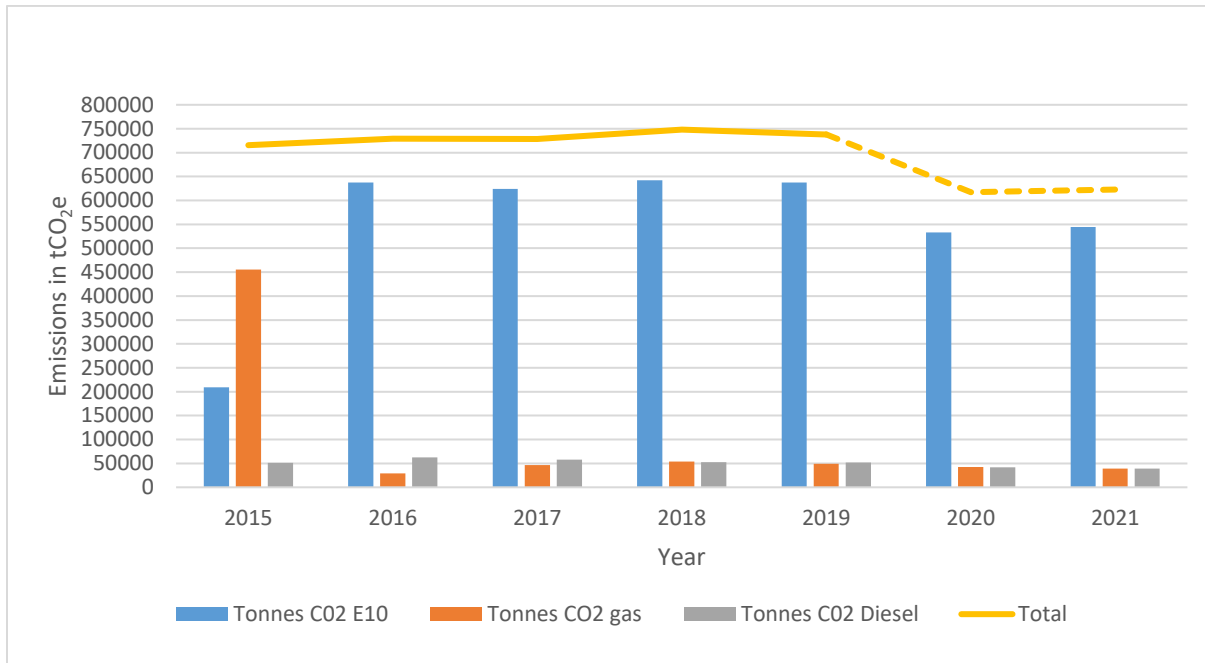
It is also of note that these fuel sale totals would include non-vehicular uses including lawn mowers and other yard maintenance equipment.

Table 7: Yearly emissions from fuel components

Year	E10 (Tonnes eCO₂)	Gas (Tonnes eCO₂)	Diesel (Tonnes eCO₂)	Total (Tonnes eCO₂)	Total Tonnes eCO₂/million km travelled
2015	208,994	455,637	50,937	715,568	329.1
2016	637,293	28,881	62,749	728,923	276.7
2017	623,866	46,503	58,119	728,488	366.9
2018	642,369	53,557	52,204	748,130	343.9
2019*	637,343	49,190	51,538	738,071	308.8
2020*	533,287	42,448	41,472	617,208	258.6
2021*	544,576	38,885	39,009	622,470	260.8

* Limited data for mileage available from Traffic division. Mileage estimated from 2018 traffic count reports

Figure 21: On-Road Community GHG emissions¹⁸



In a follow-up to the CEP, a detailed analysis of cross-border traffic impacts on GHG emissions showed that cross-border traffic only accounted for 4% of the total transportation GHG emissions.

In the years prior to COVID-19 (2015-2019), transportation emissions increased slightly, consistent with trends for Canadian nation-wide on-road emissions. This increase can be associated with the increase in passenger light trucks and SUVs, which have grown in popularity. Based on this national trend of citizens purchasing larger vehicles coupled with automotive manufacturers discontinuing of car-based platforms, it is expected that transportation emissions will continue to increase, as larger vehicles tend to have worse fuel economy as compared to smaller vehicles. This trend of increasing on-road emissions can be mitigated by:

- Improving the modal split of transport in favor of low/zero carbon transport methods including active transportation (walking/cycling) and public transit; and,
- A transition towards electric vehicles (EVs).

Reductions in transportation emissions in 2020 and 2021 are contributed to decreased commuter and recreational travel due to restrictions experienced in Windsor-Essex.

¹⁸ Ontario introduced a mandate to require suppliers to supply at least an annual average of 10% renewable content in gasoline sold in Ontario (i.e. E10). This significantly decreased the amount of non E10 gasoline sold after 2015.

Encourage a Modal Shift towards Public Transportation and Active Transportation

Supporting the improved modal split towards low-carbon (public transit) and zero carbon transport are Strategies number 9 and 10 of the CEP.

The Active Transportation Master Plan was approved by City Council on July 22, 2019. This plan calls for a modal split of 25% by 2041. This means that 25% of all trips made in Windsor would be achieved through public transit or active transportation. According to the 2021 Census data, Windsor's current modal split is approximately 7.4%¹⁹. Achieving a modal split of 25% could result in an emissions reduction of 38,000 tonnes a year in 2041. If interim targets are met over the lifetime of the plan, 378,000 tonnes of CO₂e can be reduced.

Foster the Adoption of Electric Vehicles

Supporting the adoption of electric vehicles (EV) is Strategy 11 of the CEP. The City of Windsor received funding from the federal government under a program to develop supportive EV infrastructure. The City of Windsor installed and commissioned eleven (11) level two (2) charging stations in municipal parking lots, libraries, and recreation complexes in 2021. Table 8 shows the monthly vehicle charging in kWh and the corresponding GHG offset attributed to “fueling” vehicles using electricity vs. gasoline in 2022. As part of the pilot, vehicles could charge at City charging stations at no charge.

Table 8: 2022 Electric Vehicle Charging

	Next	
Month	Charging (kWh)	GHG Offset (kgCO ₂)
April	252	286
May	2,367	2,689
June	3,913	4,445
July	4,407	5,006
August	3,889	4,418
September	5,549	6,304
October	6,674	7,582
November	7,024	7,979
December	6,906	7,845
Total	40,981	46,554

¹⁹ 2021 Census data provided modal split for primary mode of transportation for commuting to work only.

Figure 22 depicts a Windsor – Essex Electric Vehicle Association display at Earth Day.

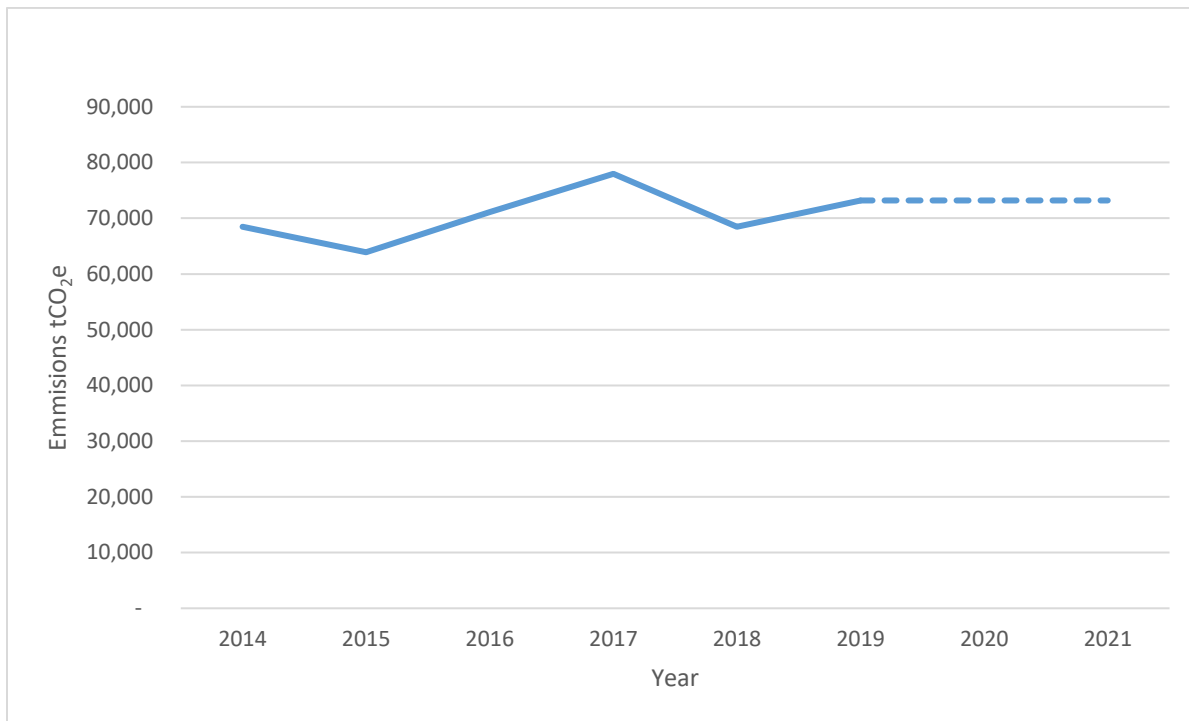
Figure 22: Windsor Essex Electric Vehicle Association Earth Day Display



Solid Waste Emissions

The solid waste sector tracks methane (CH₄) emissions that enter the air directly as organic waste decomposes at landfills as well as nitrous oxide (N₂O) and non-biogenic carbon dioxide (CO₂) emissions. These chemical emissions are converted to tonnes of equivalent CO₂ using emissions equivalency coefficients. Figure 23 shows the estimated emissions from solid waste since 2015. The peak in 2017 is likely contributed by the increase in waste to landfill as a result of the 2017 flood event, with the smaller increase in 2019 as a result of a smaller flood event due to increased lake levels.

Figure 23: Emissions from Solid Waste 2014 – 2021



Establishing an Organics Program

The Strategies for solid waste fall under the Corporate Climate Action Plan and include researching and developing an organics collection program.

The city is currently investigating curbside organic collection, in accordance with the provincial mandate. The City of Windsor is on track for starting a curbside organics collection program in 2025. This organic collection and associated treatment of source-sorted organics has the potential to reduce emissions from solid waste if appropriate measures for capturing the methane from decomposing organics are put into place.

Anaerobic digestion is one option that assists with the biodegradation of organic material (organic food waste, sewage sludge). Anaerobic digestion results in the production of methane gas, a known greenhouse gas, however, in a controlled system the methane gas can be purified and used as a renewable natural gas. This system is used globally and can offset non-renewable natural gas with a renewable, biogenic natural gas.

Renewable Energy Generation

The Community Energy Plan outlines a target for installed renewable energy capacity of 90 MW by the target year 2041. Presently, Windsor has one utility-scale solar farm in operation, namely the Windsor Solar project. Windsor solar has a maximum capacity of 50 MW and is located at the Windsor international Airport. The project reached commercial operation in 2016.

Smaller scale solar installations are also in operation throughout the city representing a maximum installed capacity of 23.4 MW. Overall the current total renewable energy generation in Windsor is 73.4 MW which equates to 82% of the CEP renewable energy generation goal. This includes 1.3 MW of solar capacity installed on City-owned buildings. Due to the accounting structure of currently installed solar capacity under the FIT program, the renewable energy is accounted for in the overall emissions from the grid and does not directly offset usage. This will change when the contracting of the generation is switched to net-metering in the future

Unfortunately, the legislative frame-work under which the existing solar capacity was installed was cancelled in 2018 by Ontario's provincial government. This cancellation eliminated the opportunity for such projects to provide electricity for the grid and generate revenue through a Feed-In Tariff program. The virtual net metering program was also cancelled, which allowed for large energy consumers to offset electricity usage at one site by generating it on another property under the same owner. It is anticipated that these changes will stunt the growth of renewable energy generation for the Windsor community.

In August 2022, the City of Windsor announced a renewable energy project, which would see the installation of new solar photovoltaic (PV) systems and net metering infrastructure to 12 city facilities. The new systems will add approximately 1.0MW of solar capacity. Facilities include:

- Optimist Community Centre and Library
- Forest Glade Community Centre and Library
- Constable John Atkinson Memorial Community Centre
- Fire Hall #2
- Fire Hall #5
- Fire Hall #6 and Emergency Operations Centre
- Fire Hall #7
- Fire Apparatus Building
- Parks & Recreation Facilities Storage
- Parks & Recreation Maintenance Yard
- South Windsor Library
- Fountainbleau Library

Figure 24 illustrates a typical solar farm installation.

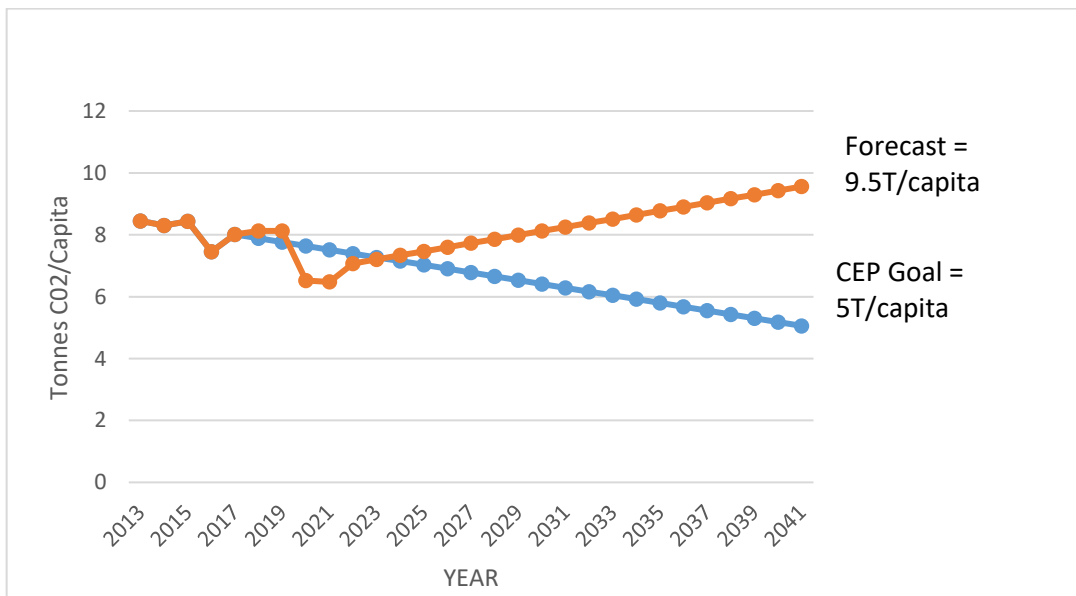
Figure 24: Solar PV Installation – Windsor International Aquatic Centre



Community Progress Towards CEP Goals

The CEP projected GHG emissions increase of 20% under the baseline scenario. Without action, the community is on track to reach a per capita emissions of 9.5 Tonnes/year by 2041 (Figure 25). The CEP also predicts energy costs to grow from \$842 million in 2014 to \$1.8 to \$3.2 Billion by 2041 without action. These expected increases are being realized currently and highlights the need for a rigorous approach to the implementation of all CEP strategies.

Figure 25: Projection for per capita emissions based on 2014-2019 trend



Although the CEP was approved in 2017, implementation of the major strategies and programs outlined in the CEP began in the later half of 2018 upon the recruitment of the temporary 2-year Community Energy Plan Project Administrator. Since 2020, the Community Energy Plan Administrator role has received single year extensions at budget deliberations. The goal is to obtain budgetary approval to make the position permanent. At this time, a number of the Strategies are under program development. It is anticipated that emissions will continue to rise until the Strategies are at the implementation stage. The following section outlines the status of the emissions reduction strategies outlined in the CEP.

CEP Community Strategy Update

Table 9: CEP Community Strategy Summary

Status updates provided for strategies listed below are as of January 2023.

Strategy #	Strategy Title	Lead Department	Status
1	Create a Deep Energy Retrofit Program for Existing Homes	Environmental Sustainability and Climate Change (ESCC)	FCM Green Municipal Fund (GMF) Grant received for Program Design Study. Administration led initiative. Full report to be presented to Council Q3/Q4 2023.
2	Continue to Ensure Compliance with the Ontario Building Code for New Residential Development	Building	Plan Examiners ensure compliance with energy code requirements outlined in the OBC prior to issuance of a building permit. Building systems are reviewed by Building Inspectors at various phases of construction.
3	Integrate Energy Performance Labelling for Homes and Buildings	ESCC	Select City facilities have been assessed using an online tool provided by Natural Resources Canada. The results are being used as tools for public engagement and education.
4	Create a Net Zero Neighbourhood as an Opportunity for Transformative Change at the Neighbourhood Scale	ESCC	FCM Green Municipal Fund (GMF) Grant received in 2022 to conduct a plan study.
5	Create a Deep Retrofit Program for Existing Businesses and Public Buildings	ESCC	The study being completed under Strategy 1 (residential) will form the basis for discussion for other buildings. Starting with Strategy 1 provides a context for this Strategy where the procedure is more complex as the building types vary more.
6	Continue to Ensure Compliance with the OBC for New Commercial and Institutional Development	Building	Plan Examiners ensure compliance with energy code requirements outlined in the OBC prior to issuance of a building permit. Building systems are reviewed by building inspectors at various phases of construction.

Strategy #	Strategy Title	Lead Department	Status
7	Continually Increase Industrial Efficiency Energy	ESCC	ENWIN has fulfilled their requirement under their energy conservation mandate. Energy efficiency programs are continuing through IESO but managed through Toronto. There are no local representatives.
8	Reinforce a Windsor Network and Mentorship Program for Transfer of Best Practices	ESCC	In collaboration with Enwin and Enbridge (Union Gas) a Sustainable buildings workshop was held in May 2019. Looking to reinstate in 2023.
9	Encourage a Modal Shift towards Public Transit	Transit Windsor	<p>More Than Transit Plan Approved in 2020 Implementation underway</p> <ul style="list-style-type: none"> • New routes underway with express route 518X implemented in 2021 • Work to expand existing garage to start end of 2023 • Automatic Passenger Counters to be installed on fleet by end of 2023 <p>Transit Windsor Route Infrastructure Planning and Design Guidelines were approved by Council in 2022</p>
10	Develop and Implement an Active Transportation Master Plan	Transportation Planning	The Active Transportation Master Plan was approved by City Council on July 22, 2019. The plan includes a target of 25% mode split by 2041 shifting from current 10%.
11	Adoption of Electric Vehicles and Alternative Fuel Vehicles	ESCC / Asset Planning	<p>Essex Powerlines received funding from NRCan to install EV chargers at sites across Windsor Essex. Program fully subscribed in 2022</p> <ul style="list-style-type: none"> • 12 level 2 chargers and 1 fast charger installed in Windsor • Additional 42 level 2 chargers and 14 fast chargers in queue for Windsor <p>The City of Windsor will continue to look for funding for charging infrastructure. 11 level 2 chargers installed to date.</p>

Strategy #	Strategy Title	Lead Department	Status
12	Continue to Advance Smart Energy Systems through Effective Land Use Planning	Planning	ESCC staff completed an Energy Strategy and incorporated into the development process.
13	Designate and Plan District Energy Areas	ESCC	Enwave Utilities purchased Windsor District Energy network in 2020. The ESCC Office has been collaborating with Enwave to address current challenges and identify how the City of Windsor can help to support the expansion of District Energy.
14	Create a Gordie Howe International Bridge Low-Energy Development Area	Planning	No progress to date.
15	Encourage the Installation of Solar Arrays	ESCC / Asset Planning	The Province of Ontario no longer permits virtual net metering for solar installations. However, solar PV can still be net metered at buildings. Solar PV and wind are now the cheapest available source of new electricity generation.
16	Develop a Community Education and Communications Campaign	ESCC	Education and Engagement is ongoing. Public engagement was limited in 2020 and 2021 due to COVID restrictions. In 2023, engagement has returned with events at Devonshire and Tecumseh malls, the Windsor-Essex Home Show and Earth Day 2023.
17	Detailed Energy Mapping	ESCC	Completed as part of Strategy #1 in 2018. Detailed energy mapping allows Administration to review local energy needs and opportunities for generation. These maps should be recreated every 7 to 10 years to monitor the changing energy use patterns of the City.
18	Transition Community Energy Plan Administrator role from temporary full time to permanent full time	ESCC	The CEP Administrator has been retained under a 1-year temporary contract, renewed annually. It is a recommended that this position be made permanent during 2024 budget deliberations.

Strategy #	Strategy Title	Lead Department	Status
19	Facilitate the Community Implementation Task Force	ESCC	Community Task Force has recommitted for the implementation of the CEP. Interest from the local business community to participate is continuing to increase.
20	Monitoring and Verification	ESCC	This report is the second full monitoring report completed for the CEP. A similar report is expected to City Council annually.

Table 10 – Community Performance Indicators

Community Performance Indicator	2014	2019	2021 ²⁰
<i>Primary Indicators</i>			
Total energy use	39,016,987 GJ/yr	37,912,495 GJ/yr	30,313,199 GJ/yr
Total energy use per capita	184.9 GJ/yr	168.8 GJ/yr	132.0 GJ/yr
Percent change in energy per capita from baseline	NA	-8.7%	-28.6%
Total energy use per job	251.3 GJ/job	228.2 GJ/job	180.1 GJ/job
Percent change in energy use per full time job from baseline	NA	-9.2%	-28.3%
Total GHG emissions	1,869,202 tCO ₂ e/yr	1,765,057 tCO ₂ e/yr	1,487,346 tCO ₂ e/yr
GHG emissions per capita	8.86 tCO ₂ e/yr	7.86 tCO ₂ e/yr	6.48 tCO ₂ e/yr
Percent change in GHG emissions from CEP baseline	NA	-5.6%	-20.4%
<i>Secondary Indicators</i>			
Total Energy Residential	9,029,158 GJ/yr	8,611,567 GJ/yr	7,757,133 GJ/yr
Total Emissions Residential	366,188 tCO ₂ e/yr	323,127 tCO ₂ e/yr	284,527 tCO ₂ e/yr
Emissions Residential as percent of total	19.6%	18.3%	19.1%
Residential Energy Intensity	NA	0.93 GJ/m ²	
Total Energy Commercial and Institutional	9,583,784 GJ/yr	4,444,893 GJ/yr	7,326,653 GJ/yr
Total Emissions Commercial and Institutional	316,383 tCO ₂ e/yr	219,683 tCO ₂ e/yr	207,774 tCO ₂ e/yr

²⁰ 2021 data is not representative of actual conditions due to COVID impacts, and is used for illustrative purposes only.

Community Performance Indicator	2014	2019	2021
<i>Secondary Indicators</i>			
Emissions Commercial and Institutional as percent of total	16.9%	12.4%	14.0%
Total Energy Industrial	9,524,808 GJ/yr	13,887,625 GJ/yr	6,506,781 GJ/yr
Total Emissions Industrial	385,206 tCO2e/yr	410,984 tCO2e/yr	336,555 tCO2e/yr
Emissions Industrial as percent of total	20.6%	23.3%	22.6%
Total Energy On-Road	10,879,237 GJ/yr	10,968,410 GJ/yr	8,722,632 GJ/yr
Total Emissions On-Road	732,971 tCO2e/yr	738,071 tCO2e/yr	590,163 tCO2e/yr
Emissions On-Road per million km travelled	278.2 tCO2e/million km travelled	308.8 tCO2e/million km travelled	260.8 tCO2e/million km travelled
Change in Emissions On-Road per million km travelled over baseline	NA	11.0%	-6.3%
Emissions On-Road as percent of total	39.2%	41.8%	39.7%
Total Emissions solid waste	68,454 tCO2e/yr	73,192 tCO2e/yr	68,327 tCO2e/yr
Solid Waste Emissions as percent of total	3.7%	4.1%	4.6%
Total Installed distributed Solar PV	NA	62MW	73 MW

CEP Next Steps

Benchmarking Best Practices

Administration is tracking best practices from municipalities and government agencies provincially and federally.

1. Benchmarking Deep Retrofit Programs in the market or under development. Across Ontario, Canada, North America, and Across Europe
 - a. Developing comparisons of program features including program eligibility, financing options, and program steps
 - b. Conducting interviews with a number of municipal program administrators regarding challenges and successes of program development and launch (focusing on lessons learned).
 - c. Monitoring Clean Air Partnership (CAP) initiative to collaborate with seven (7) Ontario municipalities on developing a common program design for Residential Deep Retrofits.
 - d. Participating on working groups:
 - i. QUEST's Deep Retrofit working group,
 - ii. CAP webinars and stakeholder meetings highlighting programs from across Canada.
 - iii. Community Efficiency Financing (CEF) learning opportunities
2. Benchmarking of Sustainable Neighbourhood Action Plans
 - a. Clarington, Edmonton, Guelph, London, Ottawa, Victoria, West Vancouver, focusing on key elements
 - i. Natural and Cultural
 - ii. Energy Efficiency
 - iii. Biodiversity
 - iv. Land Use Density, etc.
3. Benchmarking Community Energy Plans, Climate Action Plans, or Net-Zero Plans of Municipalities

Municipalities			
Burlington	Guelph	Hamilton	Kingston
London	Markham	Ottawa	Saskatoon
Thunder Bay	Toronto	Vancouver	

4. Benchmarking Net-Zero or Pathways to Net-Zero plans form government and utilities
 - a. Government of Canada 2030 Emissions Reduction Plan
 - b. Enbridge Gas Inc.'s Ontario Pathways to Net Zero
 - c. Independent Electricity System Operator's (IESO) Pathways to Decarbonization
5. Benchmarking government initiatives related to new technology and alternative fuels

- a. Ontario's Low-Carbon Hydrogen Strategy
- b. Hydrogen Strategy for Canada
- c. Government of Canada's Clean Electricity Standard Discussion Paper
- d. Scenarios for a Net-Zero Electricity System in Ontario

Transition to Net-Zero Plan

In 2022, Administration reported to Council (S 42/2022 Science Based Targets for GHG Reduction) requesting approval in principle of an update to the Community and Corporate GHG Emissions Reduction Targets. As part of Council Decision (CR209/2022 ETPS 893):

- That the report of the Community Energy Plan Administrator dated April 8, 2022 entitled "Science Based Targets for GHG Reduction – City Wide" **BE RECEIVED** for information; and,
- That City Council **APPROVE IN PRINCIPLE** Windsor's Science Based Targets of a 68% reduction in city-wide emissions (scope 1 and 2) and a 55% reduction in corporate-wide emissions (scope 1 and 2) below 2005 baseline by 2030; and,
- That City Council **APPROVE IN PRINCIPLE** a NET ZERO Target for 2050; and,
- That Administration **BE DIRECTED** to report back with an updated strategy to reach these targets by November 2023 that considers implementation timelines, resourcing and financial impacts of meeting science-based targets; and further,
- That Administration **BE DIRECTED** to send a letter to the County of Essex and City of Detroit requesting their support of Windsor's Science Based Targets for GHG Reduction.

The current Community Energy and Corporate Climate Action Plans will form the foundation of the Transition to Net-Zero Plan, with information gathered from benchmarking activities analysed and incorporated as applicable.

Government Advocacy

Administration is expanding its responsibilities as it relates to regional energy supply and energy security. Administration is working to:

1. Support City Council decisions
2. Liaise between Energy proponents and the IESO for procurement RFPs
3. Collaborate with IESO, the Ontario Ministry of Energy, Northern Development and Mines, Enbridge Gas Inc., and local stakeholders as appropriate to support initiatives and actions that align with Pathways to Net-Zero.

Council Decision (CR422/2022) in response to Power Advisory report C161/2022

- I. **THAT** City Council **SUPPORT IN PRINCIPLE** the five proposed electricity transmission infrastructure projects West of London, as recommended by the Independent Electricity System Operator (IESO), and the measures to ensure their rapid completion announced by the Province of Ontario; and,

- II. **THAT** City Council **ADVOCATE** for the Province of Ontario to pursue energy efficiency and green energy alternatives, while maintaining the existing energy generation initiatives until such time as affordable, sufficient and sustainable alternatives are in place; and further, to help alleviate regional electricity supply constraints prior to the completion of new electricity transmission infrastructure in 2030; and,
- III. **THAT** City Council **SUPPORT** Independent Electricity System Operator (IESO) efforts to immediately re-contract the Brighton Beach Generating Station to supply power for local job creation and economic expansion in Windsor-Essex; and,
- IV. **THAT** City Council **ADVOCATE** for the Province of Ontario to investigate near-term firm electricity imports from the State of Michigan via the Windsor-Detroit Energy Intertie; and,
- V. **THAT** City Council **SUPPORT IN PRINCIPLE** the City of Windsor as a host for future projects that will enhance the energy supply, subject to approval through the appropriate federal, provincial and Council processes; and,
- VI. **THAT** Administration **BE AUTHORIZED** to participate in, and provide comment to, any public consultations regarding energy supply and development to convey the interests of the Corporation of the City of Windsor; and,
- VII. **THAT** City Council **REQUEST** that the Board of Directors, Invest WindsorEssex engage their resources, from a regional representation and advocacy perspective, to track efforts and vigorously advocate on behalf of the region for short, medium and long term solutions for adequate and sustainable energy solutions to support economic investments and growth; and,
- VIII. **THAT** City Council **DIRECT** Administration to facilitate a presentation by Power Advisory to Essex County Council at their earliest opportunity; and further, pursuant to approval of the Recommendations noted above; and further,
- IX. **THAT** City Council **REQUEST** that Essex County Council pass a resolution endorsing the Recommendations of Windsor City Council to ensure a consistent approach to this regional issue.

Intergovernmental Panel on Climate Change (IPCC)

In March 2023, the IPCC released its sixth assessment report (AR6) which summarized the state of knowledge of climate change, its widespread impacts and risks, and climate change mitigation and adaptation, based on the peer-reviewed scientific, technical and socio-economic literature since the publication of the IPCC's Fifth Assessment Report

(AR5) in 2014. Administration has identified a number of key findings to focus on and mitigate in the years leading up to 2030.²¹

Category	Task	Description
Observed warming and its causes	A.1	Human activities, principally through emissions of greenhouse gases, have unequivocally caused global warming, with global surface temperature reaching 1.1°C above 1850–1900 in 2011–2020. Global greenhouse gas emissions have continued to increase, with unequal historical and ongoing contributions arising from unsustainable energy use, land use and land-use change, lifestyles and patterns of consumption and production across regions, between and within countries, and among individuals
Current Mitigation Progress, Gaps and Challenges	A.4	Policies and laws addressing mitigation have consistently expanded since AR5. Global GHG emissions in 2030 implied by nationally determined contributions (NDCs) announced by October 2021 make it likely that warming will exceed 1.5°C during the 21st century and make it harder to limit warming below 2°C. There are gaps between projected emissions from implemented policies and those from NDCs and finance flows fall short of the levels needed to meet climate goals across all sectors and regions.
Carbon Budgets and Net Zero Emissions	B.5	Limiting human-caused global warming requires net zero CO ₂ emissions. Cumulative carbon emissions until the time of reaching net-zero CO ₂ emissions and the level of greenhouse gas emission reductions this decade largely determine whether warming can be limited to 1.5°C or 2°C (<i>high confidence</i>). Projected CO ₂ emissions from existing fossil fuel infrastructure without additional abatement would exceed the remaining carbon budget for 1.5°C (50%)
Mitigation Pathways	B.6	All global modelled pathways that limit warming to 1.5°C (>50%) with no or limited overshoot, and those that limit warming to 2°C (>67%), involve rapid and deep and, in most cases, immediate greenhouse gas emissions reductions in all sectors this decade. Global net zero CO ₂ emissions are reached for these pathway categories, in the early 2050s and around the early 2070s, respectively
Urgency of Near-Term Integrated Climate Action	C.1	Climate change is a threat to human well-being and planetary health. There is a rapidly closing window of opportunity to secure a liveable and sustainable future for all. Climate resilient development integrates adaptation and mitigation to advance sustainable development for all, and is enabled by increased international cooperation including improved access to adequate financial resources, particularly for vulnerable regions, sectors and groups, and inclusive governance and coordinated policies. The choices and actions implemented in this decade will have impacts now and for thousands of years.
The Benefits of Near-Term Action	C.2	Deep, rapid and sustained mitigation and accelerated implementation of adaptation actions in this decade would reduce projected losses and damages for humans and ecosystems, and deliver many co-benefits, especially for air quality and health. Delayed mitigation and adaptation action would lock-in high-emissions infrastructure, raise risks of stranded assets and cost-escalation, reduce feasibility, and increase losses and damages. Near-term actions involve high up-front investments and potentially disruptive changes that can be lessened by a range of enabling policies

²¹ [AR6 Synthesis Report: Summary for Policymakers Headline Statements \(ipcc.ch\)](https://www.ipcc.ch/report/ar6/synthesis/)

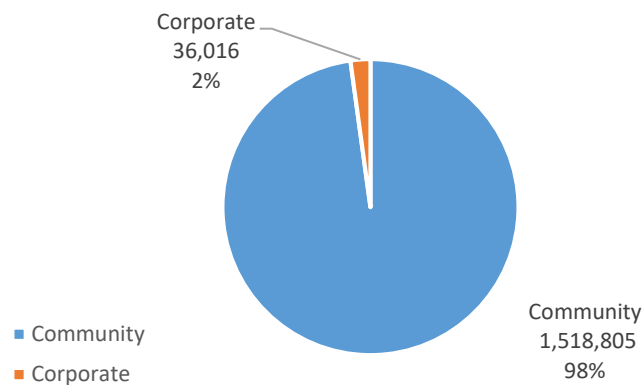
Mitigation and Adaptation Options across Systems	C.3	Rapid and far-reaching transitions across all sectors and systems are necessary to achieve deep and sustained emissions reductions and secure a liveable and sustainable future for all. These system transitions involve a significant upscaling of a wide portfolio of mitigation and adaptation options. Feasible, effective, and low-cost options for mitigation and adaptation are already available, with differences across systems and regions.
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Corporate Emissions and Energy Inventory

Similar to the Community energy and GHG emissions inventory the Corporate inventories are calculated using the PCP Milestone tool.

Corporate emissions account for only 2% of the overall community emissions as displayed in Figure 26.

Figure 26: Contributions from community and corporate inventories 2021



Corporate energy and emissions include the following sections;

- Building
- Fleet
- Streetlights
- Water and Wastewater

Figures 27 and 29 presents all completed Corporate emissions and energy inventories to date. Please note that 2014 represents the baseline emissions and energy use against which emissions and energy reduction goals are measured. Figures 28 and 30 illustrates the percentage of emissions and energy by sector for the Corporation.

Figure 27: Corporate Emissions 2005-2021²²

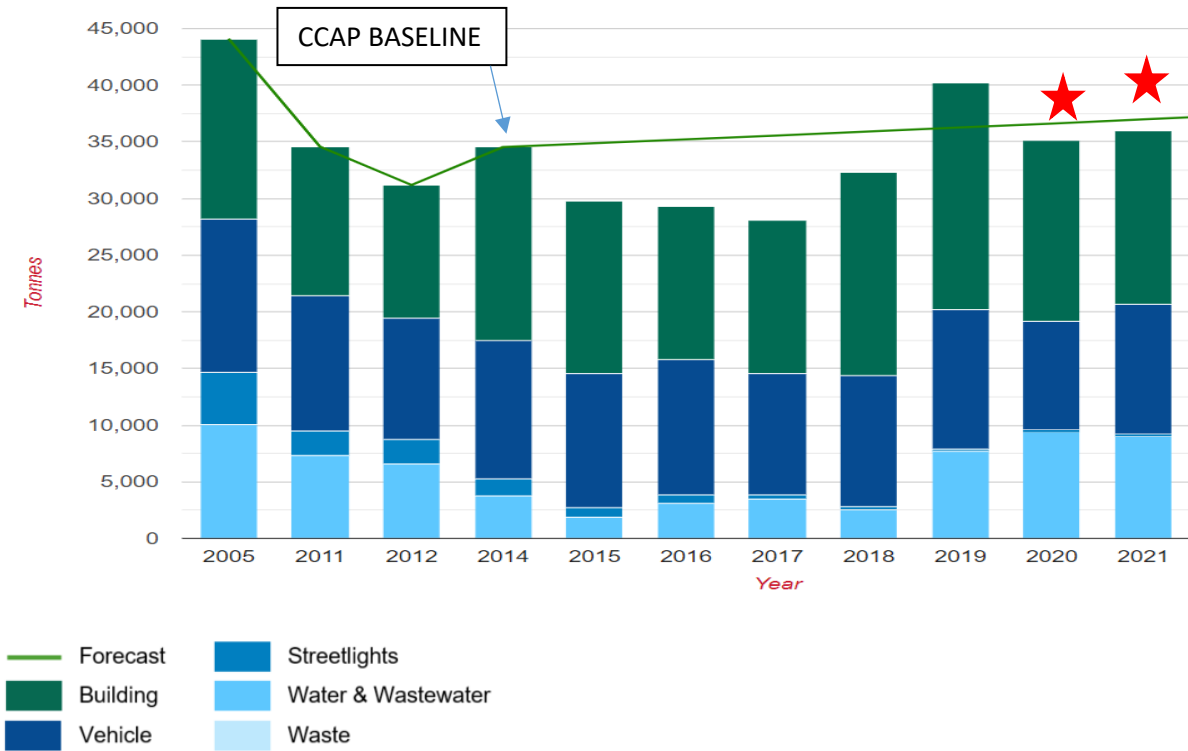
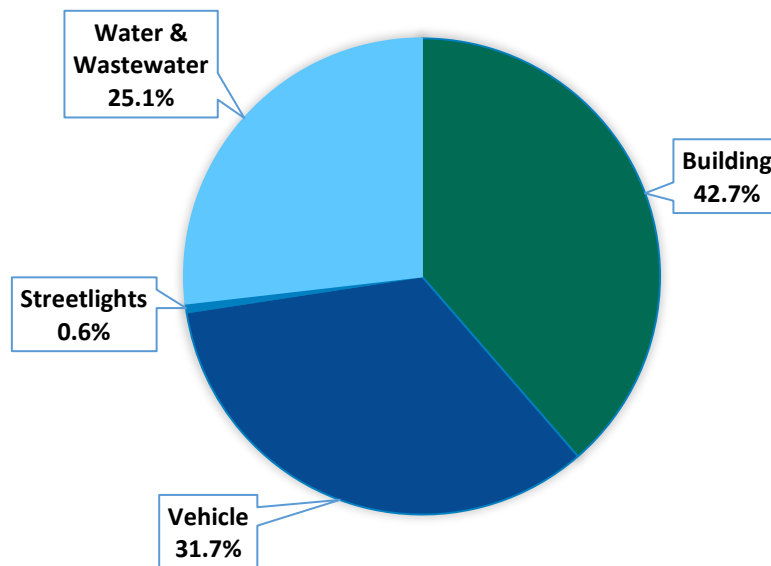


Figure 28: Corporate Emissions by Sector 2021



²² 2020 and 2021 data sets impacted by COVID-19. Data points are used for illustrative purposes. Extreme caution should be used when attempting to identify future trends including the 2020 and 2021 data.

Figure 29: Corporate Energy Consumption 2005-2021^{23,24}

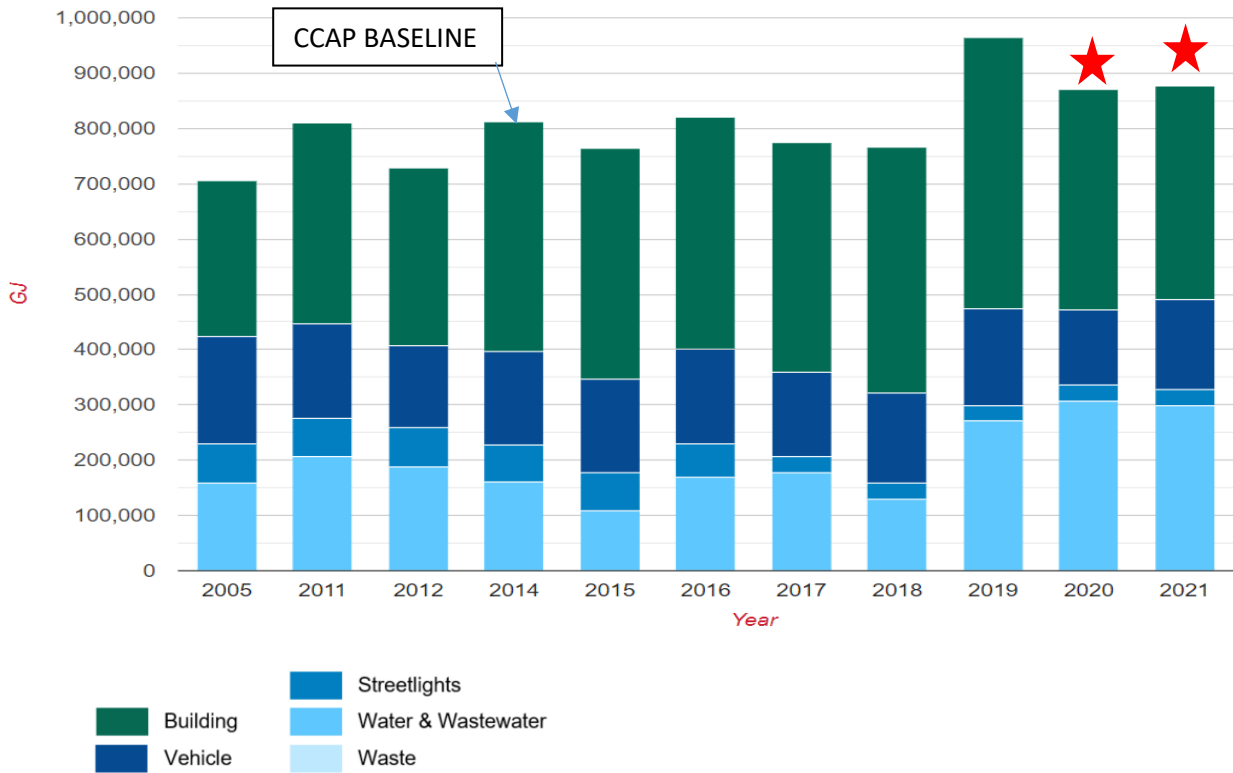
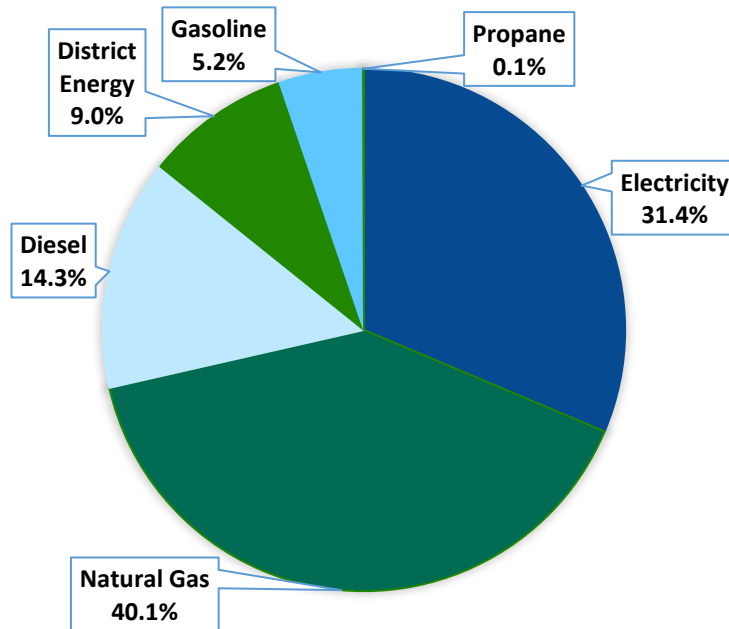


Figure 30 – Total Corporate Energy by source



²³ Waste energy consumption is included and tracked under community inventory

²⁴ 2020 and 2021 data sets impacted by COVID-19. Data points are used for illustrative purposes. Extreme caution should be used when attempting to identify future trends including the 2020 and 2021 data.

Analysis

As indicated in the Figures 26 and 28, the total yearly emissions and energy consumption for the Corporation decreased slightly between 2014 and 2021. Table 11 highlights a number of primary indicators as outlined in the CCAP. Data from 2019 is used when calculating % Change to Baseline.

Table 11: Primary Corporate Performance Indicators vs. CCAP Baseline 2014

CORPORATE	Baseline 2014	2019	2021	% Change to Baseline (2019)
Total Emission (CO2e)	34,538	37,307	36,016	+ 8.02
Total Energy (GJ)	812,826	874,726	876,330	+ 7.62

Table 12 highlights the primary performance indicators as compared to the Science Based Climate Target Baseline of 2005. Data from 2019 is used when calculating % Change to Baseline.

Table 12: Primary Corporate Performance Indicators vs. Science Based Climate Target Baseline 2005

CORPORATE	Science Based Climate Baseline 2005	2019	2021	% Change to Baseline (2019)
Total Emission (CO2e)	44,104	37,307	36,016	- 15.41
Total Energy (GJ)	705,118	874,726	876,330	+ 24.05

Table 13 highlights the changes in corporate emissions in 2021 as compared to the 2014 CCAP baseline by sector.

Table 13: Corporate Emissions by Sector .vs CCAP Baseline 2014

	Emissions (tCO ₂ e)			% Change to Baseline (2019)
	CCAP Baseline 2014	2019	2021	
CORPORATE				
Building	17,054	19,975	15,369	+ 17.13
Vehicle	12,247	12,317	11,423	+ 0.57
Streetlights	1,484	136	200	- 90.84
Water & Wastewater	3,752	4,879	9,024	+ 30.04

Table 14 highlights the changes in corporate emissions by sector as compared to the Science Based Climate Target Baseline of 2005 CCAP baseline.

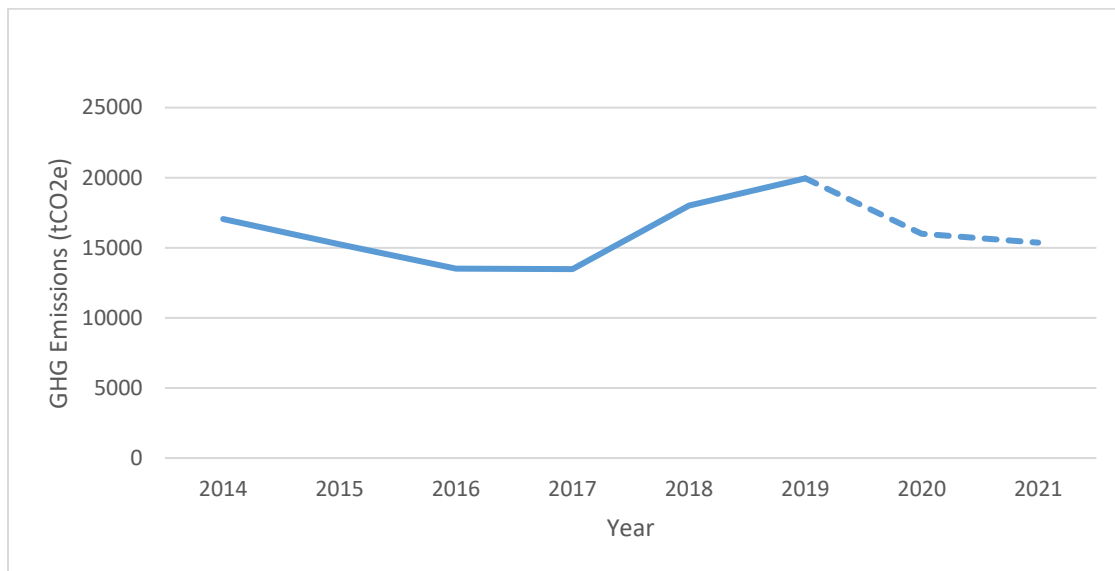
Table 14: Corporate Emissions by Sector .vs Science Based Climate Baseline 2005

	Emissions (tCO ₂ e)			% Change to Baseline (2019)
	Science Based Climate Baseline 2005	2019	2021	
CORPORATE				
Building	15,932	19,975	15,369	+ 25.38
Vehicle	13,557	12,317	11,423	- 9.15
Streetlights	4,593	136	200	- 97.04
Water & Wastewater	10,022	4,879	9,024	- 51.32

Corporate Building Emissions

Corporate building emissions account for 42.7% of total corporate emissions. These emissions are calculated using the PCP Milestone tool along with natural gas, district heating/cooling and electricity consumption data provided by the Corporate Energy department. Figure 31 shows a decreasing emissions trend from 2014 through 2017 followed by increases in 2018 and 2019 followed by decreases in 2020 and 2021.

Figure 31: Corporate emissions from buildings

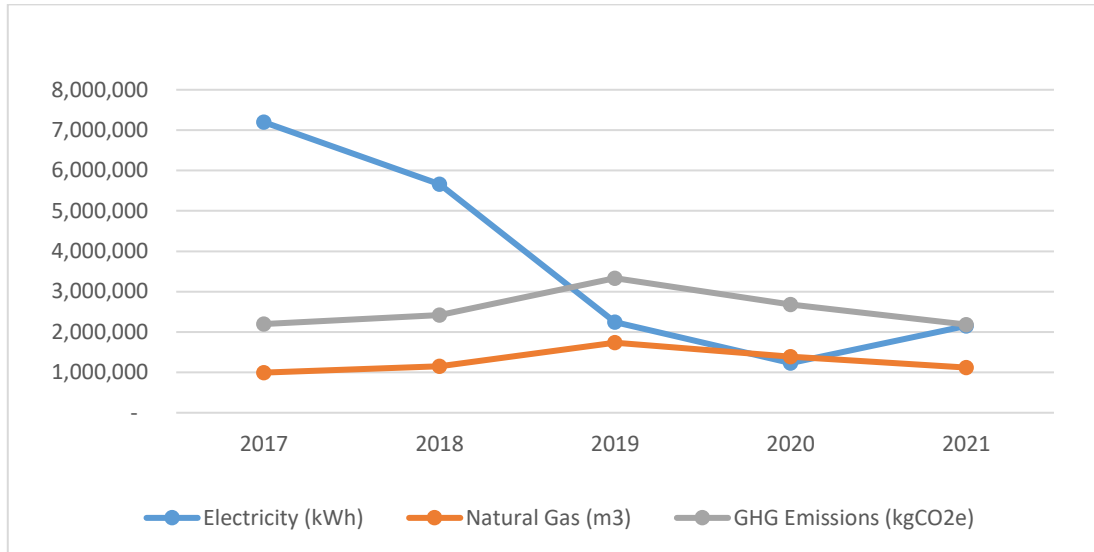


A large proportion of the overall increase is due to the operation of Combined Heat Power (CHP) units, which are now operational at WFCU, Huron Lodge, and WIATC facilities. CHP is a cost efficient technology that generates electricity and thermal energy through the combustion of relatively inexpensive natural gas. Heat from the combustion of the fuel is captured and utilized for space heating, cooling, domestic hot water and industrial processes. The electricity produced by the CHP reduces the amount of electricity purchased from the provincial grid and as such reduces operational costs. However, generating electricity through natural gas increases Corporate GHG emissions. It should also be noted that as natural gas costs rise and carbon costs increase, the financial benefit of CHPs will be minimized.

CHP technology was approved for implementation by City Council at Huron Lodge & WFCU Center in 2015 (CR 144/2015) and was subsequently approved for the WIATC in 2016 (CR 641/2016). At the time the City introduced this technology, the Provincial government was aggressively supporting and promoting implementation of CHPs and offered capital cost incentives of up to 40%. This equates to \$2.6 million of incentives for the City's three CHP systems. When fully operational it is estimated that the three systems will generate \$1 million in annual operational savings.

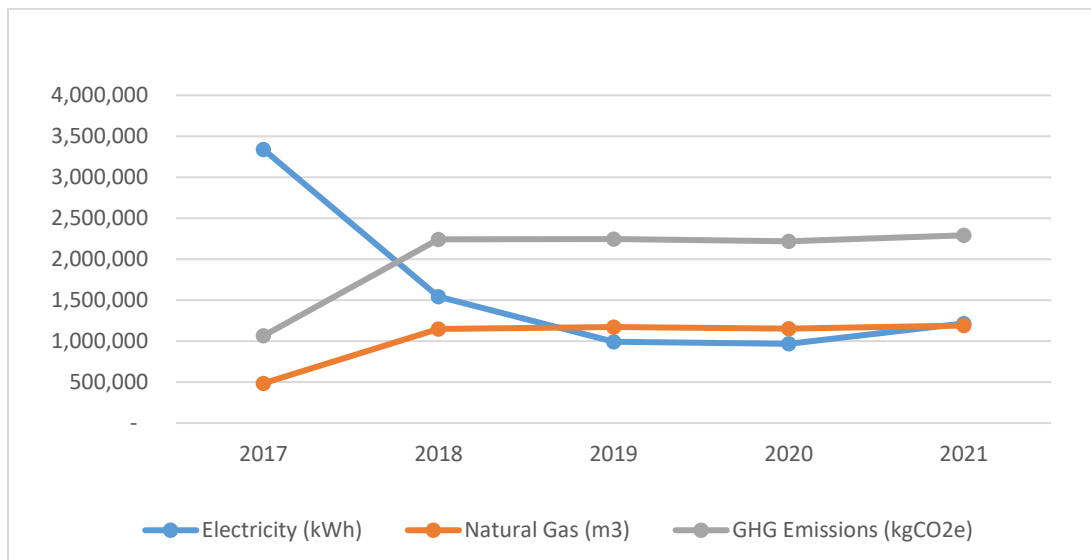
By plotting electricity consumption, natural gas consumption and emissions on the same graph (as displayed in figures 32, 33, and 34 below), the effects of the CHP utilization are observed.

Figure 32 – Energy Utilization and Emissions from WFCU Center



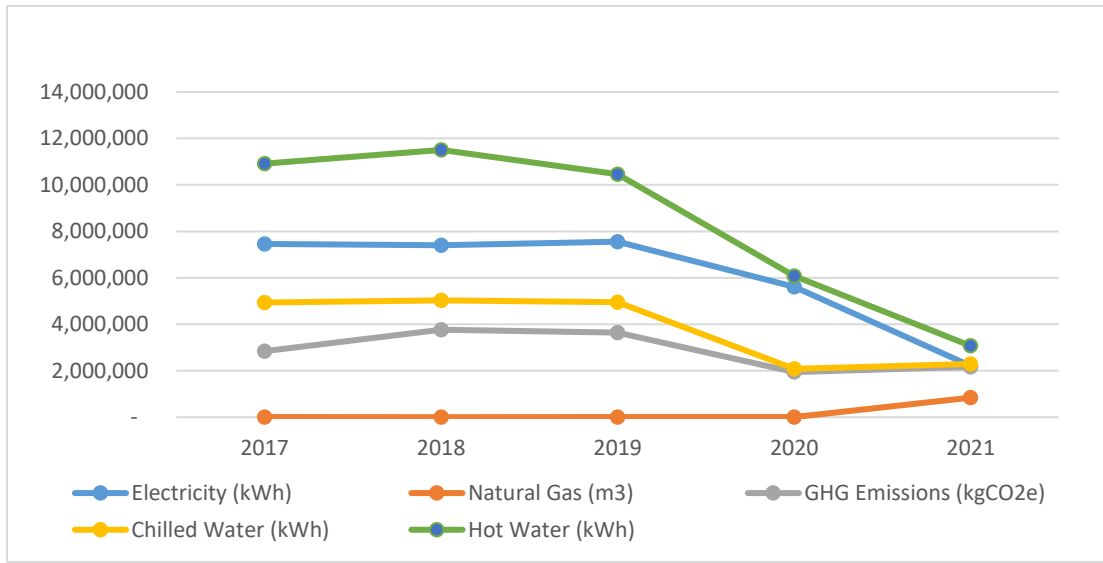
For WFCU the CHP system became operational in 2019 and this is consistent with the data showing a decrease in electrical consumption with a simultaneous increase in natural gas consumption. The implementation of CHP at WFCU resulted in a 38% increase in emissions.

Figure 33 – Energy Utilization and Emissions from Huron Lodge



The CHP for Huron Lodge came online in 2018 resulting in the 110% increase in emissions.

Figure 34 – Energy Utilization and Emissions from WIATC



The CHP for WIATC came online in 2021 during a year when the building was underutilized as a result of impacts of COVID-19. Emission impacts related to the operation of the CHP are currently not fully realized.

The three CHP systems combined have increased natural gas consumption by approximately 242,000 cubic metres between 2019 and 2021. This has resulted in a net annual increase of 460 Tonnes CO₂ per year.

It should be mentioned that this increase is smaller at 79 Tonnes CO₂ if the marginal emissions factor (MEF) for the electricity grid is considered (31CO₂ g/kWh vs. 134 CO₂ g/kWh). This in essence compares GHG emissions from the CHP with the GHG emissions from gas powered power plants in the province.

While the increase in GHG emissions appear to conflict with our reduction goals, it should be noted that decisions to implement the CHP’s units was not solely based on reduction of costs to electricity. CHP systems generate the electricity needed at these three sites ensuring they are operationally viable in the event of power not being available from the grid. As Huron Lodge is a home for the age and WFCU and WIATC both provide shelter in emergency situations this additional benefit from these systems provides the City the ability to address other objectives and needs in the community.

The majority of City buildings have decreased or maintained emissions levels showing that building retrofits are helping. However, the increased emissions at WFCU, Huron Lodge, and WIATC have negated these reductions.

These three facilities contributed more than 51% of emissions from Corporate Buildings in 2021.

The City’s Energy Initiatives office works to improve the performance of the building fleet by implementing projects such as Net Metering, Battery Storage, Electric Vehicle Charging Stations, LED Lighting Retrofits, Sub-metering, and Enterprise-wide Smart

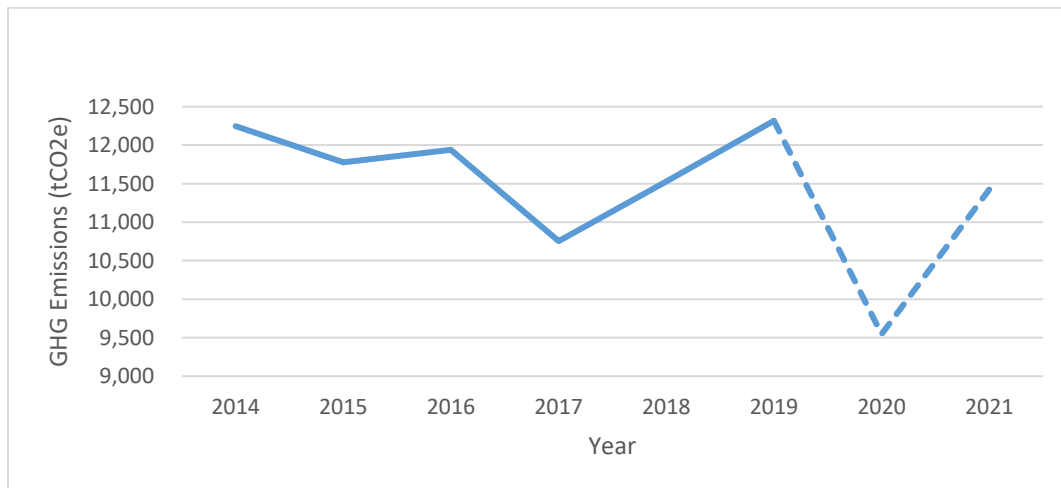
Energy Management Systems. These projects play a vital role in increasing energy efficiency and aiding in the City’s climate actions.

The Corporate Energy Management Plan (C 301/2019) is a living document that establishes a framework to better understand the Corporation’s annual utility costs for its buildings and identifies opportunities to reduce energy usage. The Corporate Energy Management Plan will be updated in 2024

Corporate Vehicle Emissions

Emissions from corporate vehicles account for 31.7% of total Corporate Emissions. These emissions are calculated using fuel consumption data provided by the Fleet department, Transit Windsor and the City of Windsor Police fleet. Historical Emissions are shown in Figure 35.

Figure 35: Emissions from Vehicle Fleet 2014-2021



Emissions from corporate vehicles can be reduced by increasing the fuel efficiency of fleet vehicles. This includes strategies outlined in the “Greening the Fleet” plan. The Corporation currently has several EVs which are being used and tested by various departments.

Another method for reducing corporate vehicle emissions is through encouraging employees to use active transportation for short trips during their course of duty. In 2019, the Office of Environmental Sustainability and Climate Change conducted a short pilot project where an electric bicycle was used for trips between city buildings. The electric bike has been used for approximately 300kms of City business trips prior to being put on pause in 2020 due to COVID restrictions. Administration is looking to re-establish the pilot project in 2023.

A significant contributor to the reduction in GHG emissions from the corporate vehicle fleet is the change in operation at Transit Windsor. From the onset of the COVID-19 pandemic, Transit Windsor operated the following schedules in 2020:

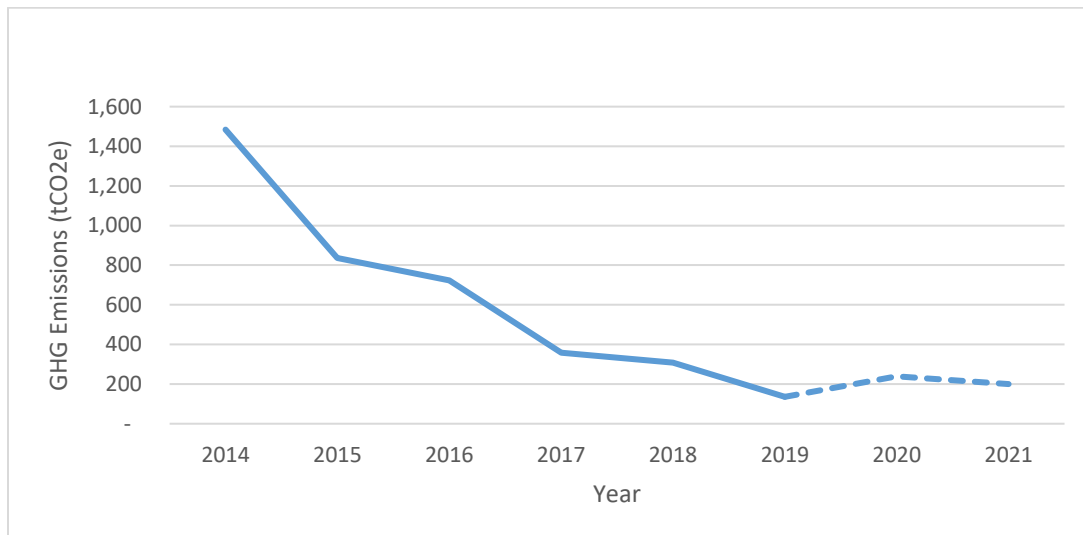
- March 30 to May 3, 2020 – suspended service,
- May 4 to September 2020 – a Sunday schedule,
- September to December 31, 2020 – a Saturday schedule on weekdays.

These reductions in service accounted for an annual reduction in Transit’s GHG emissions of approximately 39%.

Corporate Street Light and Traffic Signal Emissions

Emissions from Corporate Street lighting accounts for 0.6% of total corporate emissions. Figure 36 illustrates the reduction in emissions for City Street Lights and Traffic Signals.

Figure 36: Emissions from Street Lights and Traffic Signals 2014-2021

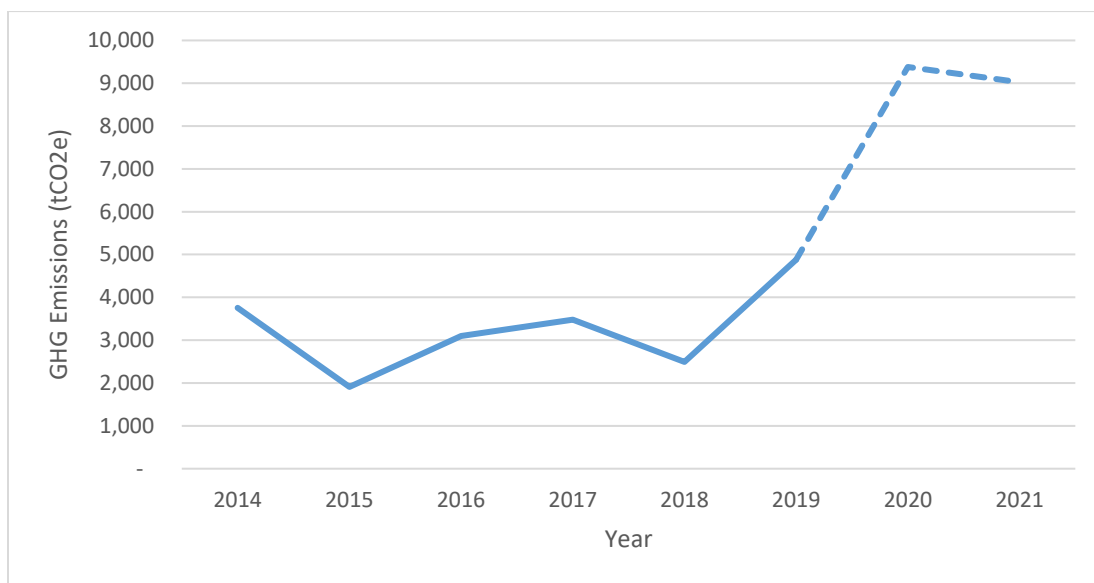


The drastic reduction in emissions from Street lighting between 2015 and 2019 is the result of converting all streetlights to LED bulbs which consume significantly less energy than incandescent bulbs which had been previously used. Currently all standard streetlights are LED. There is the opportunity for further reduction in street lighting emissions through the conversion of ornamental lighting and parks lighting to LED bulbs.

Corporate Emissions from Water and Wastewater

Emissions from Water and Waste Water account for 25.1% of total corporate emissions. These emissions are calculated using the PCP Milestone tool using natural gas, electricity as well as diesel fuel used to power back-up generators. This inventory includes the two city owned wastewater treatment facilities, the Retention Treatment Basin, the Windsor BioSolids (Pelletizer) facility, the 49 pump stations and interceptor chambers as well as Windsor Utilities Commission water treatment facility and associated pumping. Historical emissions are shown in Figure 37.

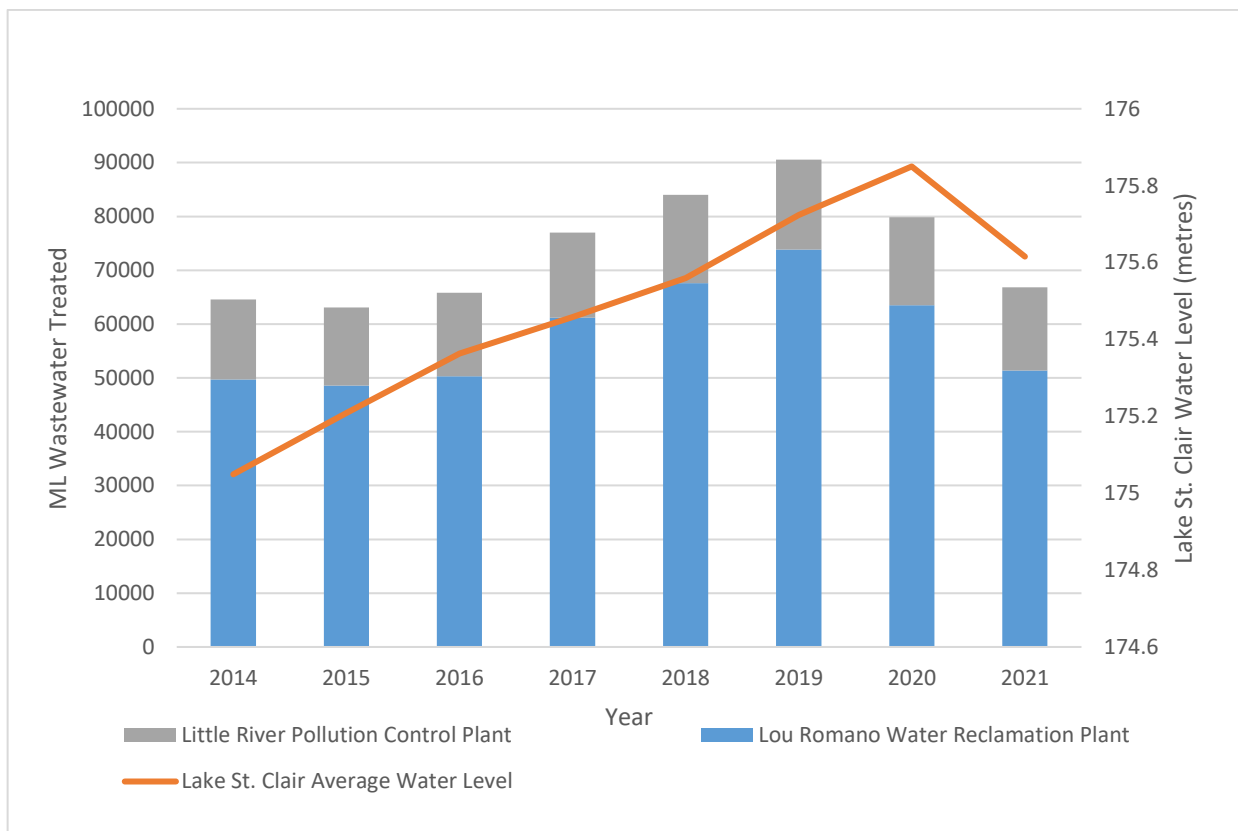
Figure 37: Emissions from Water and Wastewater 2014-2021



In 2019, The City of Windsor took over the Windsor Biosolids processing (Pelletizer) Facility. This facility processes the wastewater sludge by-product from our wastewater treatment facilities into a land-applied fertilizer. Facility operations account for 4,906 tCO₂e in 2021. The addition of this facility is a major contributor to the increase in emissions and represents 55% of total water and wastewater emissions.

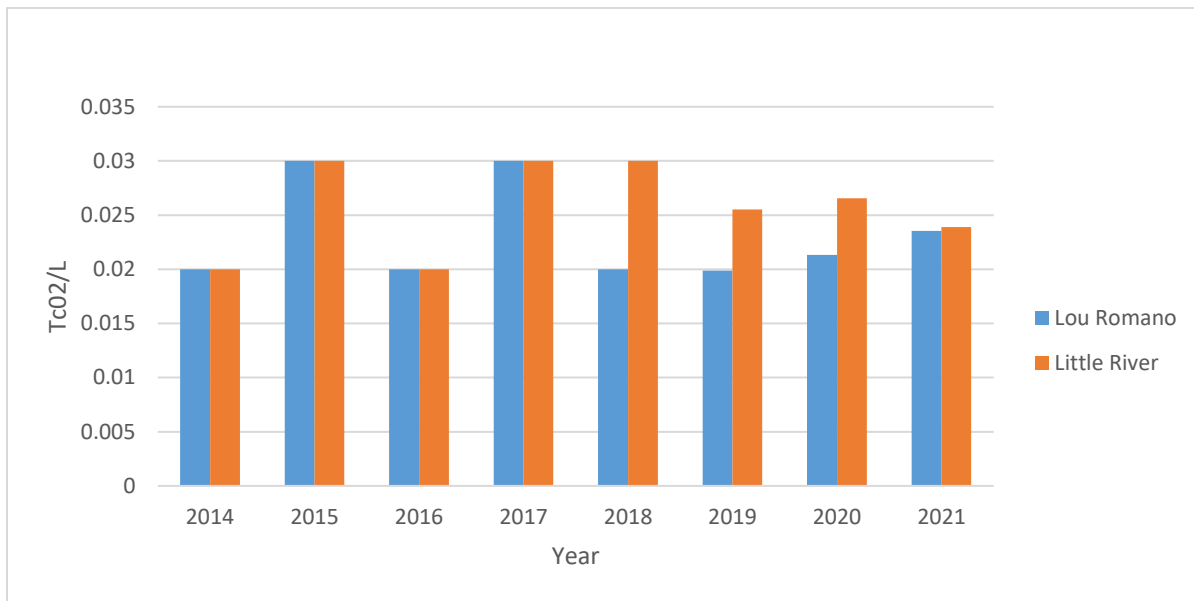
Analysis of historic emissions from wastewater facilities (excluding the Pelletizer) have indicated that emissions per litre of wastewater treatment have remained consistent at 0.02 Tonnes/Litre, so the increase is not due to a loss of efficiency within the wastewater treatment process. Emission increases have a positive correlation to the volume of wastewater treated. Historic Lake St. Clair Water levels as well as wastewater treated at the Lou Romano Water Reclamation Plant and Little River Pollution Control Plant are presented below in Figure 38.

Figure 38: Wastewater Treated



The total quantity of emissions from wastewater treatment and pumping is highly dependant on the amount of precipitation entering the sewer system. In order to normalize this data such that carbon-intensities of water treatment can be evaluated, the total emissions per year can be divided by the total amount of water treated. Figure 39 below displays the flow normalized emissions intensity of waste water treatment. As can be seen from the figure the emissions per litre of water treated has remained relatively consistent since 2014.

Figure 39: Carbon emissions intensity of treated water



In addition to precipitation volumes, a significant driver may be the high water levels recently experienced in the Lake St. Clair / Detroit River watershed as shown in Figure 38.

The trend of rising water levels since 2014 is clearly evident from the data shown. The rise in water level is consistent with the rise in treated wastewater volumes and this would suggest that there are new interactions occurring between the wastewater network and the water bodies. Under normal conditions, the storm water sewer system discharges into the river/lake at times of precipitation. Under the new high water levels, several outlets are at or below lake level and as such may experience backflow of lake water into the sewer network, which may result in increases of water being treated at the plant. This was known to have occurred at a couple locations in 2019 and mitigation measures have been put in place.

Another element to the interaction is the increase in ground water level resulting from increased lake level. Under higher ground water levels, the opportunities for increased infiltration into sump pumps, private drain connections, and sewer mains may be a contributing factor in the increased wastewater volumes.

A deeper analysis into the magnitude of backflow and infiltration as well as locations of where this may be occurring within the sewer network are beyond the scope of this inventory report. The Sewer and Coastal Flood Protection Master Plan has already identified actions to reduce the impacts of high water levels on the City's east side. In addition, the City of Windsor recently completed the West Windsor Flood Risk Assessment that identified additional areas of concern under high water levels.

Integrated Site Energy Master Plan (ISEMP)

The City of Windsor retained a consultant to conduct an Integrated Site Energy Master Plan (ISEMP) for both City owned and operated waste water treatment plants in 2020. An ISEMP is essentially a neighborhood community plan for each of these facilities. The plan not only looked at the individual equipment but also reviewed treatment plant processes to identify complimentary gains. The ISEP provided a list of actions for implementation that will move the plants towards a net zero energy (NZE) future and drastically reduce GHG emissions.

Corporate Strategy Update

Table 15 – Corporate Climate Action Plan Strategy Summary

Strategy #	Strategy Title	Lead Department	Status
P1	Create an Internal 'Energy First' Ethic	Asset Planning	<p>The updated Corporate Energy Management Plan was presented to Council in 2019. The Energy Initiatives Unit continuously promotes energy conservation and GHG reduction throughout the Corporation by implementing projects and providing assistance for the implementation of energy efficient technologies and processes.</p> <p>An updated edition of the Corporate Energy Management Plan will be prepared by the end of 2024.</p> <p>Administration is working to establish an internal framework to that will reset the roles and accountabilities of the Corporate Task Force as it relates to the implementation of strategies contained within the CEP and CCAP in support of City Council's climate change emergency declaration</p>
P2	Integrate Energy Solutions into Land Use Policies	Planning	<p>Environmental Sustainability and Climate Change (ESCC) staff is working with Planning to incorporate an Energy Strategy component into the development process to fulfil PPS 2020, Section 1.8.1: Planning authorities shall support energy conservation and efficiency, improved air quality, reduced GHG emissions, and preparing for the impacts of a changing climate through land use and development patterns.</p>
P3	Ensure Sufficient Resources to Support Implementation	ESCC	<ul style="list-style-type: none"> Temporary CEP Administrator retained with continuing 1-year contracts. A request to convert this position to a full-time regular position is forthcoming in the 2024 budget.

Strategy #	Strategy Title	Lead Department	Status
P4	Increase Staff Training, Education, and Awareness	ESCC	The ESCC office is working to re-establish previous efforts for staff training and awareness that was limited during COVID. Examples of awareness training to date include: <ul style="list-style-type: none"> • Education sessions hosted with supervisors and managers • Creation of a Green Team, this involves staff across the corporation that has an interest in promoting environmental sustainability at their worksites. • Training sessions on writing the Climate Lens section of Council reports Engaged York University to present The Energy Conscious Community: An Energy Course for Planning Professionals to regional planners
P5	Continue to Pursue Funding and Incentive Opportunities	ESCC	The City of Windsor has been successful in obtaining numerous grants to support the strategies outlined in the CEP and CCAP including: <ul style="list-style-type: none"> • FCM M Municipal Climate Innovation Program (3 grants) • FCM Community Efficiency Financing • FCM Green Municipal Fund (2) • Infrastructure Canada, Zero Emission Transit Fund • Natural Resources Canada Zero Emissions Vehicle Infrastructure Program
P6	Create a Corporate Energy Task Force	ESCC	The Corporate Task Force was established shortly after plan approval and continues to meet as required.
B1	Continue Existing Building Retrofits	Asset Planning	Underway. A new study (GHG Reduction Pathway) and the revised Energy Management Plan will assist the City on progressing toward a net-zero target.
B2	Increase Efficiency through New Building Design	ROW & Development	Energy assessments completed for full building when additions or expansions are planned.
B3	Continue to Improve Operations, Maintenance, and Monitoring	Asset Planning	Asset Planning will be undertaking a pilot project for sub-metering our 10 highest users in 2024. The project will include the monitoring of live data.
B4	Integrate Supportive Infrastructure for Existing and New Buildings	Asset Planning, Right of Way and Development	Asset Planning's Corporate Energy Team is available to support the project teams involved in building new or retrofitting Corporate facilities.
F1	Continue to Implement the Actions Prescribed in the Greening the City Fleet Manual	Fleet	Continuing to implement the Greening the City Fleet Manual. Pilot EV program completed. Six new EVs have been added in 2019 with an additional six new PHEVs in 2020. Program to install 22 charging stations for fleet use is underway.

Strategy #	Strategy Title	Lead Department	Status
F2	Review the Efficient Driver Training Program	Fleet	Need to identify further opportunities to educate drivers.
F3	Advance Anti-Idling Initiatives and Technologies	Fleet	Continue to investigate the auto start-stop and timed idle shut-down options of vehicles. GPS is installed on most corporate units which allows tracking of vehicle idling time
F4	Review Renewable Natural Gas Opportunities	Fleet	Outstanding.
F5	Explore Benchmarking Opportunities	Fleet	MBN Canada benchmarking currently underway. CAMFM benchmarking currently underway. E3 fleet review looking to get rated in the future.
T1	Advance Vehicle Replacement	Transit Windsor	Transit Windsor is working towards replacing buses to its fleet. Two grant proposals have been submitted to replace 18 and 24 buses with energy efficient buses.
T2	Join the Canadian Urban Transit Research and Innovation Consortium (CUTRIC)	Transit Windsor	Completed
T3	Explore Alternative Propulsion Vehicles	Transit Windsor	Cutric is exploring opportunities on behalf of member municipalities.
T4	Continue Efficient Driver Training	Transit Windsor	Ongoing
W1	Develop Long-Term Water Conservation and Sanitary and Stormwater Master Plans	Engineering	The Sewer Coastal Flood Protection Master Plan approved in December 2020, which includes a number of strategies to reduce inflow and infiltration into the sewer system.
W2	Implement Water and Wastewater Treatment Plant Upgrades and Retrofits	Pollution Control	LRPCP Upgrade outstanding
W3	Develop an Integrated Site Energy Plan	Pollution Control	Report was completed in 2020. Implementation has not yet commenced. Class Environmental Assessment (EA) process is underway to develop a long-term Bio-solids Management Plan for the municipal wastewater treatment plants. Public engagement is ongoing until February 2024
W4	Review Renewable Natural Gas Generation	Pollution Control	Preliminary review will be conducted under Strategy W3.
S1	Complete Street Light and Intersection Light Conversion to LED	Engineering / Traffic	Streetlights and traffic signals completed. Decorative and Parks lighting not completed.
R1	Explore Net Metering	Asset Planning	The City is implementing net-metering PV projects in 12 facilities.
R2	Continue to Invest in Rooftop Solar Photovoltaic	Asset Planning	See R1. Will continue to investigate possible PV projects in other facilities including Solar Thermal.
R3	Explore Parking Lot Solar Photovoltaic	Asset Planning	Virtual net metering is no longer permitted in Ontario. Any parking lot solar project will need to be tied into a facility.
G1	Conduct a Solid Waste Audit Program	Environmental Services	Small waste audits have been completed at a couple of arenas (WFCU, Capri Arena and Adie Knox). Placed on hold due to competing priorities. Goal to revisit in 2025.

Strategy #	Strategy Title	Lead Department	Status
G2	Establish a Corporate Waste Diversion Target and Strategy	Environmental Services	Environmental Services is working towards developing a baseline from the results in Strategy G1. Placed on hold due to competing priorities. Goal to revisit in 2025.
G3	Collaborate with Neighbouring Communities to Establish an Organics Program	Environmental Services	Dillon Consulting has been retained to identify a path forward for an organics program for the City only and a program, which includes the City, Tecumseh, LaSalle, and Amherstburg. Report was completed in 2020. Working with municipal partners in the County of Essex to develop regional organics program. A curbside food and organic waste program will begin in the City in 2025.



Committee Matters: SCM 261/2023

Subject: Minutes of the Essex-Windsor Solid Waste Authority Regular Board Meeting Minutes of its meeting held Wednesday, August 9, 2023

Moved by: Councillor Kieran McKenzie
Seconded by: Councillor Mark McKenzie

Decision Number: **ETPS 955**

THAT the Minutes of the Essex-Windsor Solid Waste Authority Regular Board Meeting held Wednesday, August 9, 2023 **BE RECEIVED** for information.

Carried.

Report Number: SCM 254/2023

Clerk's Note:

1. Please refer to Item 7.2 from the Environment, Transportation & Public Safety Standing Committee held on September 27, 2023.
2. To view the stream of this Standing Committee meeting, please refer to:
<http://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20230927/-1/9434>



Committee Matters: SCM 254/2023

Subject: Minutes of the Essex-Windsor Solid Waste Authority Regular Board Meeting held Wednesday, August 9, 2023



Essex-Windsor Solid Waste Authority Regular Board Meeting MINUTES

Meeting Date: Wednesday, August 9, 2023

Time: 4:00 PM

Location: Zoom Meeting

Attendance

Board Members:

Gary McNamara - Chair	County of Essex
Hilda MacDonald	County of Essex
Rob Shepley	County of Essex
Michael Akpata	County of Essex
Kirk Walstedt	County of Essex
Gary Kaschak – Vice Chair	City of Windsor
Jim Morrison	City of Windsor

EWSWA Staff:

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

City of Windsor Staff:

Anne Marie Albidone	Manager of Environmental Services
Tony Ardovini	Deputy Treasurer Financial Planning
Shawna Boakes	Executive Director of Operations

County of Essex Staff:

Mary Birch	Director of Council & Community Services/Clerk
Sandra Zwiers	County CAO

Absent:

Drew Dilkens	City of Windsor (Ex-Officio)
Kieran McKenzie	City of Windsor
Mark McKenzie	City of Windsor
Mark Spizzirri	Manager of Performance Management and Business Case Development
Kate Hebert	Manager Records and Accessibility/Deputy Clerk

1. Call to Order

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

The Chair asked the Executive Assistant to conduct the roll call:

Gary Kaschak - Present
Kieran McKenzie - Absent
Jim Morrison - Present
Mark McKenzie - Absent
Michael Akpata - Present
Rob Shepley - Present
Hilda MacDonald - Present
Gary McNamara - Present
Kirk Walstedt - Present

2. Declaration of Pecuniary Interest

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

3. Approval of the Minutes

Moved by Hilda MacDonald
Seconded by Gary Kaschak

THAT the minutes from the Essex-Windsor Solid Waste Authority Regular Meeting, dated July 12, 2023, be approved and adopted.

**50-2023
Carried**

4. Business Arising from the Minutes

There were no items raised for discussion.

5. Waste Disposal

A. Regional Landfill Leachate Management

The Manager of Waste Disposal referred to the report on pages 16-19 of the agenda package. The purpose of the report is to recommend the Board enter into a contract with Rochem Americas ("Rochem") for a one (1) year term for the rental of a 50,000 Gal-per-day (gpd) portable high-pressure reverse osmosis ("RO") system to treat and process leachate at the Regional Landfill ("RL").

At the July 12, 2023 Board meeting, the Board was provided an update regarding the management of leachate at the RL and was also provided copies of reports, including recommendations, prepared by Stantec and RWDI Air Inc. In addition, the Board was provided details about Rochem's RO system and estimated costs. The Board approved the recommendation to post an Advance Contract Award Notice ("ACAN").

On July 12, 2023, Administration published the ACAN for a period of 14 days so potential service providers could provide a statement of capability. No service providers provided a submission. Given that the Authority did not receive any submissions and per the Authority's Procurement Policy (EW-008), the Authority may enter into a contract with Rochem. If the Board chooses to award the contract to Rochem, the Authority will work with Rochem to establish a delivery date for the system, begin work on infrastructure upgrades and prepare the site to support the plant and pilot study.

The Manager of Waste Disposal referred to the table on page 18 of the agenda package that outlined the estimated costs that the Authority would be obligated to pay Rochem to rent the RO system and purchase specific chemicals. A one-time hydro service upgrade will be required. As discussed at the July 2023 Board meeting, the RL does not currently have the power to operate the plant and this would also be needed for any type of long-term treatment solution. Administration is also recommending a one-time contribution from the Rate Stabilization Reserve to fund this service upgrade.

The rental and operating costs will form part of the Regional Landfill Operating Program. A portion of the costs will be offset by revenue earned from the delivery of episodic waste and from savings in leachate hauling and treatment expenditures. The final cost will form part of the 2023 financial projection figure. The 2024 costs will be included in the 2024 Operating Plan and Budget.

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

Moved by Rob Shepley
Seconded by Kirk Walstedt

1. **THAT** the Board authorize the Chair and General Manager to execute a contract with Rochem Americas for a one (1) year term in the amount of \$874,320 USD for the year [\$72,860.00 USD per month] for the rental of a 50,000 Gal-per-day (gpd) (189 m³ per day) portable high-pressure Reverse Osmosis system to treat and process leachate at the Regional Landfill.
2. **THAT** the Board approve the one-time contribution from the Rate Stabilization Reserve to fund the hydro service upgrades at the Regional Landfill.

51-2023
Carried

6. Other Items

No items were raised for discussion.

7. By-Laws

A. By-Law 7-2023

Moved by Gary Kaschak

Seconded by Jim Morrison

THAT By-Law 7-2023, being a By-law to Authorize the execution of an agreement between the Essex-Windsor Solid Waste Authority and Rochem Americas for a one (1) year term in the amount of \$874,320 USD for the year [\$72,860 USD per month] for the rental of a 50,000 Gal-per-day (gpd) (189 m³ per day) portable high-pressure Reverse Osmosis system to treat and process leachate at the Regional Landfill.

52-2023
Carried

B. By-Law 8-2023

Moved by Rob Shepley

Seconded by Michael Akpata

THAT By-Law 8-2023, being a By-law to Confirm the Proceedings of the Board of the Essex-Windsor Solid Waste Authority be given three readings and be adopted this 9th day of August, 2023.

53-2023
Carried

8. Next Meeting Dates

Wednesday, September 13, 2023

Thursday, October 5, 2023

Tuesday, November 7, 2023

Tuesday, December 5, 2023

9. Adjournment

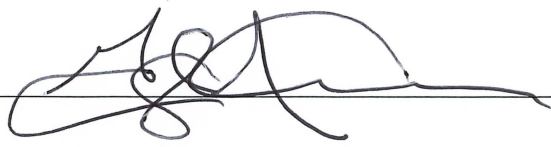
Moved by Rob Shepley

Seconded by Gary Kaschak

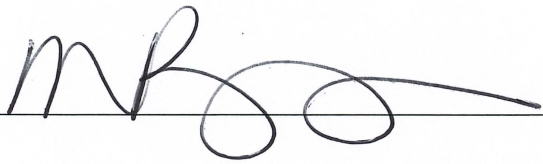
THAT the Board stand adjourned at 4:12 PM.

54-2023
Carried

All of which is respectfully submitted.



Gary McNamara
Chair



Michelle Bishop
General Manager

Item No. 8.7



Committee Matters: SCM 260/2023

Subject: Minutes of the July 12, 2023 Essex Windsor Solid Waste Authority Board meeting

Moved by: Councillor Kieran McKenzie
Seconded by: Councillor Mark McKenzie

Decision Number: **ETPS 954**

THAT the Minutes of the Essex-Windsor Solid Waste Authority Regular Board Meeting held July 12, 2023 **BE RECEIVED** for information.

Carried.

Report Number: SCM 233/2023

Clerk's Note:

1. Please refer to Item 7.1 from the Environment, Transportation & Public Safety Standing Committee held on September 27, 2023.
2. To view the stream of this Standing Committee meeting, please refer to:
<http://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20230927/-1/9434>



Committee Matters: SCM 233/2023

Subject: Minutes of the Essex-Windsor Solid Waste Authority Regular Board Meeting held July 12, 2023



Essex-Windsor Solid Waste Authority Regular Board Meeting MINUTES

Meeting Date: Wednesday, July 12, 2023
Time: 4:00 PM
Location: Council Chambers
Essex County Civic & Education Centre
360 Fairview Ave. West
Essex, Ontario

Attendance

Board Members:

Gary McNamara - Chair	County of Essex
Hilda MacDonald	County of Essex
Rob Shepley	County of Essex
Michael Akpata	County of Essex
Kirk Walstedt	County of Essex
Kieran McKenzie	City of Windsor
Jim Morrison	City of Windsor
Mark McKenzie	City of Windsor

EWSWA Staff:

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

City of Windsor Staff:

Anne Marie Albidone	Manager of Environmental Services
Shawna Boakes	Executive Director of Operations
Mark Spizzirri	Manager of Performance Management and Business Case Development

County of Essex Staff:

Mary Birch	Director of Council & Community Services/Clerk
Sandra Zwiers	County CAO
Kate Hebert	Manager Records and Accessibility/Deputy Clerk
David Sundin	County Solicitor

Absent:

Drew Dilkens	City of Windsor (Ex-Officio)
Gary Kaschak – Vice Chair	City of Windsor
Tony Ardovini	Deputy Treasurer Financial Planning

1. Call to Order

Chair McNamara called the Regular meeting to order at 4:00 PM.

2. Declaration of Pecuniary Interest

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

3. Approval of the Minutes

Moved by Kieran McKenzie
Seconded by Mark McKenzie

THAT the minutes from the Essex-Windsor Solid Waste Authority Regular Meeting, dated May 2, 2023, be approved and adopted.

**40-2023
Carried**

4. Business Arising from the Minutes

There were no items raised for discussion.

5. Correspondence

- A. County of Essex - May 24, 2023 Letter to Minister David Piccini, Ministry of Environment, Conservation and Parks Re: Waste Diversion Programs for Industrial, Commercial and Institutional (IC&I) Sector – Food and Organic Waste

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

Moved by Kirk Walstedt
Seconded by Rob Shepley

THAT the correspondence from the County of Essex dated May 24, 2023 be received as information.

**41-2023
Carried**

- B. City of Windsor Council Decision June 12, 2023

The Chair noted that Mr. Kaschak was not in attendance to speak on this decision. He asked if another member would like to speak on this item.

Mr. Kieran McKenzie asked if Administration can provide any comments on what is being proposed.

The General Manager stated that the Authority would work with the City's Administration on this request and provide any necessary support.

Mr. Kieran McKenzie asked if it would require direction from the Board to go forward.

The General Manager stated that the intention would be to work with the Technical Staff Committee (TSC).

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

Moved by Kieran McKenzie

Seconded by Rob Shepley

THAT the City of Windsor Council Decision dated June 12, 2023 be received as information.

**42-2023
Carried**

6. Delegations

- A. EXP. Presentation - Logistics and Transfer of Regional Solid Waste and Source Separated Organics: Review and Strategic Plan.

The General Manager provided a summary of the EXP engagement, timelines and scope of work. She noted that the presentation by EXP would be recorded and that Administration staff from the County municipalities may be viewing the presentation virtually.

Mr. John Smith, Mr. Mike Birett and Mr. Jean-Louis Gaudet from EXP provided a PowerPoint presentation of the conclusions and recommendations included in the final report.

Mr. Kieran McKenzie asked how the recommendations and the services are going to be implemented. He asked how other municipalities responded to the implementation of clear bag policies and Every Other Week (EOW) garbage collection. He also asked if there are other things that we should be concerned about and how to address these concerns in particular illegal dumping.

Mr. Smith stated that EOW garbage collection is a critical tool to use and has become a best practice in Ontario. Most municipalities have implemented EOW garbage collection. It is critical to have a very good promotion and education (P & E) program and to implement it early before changes in the program. In regards to dumping, some municipalities have seen a small uptake at the beginning but then levels off when the program matures but most

municipalities that he has spoken with have not seen an increase in illegal dumping. He cannot stress enough that diversion targets will not be met without the implementation of EOW garbage collection.

Mr. Birett stated that the obligation to the policy statement is to achieve waste diversion targets and this is the preferred methodology. He noted that Waterloo, which has the same demographics as Essex-Windsor, tried to stay with weekly collection but has since changed to EOW garbage collection. Generally, the concerns occur over a month and then residents get comfortable with the program. He also noted that they did not see an increase in illegal dumping in the communities that have rolled out these programs.

Mr. Birett stated that with a clear bag program, bag limits become less of a concern than the problem of inequity among residents with larger families. There are many similar communities (i.e. Peterborough) that have gone this route and he can provide further information if required.

Mr. Kieran McKenzie asked if the economics and financial portion of the report are based on the assumptions that we implement the recommendations as presented.

Mr. Smith confirmed that this is correct.

Mr. Morrison stated that the logic sounds very sensible and is comfortable with EOW garbage collection. He asked if there are statistics to show that clear bags have improved diversion rates.

Mr. Smith stated that clear bags increase the diversion of Source Separated Organics (SSO) and recycling. Typically, there is a 5% to 25% increase in diversion rates with a clear bag program. He asked Mr. Birett to provide further comments.

Mr. Birett stated that statistically, residents set out 1.8 bags of garbage in the average household and most people will not notice a difference if a two-bag limit is implemented. To really increase diversion rates, limits would have to decrease to a one-bag limit and that is why clear bags tend to be a better option due to family sizes. Diversion rates can increase 10-20% (i.e. Peterborough).

Mr. Morrison stated he is excited about the idea of clear bags. He asked if they had seen value in implementing a clear bag program before the implementation of the SSO program.

Mr. Smith stated that clear bags can be implemented before the SSO program and you would see an increase in diversion in other recycling programs.

Mr. Birett stated that you will want to take the time and educate the public. The public will have concerns about privacy and putting unmentionable items in

a clear bag. With a clear bag program, residents are allowed a privacy bag to be placed inside the clear bag.

Mr. Morrison would support moving to clear bags as soon as possible even before the implementation of the SSO program.

Mr. Kieran McKenzie understands that the collector would be charged with the task of inspecting the clear bags. He asked if there are inefficiencies in adding this task into the collection framework.

Mr. Smith stated that he had not heard of any inefficiency issues. It is easy for the collector to take a visual inspection of the bag and they get used to what they are looking for.

Mr. Kieran McKenzie commented that the recommendation is for the Board to receive the reports. He asked if Administration would be bringing forward a report to the Board with recommendations and timelines to implement these programs.

The General Manager stated that currently, the Authority does not manage any individual collection of traditional waste in the County of Essex or the City of Windsor. She noted that this is the primary reason why this information was provided to all of the local municipalities so that they are aware of what the consultant has recommended. Depending on the decision of the regionalization of waste, the Authority is using this document as a roadmap to move forward to provide financial and environmental options for the municipalities to use in their own decision-making or be brought back to the Board for their consideration.

Mr. Kieran McKenzie stated that he approves the motion.

Mr. McNamara asked what type of educational programs are there for the municipalities responsible for the pickup. He noted the Town of Tecumseh (Tecumseh) at one time had twice a week garbage collection and changed to once a week collection and they were bombarded by residents. It took a while to educate the public. He also stated that Tecumseh has a by-law that garbage has to be set out in hard sided containers due to rodents. He asked how these programs were received by the general public. He noted a change in culture is not easy to achieve. He would be interested in knowing how Peterborough, Kitchener and Waterloo handled the changes in their programs.

Mr. Birett stated that these are very legitimate questions as they have also been asked by other municipalities. There are many municipalities that had garbage collection twice a week and there will be a perception that service levels are reduced. Typical concerns are rodents. There has been an evolution in the design of containers to eliminate rodents. The key is moving all the material that smells out of the garbage. Many municipalities will have to

implement by-laws. One way to implement this is to allow residents to use their hard-shell containers but put their clear bags inside the container. Other municipalities have residents put material loose into a container. He agrees that there will be many concerns and to address these concerns through public consultation. Mr. Birett can provide a "Frequently Asked Question" sheet as many of the concerns are the same across municipalities. If public education is done correctly, residents will accept the program and the change. He noted that hiring enforcement and temporary staff in the first 3-4 months due to the increase in telephone coverage should be considered to address issues. The clear bag policy component should be initiated separately from the EOW garbage collection.

Mr. Walstedt stated that he has some of the same concerns as Chair McNamara. He asked what kind of program are we going to have to educate the public. He also asked how will this be handled and how will residents be notified.

The General Manager stated that the Authority will provide education if the regionalization of waste is implemented. If not, any changes to the collection would be handled by each municipality. The implementation of an SSO program will be done through P & E via the Authority. With the implementation of an SSO program, it is critical to start a P & E program on how the program is used and what material is collected. The most critical step is educating the community. She asked Mr. Birett to provide further comments.

Mr. Birett stated it will be a challenge and be mindful of budget implications. A sufficient budget will be required to notify and consult with the public.

The Manager of Waste Diversion stated that in 2021, the Authority implemented a no plastic bag ban and a six-month P & E campaign was conducted. One P & E example for this campaign was installing banners on the recycling trucks in order to raise awareness of the program changes. A lot of information regarding the ban was provided to residents and a budget had been formed at that time to account for these P & E costs. The Authority saw a good rate of participation. This was a big change to the program and there are now no plastic bags placed in the recycling. The collectors have also been supportive. She noted that garbage may be a little harder to implement but can definitely work towards this.

Mrs. MacDonald stated that she was on the Association of Municipalities of Ontario (AMO) Waste Task Force. She has brought this up to her colleagues and they said all other municipalities have implemented this many years ago. This is best practice and we need to move forward. She noted that it will not be easy but we have a responsibility to think about the environment and the future. We cannot always think about just the dollar value and we are not the first to implement this.

Chair McNamara agreed with Mrs. MacDonald's comments. Each municipality will have to speak to its residents. He noted that there was positive feedback from the survey regarding the green bin program.

Mrs. MacDonald stated that the younger generation support environmental changes and they look forward to this change.

7. Waste Diversion

A. EXP. – Logistics and Transfer of Regional Solid Waste and Source Separated Organics: Review and Strategic Plan

Moved by Hilda MacDonald

Seconded by Rob Shepley

THAT the Board receive this report as information;

And further that the Board received the attached report from EXP. as information.

And further that the Board received the presentation from EXP. as information.

**43-2023
Carried**

B. 2022 Residential Waste Diversion Report

The Manager of Waste Diversion stated the purpose of the report is to provide an overview of the annual Waste Diversion report. The report fulfills Condition 5.2 of the Environmental Assessment Approval for the Regional Landfill (Landfill). The report provides information on the Authority's waste diversion programs. She provided a summary of the report. The overall waste diversion rate for 2022 was 32%. This figure represents residential tonnes diverted from the Landfill.

The Chair asked if there were any questions.

Mr. Kieran McKenzie asked if the increase in the usage of the Recycle Coach app was due to new users or existing users utilizing the app more often.

The Manager of Waste Diversion stated that there has been an increase in new users but also there have been more interactions on the app due to collection changes. Municipalities are also using the app to communicate with residents by asking the Authority to send out notifications regarding garbage collection issues.

Mr. Kieran McKenzie stated the Authority may have to look at promoting the app more. He noted it was a good tool and he utilizes the app weekly.

Mr. Morrison stated that we should be able to improve the diversion rate dramatically when the SSO program begins.

Mr. Morrison asked if waste audits are still being conducted.

The Manager of Waste Diversion stated the audits are still being conducted. One more quarter of data still needs to be collected and the results of the audits will be shared with the Board.

Mr. Morrison asked when audits are done are we looking at implementing change or just looking for information.

The Manager of Waste Diversion stated they are provincial audits and the audits provide information on all programs. She noted that 100 homes are randomly selected for an audit to be conducted in all four seasons. Three of the four seasons have been completed and looking to see if habits changed. The waste is collected and brought to the Landfill to sort.

Moved by Kieran McKenzie

Seconded by Jim Morrison

THAT the Board receive the 2022 Residential Waste Diversion Report as information.

**44-2023
Carried**

C. Outreach Program Update

The Manager of Waste Diversion provided an update on the Authority outreach activities in Essex-Windsor. She noted that this year the activities will focus on food and organic waste to prepare residents for the upcoming organic and food waste curbside collection program in 2025. The activities such as Earth Day, the Gold Star program and "What Goes Where" spring campaign will provide residents with strategies to divert waste from the garbage. There were no financial implications as all the activities were included in the 2023 budget.

She asked if there were any questions.

Mr. Morrison asked about the FoodCycler pilot project.

The Manager of Waste Diversion stated that the last unit was sold today. The units were distributed over a two-week period. There were 1800 residents on a waitlist.

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

THAT the Board receive the report as information.

Moved by Rob Shepley

Seconded by Kirk Walstedt

**45-2023
Carried**

8. Waste Disposal

A. Leachate Management at the Regional Landfill

The Manager of Waste Disposal stated the purpose of the report is to provide the Board with an update regarding the management of leachate at the Landfill. In addition, Administration is requesting that the Board approve the release of an Advance Contract Award Notice (ACAN) procurement document for an on-site Reverse Osmosis (RO) system rental unit for the purpose of simultaneously performing a pilot study and improving the quantity and quality of leachate being sent to the City of Windsor (City) for treatment.

The Authority has received the final report from Stantec for Task 1 and Task 2. Task 1 was presented to the Board at the previous meeting. Task 2 was revised to include a review of an on-site leachate treatment system such as RO, Biological or other advanced treatment methods.

The Manager of Waste Disposal summarized the scope and findings of the Stantec report.

The revised scope of work included the review of standalone leachate treatment alternatives to identify potential preferred options for treating leachate at the Landfill and a recommendation on a preferred alternative treatment.

The Stantec report also included a technical and financial analysis of on-site pre-treatment options which included the construction cost, operating and maintenance costs and a 20-Year Life Cycle Cost (LCC).

Stantec identified two treatment options, a Membrane Bioreactor (MBR) or Biological treatment option discharging to surface water or a RO treatment option discharging to surface water.

The Manager of Waste Disposal stated that it was important to note that an additional study will be required to confirm the site-specific suitability of any process, whether RO or Biological. This would include things like; Class EA planning, Assimilative Capacity Study (ACS) to confirm effluent limits, pilot testing to confirm treatment performance, additional engineering to better define scope and costs, and assist in obtaining regulatory approval from the Ministry of the Environment, Conservation and Parks (MECP). Regardless of the chosen treatment method, the report states that any onsite solution could take three (3) years to construct and to obtain the necessary approvals which may coincide with the current leachate trucking contract end date.

As discussed in Stantec's report, a surface water discharge from any leachate treatment process will require some additional treatment to provide quality assurances, and to accomplish a pilot study or studies are recommended.

The Manager of Waste Disposal discussed the proposed pilot study included in the report and explained it would include operating a process for an extended period, approximately one (1) year, to assess performance and this will also improve the MECP approval process by being able to engage them in the process. The current problem is securing equipment to implement the pilot study which is dependent upon equipment availability and scheduling. He further discussed the availability of both plants.

Currently, only a RO plant is available.

An MBR Biological plant would not be available for approximately 28-32 weeks. The MBR plant would not provide relief of current volume issues. The treatment capacity of an MBR pilot plant would only be in the range of 10m³ per day providing virtually no capacity for processing leachate to assist with current leachate volumes in the Landfill.

Rochem has submitted a proposal to the Authority to provide for the rental of a 50,000 Gal-per-day (gpd) (189 m³ per day) plant to conduct a full-scale pilot study. This would also include operating the RO process for approximately one (1) year to assess the performance and hopefully improve the MECP approval process. This containerized RO system will provide capacity for processing approximately four (4) additional truckloads per day of leachate at the Landfill on a 24-hour cycle. Currently, this plant is available for immediate deployment.

The RO system has also demonstrated that it has the capability to address contaminants of concern that are expected to become regulated by the MECP in the coming years, including perfluorooctane sulfonate (PFOS), and polyfluoroalkyl substances (PFAS), also termed "forever chemicals". The biological treatment options are not equipped to remove these chemicals from the leachate stream.

The Authority acknowledges that timelines outlined in the Stantec report do not provide the Landfill or the City of Windsor's Lou Romano Water Reclamation Plant (LRWRP) with any short-term relief and the Authority cannot continue to hold excess amounts of leachate on site. The Manager of Waste Disposal described additional work being done to determine additional corrective measures that could be implemented at the landfill to improve leachate quality in order to truck more leachate.

The recommendation by RWDI is a short-term, pre-treatment of leachate by means of RO. This pre-treatment will allow the leachate quality to meet the requirements for the LRWRP and for the Authority to significantly reduce current leachate levels.

Administration has met with the TSC to discuss the current status of leachate at the Landfill, the recommendations provided in the Stantec and RWDI reports and discussed that a long-term solution that examines the operational, financial and environmental needs of the Authority should be pursued. The TSC also acknowledges that an immediate and short-term solution or pilot is required that supports operations at both the Landfill and the LRWRP that will eventually provide a long-term solution.

While the Stantec report identifies an MBR system as being more cost-effective, this is a similar system at the LRWRP. Leachate concentrations currently being delivered to the LRWRP are resulting in operational issues as previously noted to the Board and the TSC has noted concerns regarding a similar Biological system being constructed at the Landfill. The Manager of Waste Disposal discussed the potential challenges of operating an MBR system.

The outcome of the Rochem on-site bench scale demonstration study and the results of the analytical testing data demonstrated the effectiveness of RO in processing leachate at the Landfill. The availability of a RO system not only provides an opportunity to further demonstrate the effectiveness of RO on a large-scale operation, but it will also provide some immediate relief by processing approximately four (4) additional truckloads per day of leachate at the Landfill. However, the RO system will not provide any financial relief as it relates to the hauling and treatment costs due to the inability at this time to discharge the treated leachate to surface water until permitting is approved, but this would be the case with any system. Scheduling for procurement and delivery of the service is of critical importance due to the high demand for this equipment and its limited availability in the marketplace.

Administration recommendation is that the initial pilot study be completed using RO as a short/long-term approach to the management of leachate at the Landfill. Administration will also continue to further explore a pilot study on an MBR system for comparison, which could be completed simultaneously.

The Manager of Waste Disposal described the procurement process and noted that the financial implications were outlined on page 45 of the agenda package. He asked if there were any questions.

Mr. Kieran McKenzie commented that the process to look at alternatives to treat leachate has moved very quickly. He questioned about the capacity if we move forward with the RO pilot process. He asked what we would do with the excess if we are currently producing six (6) trucks and begin to process four (4) additional trucks.

The Manager of Waste Disposal stated that in November 2022, the Authority was sending 12-13 trucks of leachate per day. The reason we were hauling that much leachate is that we were trying to draw down ponds to ascertain the condition of these ponds and try to make room for potential rain. When the

City of Windsor had issues with treatment, we stopped hauling. Currently, we are restricted to LRWRP. He noted we seem to be losing ground. RO is an expensive process but has its advantages.

Mr. Kieran McKenzie asked if the RO positions us better due to regulations.

The Manager of Waste Disposal stated that this is correct. One of the selling points of the RO system is its ability to filter out the forever chemicals such as PFAS and PFOS.

Mr. Kieran McKenzie asked what is the timeline to implement the system.

The Manager of Waste Disposal stated that Rochem has committed to holding a plant for the Authority. It could be available September to October timeframe.

Mr. Akpata stated that he watched the presentation regarding PFOS. He asked what does it mean for us and our response to the environment when these chemicals are going to be filtered out.

The Manager of Waste Disposal stated that the news article uses a different process. Similar to RO, when you treat leachate you get clean water and concentrate, the portion that is filtered out. For this system, the concentrate (approximately 20%) would go back to the waste stream or used as dust control. Additional filters would have to be incorporated into a RO plant if we were to purchase. With the bench scale testing, we could run through the filters one time and allow us to send more leachate to the treatment plants.

Mr. Morrison stated the timing of this is very important. He and others went on a tour of the LRWRP plant and realizes the urgency of this issue. He asked if the MBR pilot would be held concurrently.

The Manager of Waste Disposal stated that the MBR is something that the Authority can pursue. Administration will continue to work to determine the cost of the pilot.

Mr. Morrison referred to the report regarding greenhouse vines and potential funding.

The General Manager stated that vines are 95% water and they don't take up much space but are problematic because they create leachate. For 2023, the Authority was able to mitigate the cost because of savings in other areas. In 2024, the TSC will be charged with looking at the costs and develop a plan to fund this ongoing issue.

The Chair asked if there were further questions.

Chair McNamara asked if discussions have started with Hydro One.

The Manager of Waste Disposal stated that he has already engaged in discussions with Hydro One.

Due to this being a pilot, Chair McNamara asked if there is a more permanent solution.

The Manager of Waste Disposal stated that a permanent solution would likely require two (2), 75,000 gallon per day units. This would build in redundancy if one goes down.

Moved by Kieran McKenzie
Seconded by Rob Shepley

THAT the Board receive this report as information.

THAT the Board receive three (3) attachments as information.

THAT the Board approve the release of an Advance Contract Award Notice (ACAN) to be published to provide notice to any potential proponents with available RO equipment and leachate processing experience an opportunity to submit a written statement of capabilities that clearly demonstrates how they meet the requirements of the ACAN.

**46-2023
Carried**

9. Finance & Administration

A. 2023-2024 EWSWA Insurance

The Manager of Finance and Administration provided an update on the Authority's comprehensive insurance program for the period of July 1, 2023 to June 30, 2024. He noted that all the policies and deductibles have remained consistent from prior year with premiums increasing by approximately 7% year over year. The portion of the renewal for 2023 resulted in a favourable variance of approximately \$500.

Moved by Kirk Walstedt
Seconded by Rob Shepley

THAT the Board receive this report as information.

**47-2023
Carried**

10. Other Items

No other items were raised for discussion.

11. By-Laws

A. By-Law 6-2023

Moved by Rob Shepley

Seconded by Hilda MacDonald

THAT By-Law 6-2023, being a By-law to Confirm the Proceedings of the Board of the Essex-Windsor Solid Waste Authority be given three readings and be adopted this 12th day of July, 2023.

**48-2023
Carried**

12. Next Meeting Dates

Tuesday, August 1, 2023 (Cancelled) – New date to be determined

Wednesday, September 13, 2023

Thursday, October 5, 2023

Tuesday, November 7, 2023

Tuesday, December 5, 2023

13. Adjournment

Moved by Mark McKenzie

Seconded by Rob Shepley

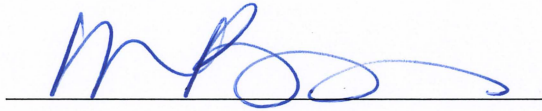
THAT the Board stand adjourned at 6:05PM.

**49-2023
Carried**

All of which is respectfully submitted.



Gary McNamara
Chair



Michelle Bishop
General Manager



Committee Matters: SCM 237/2023

Subject: Update of Round 2 of the Arts, Culture and Heritage Fund 2023 – City Wide

Moved by: Councillor Jo-Anne Gignac
Seconded by: Councillor Mark McKenzie

Decision Number: **CSSC 204**

That the report from the Supervisor, Community Programming – Cultural Affairs dated August 21, 2023 entitled, “Update on Round 2 of funding of the Arts, Culture and Heritage Fund (ACHF) 2023” **BE RECEIVED.**
Carried.

Report Number: S 103/2023
Clerk’s File: AF/14372 & SR2023

Clerk’s Note:

1. The recommendation of the Community Services Standing Committee and Administration are the same.
2. Please refer to Item 8.2 from the Community Services Standing Committee held on September 6, 2023.
3. To view the stream of this Standing Committee meeting, please refer to:
<http://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20230906/-1/9431>

**Subject: Update of Round 2 of the Arts, Culture and Heritage Fund 2023
– City Wide**

Reference:

Date to Council: September 6, 2023
Author: Christopher Lawrence Menard
Supervisor, Community Programming – Cultural Affairs
cmenard@citywindsor.ca
519-253-2300 x2752

Recreation and Culture
Report Date: August 21, 2023
Clerk's File #: AF/14372 & SR2023

To: Mayor and Members of City Council

Recommendation:

THAT the report from the Supervisor, Community Programming – Cultural Affairs regarding the update on Round 2 of funding of the Arts, Culture and Heritage Fund (ACHF) in 2023 **BE RECEIVED**.

Executive Summary:

N/A

Background:

A report came forward to the Social Development Health and Culture Standing Committee on April 8, 2015 that received Council support to re-allocate existing Cultural Affairs budget dollars in order to maintain the funding envelope at \$87,200. Adopted by Council at its meeting held May 4, 2015 [M174-2015] the resolution stated: ***THAT the report from the Manager of Cultural Affairs outlining the proposed funding of the Arts Culture and Heritage Fund (ACHF) Grant to a total of \$87,200 BE APPROVED.***

Carried.

The 2022 Operating Budget approved by Council on December 13, 2021 included a recommendation that received Council support to increase funding for the Arts, Culture & Heritage Fund (ACHF) by \$30,800 to a total of \$118,000 annually, which represents a 35% increase in funding to the program. The recommendation indicated this increase would, "provide additional support for the growth of the creative community in Windsor."

The ACHF provides an opportunity for creatives to experiment and excel, develop new skills, and broaden community arts engagement. The creative initiatives involve multiple artists. Program investments have a direct impact on the creative sector, and ripple effects on our creative economy, making arts, culture and heritage key ingredients to economic growth and diversification. This request is consistent within the Council approved Municipal Cultural Master Plan”.

Carried.

Council approved the ACHF grant program as part of the 2023 budget process.

To date, since the program launch in 2014, the ACHF program has awarded \$891,000 in grant funding to 412 individual arts, culture and heritage projects in Windsor.

The Guidelines for the Arts, Culture and Heritage Fund outlined the process for selecting the jurors as follows: *“All applications will be assessed by a jury, working with the Culture staff. The jury will be comprised of a diverse selection of five (5) people that are arts, culture or heritage professionals. Some have direct experience working with arts, culture or heritage organizations or as individual creators. Others have municipal backgrounds with arts, culture and heritage experience. The ACHF will select jurors who:*

- Have a broad spectrum of knowledge and experience of the creative community;*
- Have knowledge of the arts, culture and heritage needs of the City of Windsor;*
- Will provide fair and objective opinions;*
- Can articulate their opinions and work in a group decision-making environment*

These jurors diligently completed the evaluation process on all of the applications submitted to the current funding round.

Discussion:

The Application form for the Arts, Culture and Heritage Fund was posted on the City of Windsor’s website, and the targeted webpage (achfwindsor.ca) with the grant opening July 3, 2023 and closing July 21, 2023. All standard program promotion took place utilizing social media, E-Blasts, and sharing by cultural organizations including social media pages for the City of Windsor, Museum Windsor, and Mayor Drew Dilkens, as well as partner websites and social media pages including Arts Council Windsor & Region, Windsor-Essex Theatre Community, and Windsor Endowment for the Arts. A virtual public information session took place July 5, 2023 with City administration providing details of the program guidelines, eligibility criteria, application, and adjudication process. As with each previous funding round, all applicants completed consultations by phone or email with a member of the Culture & Events team to confirm applicant and project eligibility in advance of submission, and to receive support through the process. The ACHF application is electronic, with both an online application form and an online process for adjudication.

The jury continues to appreciate the online process as it permits them access to the applicants' support materials by allowing them to click embedded links to artist information, reference letters, organizational documents, websites, videos, sound files and image files, and work samples. Jurors using this system for adjudication, and applicants using this system to apply remain satisfied with the overall functionality of the system.

Each juror received a specific and unique login to allow them access to the online applications. Administration was able to monitor the jury's progress through the evaluation process, and answer questions as needed. The jury convened on August 16, 2023 to discuss the key objectives and priorities of the fund and to adjudicate the applications as a group to arrive at final funding decisions.

There was a long and fulsome conversation amongst the jurors to determine the final decision. At the close of the application round, Administration received fifty-six applications – forty-four from individuals, and twelve from organizations – totalling about \$230,000 in requested funding. If the opportunity to fund all of the requests were available, the total value of the projects would exceed approximately \$495,000, demonstrating how grant funding leverages additional spending on, and increases spin-off investment in culture within the community. There is \$59,000 available for distribution in the second round of the ACHF in 2023.

The 2023 ACHF Jury consisted of:

- Madelyn Della Valle – returning juror; Museum Windsor Curator, heritage, literature, administrator, programmer, educator, community board member, connected to/works with local heritage, French and Italian communities.
- Moya McAlister – returning juror; arts education, community arts, media arts, theatre/performing arts, cultural activist, arts administrator, arts board member, programmer, educator, community board member, works with Black Indigenous and People of Colour artists.
- Stephanie Barnhard – President of the Windsor Endowment for the Arts (WEA), community arts administrator, programmer, community board member.
- Spencer Montcalm – Owner at Montcalm Fine Art Conservation, Conservator and Preparator at Art Windsor-Essex (AWE), Tutor for Indigenous students (WECDSB), art conservator, arts educator, arts business owner, curator, arts volunteer.
- Trevor Pittman – Concert Producer / Operations Manager / Clarinet Instructor with University of Windsor School of Creative Arts, musician, arts educator, arts producer, arts programmer.

Of their collective experience working as part of the ACHF Jury for both rounds of funding for 2023, the members' comments included:

“As an ACHF juror, I was astounded by the breadth of arts and cultural programming our city’s creatives are planning to deliver in the next year. It was an honour to review and adjudicate each of the 50+ applications per round because it will help bring many of these projects to fruition. The ACHF grant program is an essential resource in our community because it funds opportunities for all of Windsor’s residents to connect and understand each other on a deeper level as only art, culture and heritage can do.”

“This was a great experience. It is inspiring to see so many people striving to make Windsor more diverse, more exciting, more interesting and a better place to live and work.”

“Participating as an ACHF juror was rewarding in so many ways. What a treat to review top quality creative projects from Windsorites. I was thoroughly impressed by the originality, professionalism, and drive to better our communities. I just wish that we could fund more of them.”

“Arts, culture and heritage help to provide meaning, beauty, a connection between the past and present, and inspiration in a community. It’s been a true privilege participating in the jury for the ACHF and witnessing the enormous well of creativity that is present in Windsor. This program is without a doubt needed, and appreciated.”

The jury was pleased to be able to award grant funding to twenty-four projects – twelve grants to individuals, and twelve grants to organizations in this funding round. Of the applicants in this round, twenty-seven were first-time applicants to the program, and eight of those applicants were selected for funding. The jury selected a strong mix of projects across genres including the visual arts, the performing arts, film, music, literary arts and storytelling, and some important projects supporting diversity, inclusivity, heritage and the celebration of humanity in our community.

Table 1 below provides a detailed listing of successful applicants along with a description of the project they submitted for funding. Upon completion of their projects, applicants are required to submit to the Culture & Events office, a final report outlining the impact of the project, both financially and within the creative community of Windsor. All final reports require the recipients to quantify the results of their project (the number of visitors, CDs sold, attendance, engagements, etc.). The final report also includes the final budget for the project confirming revenues, earned copies of promotional materials and the criteria they used to measure the success of their project in meeting their goals and how they believe the project affected life of our community.

Additionally, as identified in earlier reports to Council, all of the projects selected are required to identify the City of Windsor as a funder to the project, through the display of the City logo with the accompanying words “Supported by the City of Windsor’s Arts, Culture & Heritage Fund (ACHF) achfwindsor.ca” on all project materials. As requested by members of City Council with previous reports, the successful applicants are featured on our website under “ACHF Success Stories.”

ACHF recipients are also invited to display or showcase their finished projects, where appropriate, at specific city events such as culture meetings, the City birthday celebration, and potentially the Mayor’s Arts Awards (an event held in partnership with

the Windsor Endowment for the Arts once every two years). Information about the projects is also shared in a City News Release, Culture E-Blasts, on social media, and through program update reports to Council.

Table 1: ACHF 2023 Round 2 - Grant Funding Recipients

NAME	PROJECT	DESCRIPTION	ASK	AWARDED	VARIANCE
Essex County Black Historical Research Society	Mary Ann Shadd Cary Bicentennial Celebration	Funding for short film post-production, closed-captioning, translation, display, graphics, and artist fees.	\$5,000	\$5,000	\$0
Nuha Elalem	The Salam Project	Funding for production costs, artist fees, music, etc. for a film.	\$5,000	\$4,000	\$1,000
MusicFest Windsor	MusicFest Windsor 2023-2024	Funding for audio engineering, printing programs, photography, adjudication, etc. for a music festival.	\$5,000	\$4,000	\$1,000
Jeff Denomme	Haunted Zoo Children's Book	Funding for artist fees, videography, marketing production of a book.	\$5,000	\$3,750	\$1,250
Jennifer Willett	FEMeeting at Night	Funding for artist fees for an event of art and performance as part of a workshop conference.	\$5,000	\$3,000	\$2,000
Windsor Dance eXperience	A Christmas Carol	Funding for set design and construction, props and costumes for a dance production.	\$3,000	\$3,000	\$0
Ken Amlin	Feature film production	Funding for artist fees, casting, pre-production costs on a feature film.	\$5,000	\$3,000	\$2,000
Karl Jirgens	Sandwich Town: A History	Funding for artist fees, production, design, promotion of a new history and art book.	\$4,000	\$2,600	\$1,400
Jill Moysiuk	Mom's Night Out with Mom Said Duck	Funding for venue, tech costs and artist fees for a LIVE comedy show.	\$5,000	\$2,575	\$2,425

NAME	PROJECT	DESCRIPTION	ASK	AWARDED	VARIANCE
Madeline Doornaert	Soul City and 4 th Wall Music Concert	Funding for artist fees, arrangement, recording, etc. for a concert featuring local artists.	\$5,000	\$2,500	\$2,500
Gujarati Samaj of Windsor	Mile Sur Mera Tumhara (Unison of tunes)	Funding for production, promotion, design and hosting of a cultural celebration of art, music, food, etc.	\$5,000	\$2,500	\$2,500
Bhutanese Canadian Association of Windsor	Promoting Nepali Arts, Culture & Heritage in Windsor	Funding for artists, dancers, production, design and hosting of a series of cultural celebrations of art, music, dance, food, etc.	\$5,000	\$2,500	\$2,500
Windsor Choral Festival	Windsor Choral Festival	Funding for artist fees, clinician, music scores, for a music festival.	\$4,921	\$2,500	\$2,421
Windsor Feminist Theatre	The Yellow Wallpaper	Funding for artist fees and designers for a book adaptation and staging of a new play.	\$5,000	\$2,500	\$2,500
Sarah Smitherman	Flowering Plants of Ojibway and Surrounding Areas	Funding for artist fees, writing, installation and venue for a book celebrating art, nature and the environment.	\$3,435	\$2,445	\$990
Barry T. Brodie	Reframed	Funding for artist fees for a performing arts event that combines visual, literary and performing arts.	\$5,000	\$2,400	\$2,600
Luc Michaud	Windsor en Francais	Funding for recording, engineering, mixing, duplication, artwork and promotion of an EP of French music.	\$5,000	\$2,000	\$3,000
4 th Wall Music	Concert Series 2023-2024	Funding for artist fees for five community concerts celebrating choral music.	\$2,000	\$2,000	\$0
The Riverfront Theatre Company	ASL Interpretation 20 th Season	Funding for ASL interpreters for two theatre productions.	\$1,680	\$1,680	\$0

NAME	PROJECT	DESCRIPTION	ASK	AWARDED	VARIANCE
CJAM 99.1 FM	CJAM 40 th Anniversary Event	Funding for artist fees for the 40 th anniversary celebration event.	\$5,000	\$1,500	\$3,500
Revolution Youth Theatre	RYT 2023-2024 Season	Funding for artist fees in support of productions.	\$5,000	\$1,000	\$4,000
Stephen Drouin	Community Economics	Funding for artist fees and materials for an arts community workshop series.	\$3,466.35	\$1,000	\$2,466.35
The Greater Windsor Concert Band	GWCB Family Concert Series	Funding for venue rental for annual family concerts.	\$800	\$800	\$0
Anthony Cardillo	Noise Nite 4, Open Noise Showcase	Funding for artist fees, venue and promotion of an audio/sound arts experience.	\$750	\$750	\$0
TOTALS			\$99,052.35	\$59,000	\$40,052.35

Risk Analysis:

The Municipal Cultural Master Plan originally recommended that an arm's-length commission be established that was a decision-making volunteer body independent of Council consisting of City residents who are familiar with cultural disciplines and cultural organizations in the City. The Task Force that convened to guide this project to fruition expect there to be a transparent application process in order to have the applications adjudicated without prejudice. The Task Force supported a jury process that consisted of members of the community applying or being nominated, and being selected for the knowledge and experience that they share with the community.

Climate Change Risks

Climate Change Mitigation:

N/A

Climate Change Adaptation:

N/A

Financial Matters:

As part of the 2022 Budget approval, Council approved through Culture, an annual operating budget of \$118,000 to distribute two rounds of funding of \$59,000. No changes to this operating budget were considered in the 2023 Budget submission. Individual grants awarded through this program are for a maximum of \$5,000 per grant.

Consultations:

N/A

Conclusion:

The City of Windsor continues to make significant contributions to the cultural fabric of the community. Council has recognized the importance of investing in arts, culture and heritage in many ways including through establishment of the Public Art Fund, expansion of the Arts, Culture & Heritage Fund (ACHF) grant program, and through ownership, programming and maintenance of key facilities like the Capitol Theatre, Willistead Manor, Mackenzie Hall, and the facility that houses Museum Windsor’s Chimczuk Museum and the Art Windsor-Essex (AWE) gallery. Such significant and ongoing investments in the facilities that support creative work and creators in the community are not often considered when we analyze overall investment in arts, culture and heritage by the municipality. Often, only the ACHF program is measured as a tangible investment.

The ACHF grant funding program continues to grow the arts, culture and heritage sector by providing small and impactful amounts of funding to help make culture happen now. The purpose of this fund – *Investing in the soul of our City by providing financial assistance to locally developed arts, culture and heritage projects that provide exciting, surprising, and meaningful opportunities to strengthen our creative community* – will continue to have an immediate impact on the creative community.

Planning Act Matters:

N/A

Approvals:

Name	Title
Christopher Menard	Supervisor, Community Programming – Cultural Affairs
Tracy Ou	Financial Planning Administrator, Recreation & Culture
Jen Knights	Executive Director, Recreation & Culture

Name	Title
Ray Mensour	Commissioner, Community Services
Tony Ardovini	On behalf of Commissioner, Corporate Services/Chief Financial Officer & City Treasurer
Joe Mancina	Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:

- 1 Appendix A - ACHF Guidelines Updated 2023



Arts, Culture & Heritage Fund (ACHF)
Investing in the Soul of our City

PROGRAM GUIDELINES

Culture Office Department
of Recreation & Culture
City of Windsor

Mailing: 2450 McDougall St. Windsor, ON. N8X 3N6
Physical: Gatehouse at Willistead Park. 1899 Niagara St. Windsor, ON. N8Y 1K3 P:
519-253-2300 □ E: culturalaffairs@citywindsor.ca □ W: citywindsor.ca

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BACKGROUND INFORMATION

Mission for Culture in Windsor

Acting as a catalyst and facilitator, the Culture section will ensure the provision of a range of affordable and accessible opportunities for engagement in cultural activities, services, and facilities to residents while at the same time building up a base of unique cultural attributes and activities for visitors, residents, investors, and businesses.

We work in the arts, culture and heritage sectors... the *creative community*. Culture is alive and thriving in our City, winding its way through every aspect of our daily lives, shaping who we are and what is amazing about our community.

The Community Strategic Plan

The City's **Community Strategic Plan** calls for a focus on cultural growth. It urges:

- *Capitalizing on our strengths* to promote tourism and hospitality, making the most of our advantages as a key Canadian gateway;
- *Reaching out to the world* to showcase Windsor as an outstanding place to live, work and visit;
- *Celebrating diversity* by recognizing our rich diverse culture and heritage;
- *Honouring heritage* by preserving structures that tell the story of our past;
- *Valuing art* by promoting and supporting the arts and local artists, and ensuring that our citizens have many opportunities to experience a wide variety of expression and performance.

The Municipal Cultural Master Plan (MCMP)

The City of Windsor's **Municipal Cultural Master Plan**, approved by City Council in May 2010 is a detailed report that maps out sixteen recommendations intended to serve as a goal-centred approach to facilitating the growth of culture in our community.

MCMP – Recommendation # 7 – Arm's Length Cultural Funding

It is understood that our creative community cannot act alone. It is recommended that an **arm's length cultural funding commission for cultural organizations be established**. This commission would be appointed to allocate funds from an amount set annually to qualifying cultural organizations according to set criteria. Jurors would be City of Windsor residents that have an understanding of cultural disciplines and organizations. Working with the City of Windsor's Cultural Affairs Office, they would facilitate a transparent and accessible application and funding process that would be accountable to Council, the City's creative community, and the City of Windsor as a whole. **In all cases, the funding decisions of this body would be final, and would not be subject to an appeal.**

GENERAL INFORMATION

These guidelines are intended to help in preparing an application for funding under the **Arts, Culture & Heritage Fund (ACHF)**. Applicants are advised to read this document in its entirety prior to completing/submitting an application.

In order to be considered, applicants must consult with Culture staff prior to submitting a project for funding and before the application deadline. Consultation means a conversation, by e-mail or phone, in which the applicant provides detailed information on their proposed project. **This consultation does not mean a project will be recommended for funding.**

We anticipate receiving more applications than any given funding round can support.

The ACHF online application can be found at www.achfwindsor.ca, and will be available *only during application intake phases*. The application must be completed and submitted – with all required supporting materials – and received no later than 3:00 pm on the application deadline date for each round. **Late applications will not be accepted or assessed.**

Applications must be completed and submitted online. **Hard copies or e-mailed / faxed applications will not be accepted.**

Applicants may submit one application per funding round per fiscal year, for a maximum of two applications to the program per year.

The Culture section encourages applicants to submit projects that will be completed within six (6) months to one (1) year of receipt of funds. As such, **all Final Post-Project Reports must be submitted two (2) weeks after completion of the project.**

The ACHF cannot guarantee funding to all applicants, nor can it ensure that the total amount requested by successful applicants will be granted. The recommendation to fund a part of an applicant's request will depend on its fit with the program priorities, assessment criteria and the overall demand for funds available in the program. The Culture section will officially announce the results by letter or e-mail.

Applications for funding are subject to the *Freedom of Information and Protection of Privacy Act*.

The City, at its expense, reserves the right to audit any submitted financial statements or Project approved for City grants, and upon reasonable request to do so, the grant recipient shall make available at its premises all related books and records to the City of Windsor or its agents.

ABOUT THE FUND

MISSION OF THE ARTS, CULTURE & HERITAGE FUND: The City of Windsor's Arts, Culture & Heritage Fund (ACHF) invests in the soul of our City by providing financial assistance to locally-developed arts, culture and heritage projects that provide exciting, surprising and meaningful opportunities to strengthen our creative community.

PROGRAM OBJECTIVES

The ACHF provides funding to support Windsor's priority to build a strong and stable creative community that contributes to a prosperous creative economy and to making Windsor an attractive and affordable place to live. The primary objectives of the program are to make strategic investments that:

- Promote innovation and support new, dynamic efforts in the creative community;
- Develop unique cultural resources to enhance the health and vitality of our communities and the quality of life for our people;
- Encourage participants in the creative community to stay and continue to create and work in the City of Windsor;
- Make arts, culture and heritage central to the lives of all our people;
- Increase public awareness and access to the arts, culture and heritage sectors;
- Celebrate diversity by recognizing our rich creative community;
- Value creativity by promoting and supporting arts, culture and heritage.

KEY PRIORITIES OF THE ARTS, CULTURE & HERITAGE FUND

The ACHF provides financial support to help strengthen and develop Windsor's creative community to achieve economic and creative growth in the City. Preference is given to projects that benefit one or more cultural sectors, and which develop new alliances and creative, innovative approaches. Projects **must address one or more** of the following key priorities:

- Increase Windsor's attractiveness, affordability, and quality of life;
- Support the development of new audiences;
- Increase the supply of skilled cultural workers;
- Nurture creativity and imagination through arts, culture and heritage projects;
- Encourage the inclusion of diverse cultural groups;
- Increase public access to the creative community.

IMPORTANT DEFINITIONS

PROJECT

A special initiative which may be one-time, and may involve:

- New/unconventional collaboration between/across genres, disciplines or sectors;
- Creation of new work;
- Emphasis on new or emerging media, techniques, technologies and practices.

ART

Broadly conceived to include all genres within the following disciplines, with activities and expression which explore, interpret, create and celebrate:

- Performance (music, dance, theatre, spoken word, improvisation);
- Visual (two/three dimensional, performance, fine or artisanal craft, site specific or temporary installation);
- Literary (poetry, prose, storytelling);
- Media/New Media (film, video, still photography);
- Design (graphic and technological).

CULTURE & HERITAGE

Broadly conceived to include both tangible and intangible characteristics of the following elements, with activities and expression which explore, interpret and celebrate:

- Human diversity including First Nations, ethnicity, different abilities and orientations, gender and age;
- Human and natural history;
- Ecology and environment (as themes for artistic practice or historical interpretation);
- Heritage buildings, sites (including neighbourhoods, gardens, views), collections, archives, documentation, interpretation;
- Storytelling, narratives, traditions and values, artisanal methods.

ELIGIBLE ORGANIZATIONS

To be eligible for consideration, the applicant must be either an arts, culture or heritage organization that meets **all** of the following criteria:

- Be Windsor-based;
- Not receive concurrent funding from the City of Windsor;
- Be not-for-profit, incorporated as a not-for-profit, or a registered charity;
- Primarily produce and display work, and conduct regular operations in Windsor;
- Have arts, culture or heritage as the main focus;
- Be in 'good-standing' for at least one year at the time of the application;
- Demonstrate fiscal responsibility;
- Be directed by recognized professionals and / or managed by experienced volunteers.

ELIGIBLE INDIVIDUALS

To be eligible for consideration, the applicant must:

- Be a Windsor resident;
- Primarily produce and display work outside of an organizational framework;
- Be engaged in their arts, culture or heritage activity in the City of Windsor;
- Be a recognized professional (have completed formal/informal training).

ELIGIBLE PROJECTS

Eligible Projects under the ACHF program may include, but are not limited to:

- Providing opportunities for organizations to engage youth and new creators;
- Arts, culture and heritage tourism initiatives that result in new product development, increased market-readiness and new business opportunities;
- Outreach projects which identify ways to strengthen organizational capacity to reach new markets, regions, cultural minorities and untapped future audiences.

Eligible Projects must:

- Not receive concurrent funding from the City of Windsor for this initiative;
- Be accessible to everyone;
- Be publicized citywide;
- Offer a unique cultural experience;
- Have a separate budget from the organization's annual operating budget;
- Demonstrate support (financial or in-kind) beyond what is provided by the fund.

■ INELIGIBLE PROJECTS & EXPENDITURE ■

Ineligible projects and expenditures for the ACHF include the following:

- Initiatives which receive concurrent financial or in-kind support from City sources;
- Using ACHF funds to provide financial support (re-grant) to other organizations;
- Ongoing operating or administration expenses;
- Feasibility studies;
- Decor, food, or beverage costs;
- Costs relating to fundraising activities or events;
- Retroactive funding for events which have already occurred;
- Construction, renovation, major purchases (capital, property, etc.);
- Deficit reduction;
- Development of proposals for provincial/federal/municipal/private sector grants;
- Marketing and promotional expenditures that are not related to the project;
- Contingency or unexplained miscellaneous costs;
- Supporting activities which are politically partisan or primarily focused on sports, commercial activity (tradeshow, conferences), religion, healthcare, social service, and/or seek to attract a special interest audience;
- Any other expenditure that does not relate to the realization of the project.

Please Note:

- Depending on fulfillment of all criteria, including financial need, recipients of ACHF Project Grants may re-apply for funding of the same initiative in each of two consecutive years, but after three consecutive years of funding are no longer eligible to apply for support of the same initiative. This ensures that the group of organizations and initiatives benefiting from these grants is refreshed on an ongoing basis.
- **Funding is not automatically renewed every year.**

■ MAXIMUM FUNDING ■

Applicants are asked to apply for a reasonable amount of money to complete their proposed projects.

Project funding under the ACHF program will not exceed \$5,000 per funding round. Project funding not covered by the ACHF program must be provided by the applicant or through other project revenues.

The ACHF cannot guarantee funding to all applicants, nor can it ensure that the total amount requested by successful applicants will be granted. The recommendation to fund all or part of an applicant's request will depend on its fit with ACHF priorities, assessment criteria and the overall demand for funds in the program.

APPLICATION PROCESS

In addition to providing important information for the assessment of the grant application, both the financial and statistical parts of the application provide the City of Windsor's Culture section with valuable information enabling them to effectively advocate on behalf of the local creative community on an ongoing basis. Prior to completing the ACHF application, all potential applicants must consult with Cultural Affairs staff (see information on page 4 of these guidelines).

APPLICATION FORMS

The online application form is available on the City's website as of midnight on the date the application round opens. The link remains active until the funding round closes. There are separate requirements for Individuals applying and Organizations applying. All requirements are clearly laid out in the Checklist that is part of the online application.

Please use the Submission Checklist provided at the start of your application form (and page 10 of these guidelines) to ensure a complete submission before you click submit.

WHAT TO INCLUDE

Everything you need is requested on the ACHF online application. Please ensure that your application is complete, signed (name typed), accurate and legible. When you have completed your application, attached your supporting materials, and clicked submit, you will receive an email confirmation that your application has been successfully submitted. This email will include a copy of your application itself. Please retain that for your records. We will not notify you if your application is incomplete, or if supporting materials are missing. Please take the time to ensure you have completed all sections and attached all supporting materials.

HOW TO SUBMIT

It is the applicant's responsibility to complete and submit their application on time. The online application is available online for the duration of the funding round. Once the submission deadline passes, the link will be unavailable. Applications that are late, incomplete, have arrived in hard copy form, or have been faxed or sent through email will not be accepted or assessed. The online link is the *only* acceptable submission.

Supporting Materials

It is not mandatory to submit supporting materials, aside from those clearly requested; however, they can enhance your application and provide unique insight to the Jury.

APPLICATION CHECKLIST

All required fields in the online application must be completed. You will be asked to include:

Project Grants – For Organizations

- Completed Application
- Financial statement attachment
- Project budget attachment
- List of Board of Directors attachment
-include names, positions, contact
- List of Management/Admin.
-attachment includes names, positions
- Copy of Incorporation/Charitable
Status Certificate attachment
- Supporting Materials (links, photos, documents)

Project Grants – For Individuals

- Complete Application
- Copies of 3 reference letters attachment
- Copy of curriculum vitae attachment
- Project budget attachment
- Supporting Materials attachment

Please do not forget to answer all question fields on the application completely.

Note on Budgets and Artist Fees: The City of Windsor encourages all applicants to ensure standard artist fees are provided to all artists participating in a project. Please refer to [CARFAC](#), the [Canadian Federation of Musicians](#), etc. to determine standard rates for artists. The City adheres to these fee schedules for all City-led events and initiatives, and encourages artists participating in ACHF to do the same.

Supporting Materials can include: web links, manuscripts; slides; audio and video clips; news stories/articles/clippings; audience testimonials; photographs (maximum of three).

Supporting materials should be in the form of PDFs, JPEGs, Word documents, etc.

The personal information collected on the application is collected under the authority of the *Municipal Act, Section 10*. This personal information may be used for the purpose of processing the application form and may become part of the public agenda at a City Council meeting or Committee Meeting. Questions about this collection may be directed to the Manager of Culture & Events, (519) 253-2300 extension 2726, or by mail to: Freedom of Information Coordinator - Office of the City Clerk
Room 530 – 350 City Hall Square West
Windsor, Ontario, N9A 6S1, Canada

APPLICATION ASSESSMENT PROCEDURE

All applicants must consult with Culture staff prior to submitting a project for funding under the ACHF program before the application deadline; **otherwise they will not be considered for funding.**

All applications will be assessed by a jury, working with the Culture staff. The jury will be comprised of a diverse selection of five (5) people that are arts, culture or heritage professionals. Some have direct experience working with arts, culture and heritage organizations or as individual creators. Others have municipal backgrounds with arts, culture and heritage experience. The ACHF will select jurors who:

- Have a broad spectrum of knowledge and experience of the creative community;
- Have knowledge of the arts, culture and heritage needs of the City of Windsor;
- Will provide fair and objective opinions;
- Can articulate their opinions and work in a group decision-making environment.

With the exception of two (2) members carried over from the previous year, a new jury will be convened every year unless it is not possible to do so.

SELECTION OF JURY

Community members are encouraged to apply to be a juror for the panel. Application Forms will be posted on the City website, www.citywindsor.ca. Please submit a hard copy or scanned copy to the attention of the Culture office, Recreation & Culture, The City of Windsor, 2450 McDougall St. Windsor, ON. N8X 3N6; culturalaffairs@citywindsor.ca. Applications for jurors will be accepted up to a specified date/time. If you submit an application after that date, it will be added to the applications for the following year, as this is an ongoing process. Juror applications will be evaluated by a panel of City staff with representation from Recreation, Culture, Finance, and Planning.

ROLE OF JURORS

Prior to the meeting to assess applications, jurors are required to become familiar with the program, its assessment criteria, and the City's strategic goals. Jurors are required to read all applications, make notes about each, and grade them accordingly. At a group decision-making meeting, all jurors will review the supporting materials together and discuss the applications. Using their knowledge and expertise, they will identify funding priorities, score applications, decide on successful applications, and inform City staff.

CONFIDENTIALITY

Jurors must keep application contents and assessment discussions confidential, and must not disclose that they have been selected as jurors. Names of jurors will be released with the grant results at the end of each program year.

CONFLICT OF INTEREST

The City of Windsor is particularly concerned with potential conflicts of interest.

There are two dimensions of conflict of interest – direct and indirect. There are also two kinds of direct conflict of interest – financial and private.

DIRECT CONFLICT OF INTEREST

A juror is in direct conflict of interest with a particular application if he or she, or a member of the juror's immediate family (spouse or equivalent, son or daughter, parent, sibling or members of the immediate household), has a financial interest in the success or failure of the application. Staff or board members of an organization, or members of their immediate families, would also be considered in direct conflict.

A juror is in direct conflict of interest with a particular application if he or she has a private interest in the success or failure of the application. Staff or board members of an organization, or member of their immediate family (spouse or equivalent, son or daughter, parent, sibling or member of the immediate household), would be in direct conflict. A private interest also includes affiliations or activities that compromise or unduly influence decision making.

INDIRECT CONFLICT OF INTEREST

Any reason that makes it difficult for a juror to evaluate an application objectively may create an indirect conflict of interest.

MANAGING CONFLICT OF INTEREST

The City will not choose jurors who are in direct conflict of interest with any of the applications being assessed.

If a direct conflict of interest becomes apparent, the City will ask the juror to stand down from the Jury panel.

All jurors are asked to sign forms to identify conflicts of interest as a further means of documenting the integrity of the process.

THE ROLE OF CITY STAFF

At the jury panel meeting, City staff from the Cultural Affairs Office will answer questions and assist jurors with clarification of information on the groups being judged. Their role is to remain objective and facilitate decisions based on the jurors' impartiality.

JUDGING APPLICATIONS

ASSESSMENT CRITERIA FOR APPLICATIONS

The following criteria recognize that all applications are examined in the context of the strategic goals and objectives set by the City of Windsor's City Council each year, as well as the ACHF program budget and the number of applications per program round.

Assessment Criteria for ACHF Project Grants will be based on:

- Relevance of the Project;
- Contribution and Impact of the Project;
- Results and Measurements;
- Financial Feasibility of the Project;
- Organizational Capacity.

The jury evaluates organizations applying for grants using the following criteria in the context of each organization's stated mandate, the scale of its operations and the aesthetic or cultural environments in which it works.

RELEVANCE OF THE PROJECT

- The project strongly supports the vision of the City of Windsor, and is closely aligned with at least one of the ACHF program's key priorities.
- There is a demonstrated need for the project.

CONTRIBUTION AND IMPACT OF THE PROJECT

Applicants should present a commitment to the advancement of their discipline and to increasing public appreciation and education of the creative community of the City of Windsor. To contribute to the creative community, the organization has:

- Programming and activities that encourage public appreciation and participation;
- Programming that promotes the opportunity for cultural tourism;
- A role in the broader creative community in terms of public awareness;
- Connections with organizations in the broader community.

RESULTS & MEASUREMENTS

- Project timelines are realistic;
- Project activities are relevant to the project as a whole;
- The evaluation strategy is realistic, well-developed and addresses all outcomes, outputs and measures;
- The project's value for investment is clearly demonstrated.

JUDGING APPLICATIONS cont.

FINANCIAL FEASIBILITY OF THE PROJECT

- Project is well within the financial resources of the applicant;
- Project budget is entirely appropriate and cost-efficient;
- Appropriate human resources and materials are allocated to support the project;
- Applicant demonstrates financial stability.

ORGANIZATIONAL CAPACITY

The Organization serving as lead applicant for the project funding:

- Demonstrates sufficient resources to successfully carry out the project;
- Is managed with a clearly defined governance structure, administration and policies;
- Implements its mandate through ongoing activities and services;
- Has and seeks audiences for its work;
- Knows and can describe its audiences;
- Has marketing plans and systems to communicate with, sustain and build audiences;
- Works to develop an audience that reflects Windsor's demographics, has systems and activities which complement programming to deepen, broaden and diversify its audiences and their involvement in the organization's work;
- Has balanced sources of earned, private and government revenues with plans that generate earned, private, and government revenues

FINAL JURY FUNDING DECISIONS

DECISION-MAKING PROCESS

Jurors review each application in terms of the five (5) assessment categories: Relevance of the Project, Contribution and Impact of the Project, Results and Measurements, Financial Feasibility of the Project, and Organizational Capacity. Each of the five categories has equal weight in the assessment.

Jurors rate each of the five (5) assessment categories on a five (5) point scale:

- Excellent;
- Very good;
- Good;
- Fair;
- Poor.

An application must reach a standard of “good” in all assessment categories in order to receive funding.

FUNDING DECISIONS

Applicants will receive an email from Culture staff advising on the application result / funding decision approximately one (1) month after the deadline. Alternatively, they may receive a Grant Notification letter in the mail. Applicants should not call or e-mail for this information.

If you have been awarded a conditional grant, the grant cheque will be issued when the conditions have been fulfilled. The grant notification letter will describe any conditions associated with a grant. It is the responsibility of an organization receiving a conditional grant to share this information with its board of directors or governing body.

After grant notification, and upon request, the Culture office will provide organizations with a verbal summary of jurors’ comments and information about the context in which the grant decision was made **if available**. **The ACHF Jury is not required to provide feedback on every application; feedback may not be available.**

All decisions of the jury are final and cannot be appealed.

The City, at its expense, reserves the right to audit any submitted financial statements or Project approved for City grants, and upon reasonable request to do so, the grant recipient shall make available at its premises all related books and records to the City of Windsor or its agents. Grant funding is intended to support the project set forth in the grant application and is not intended to cover living costs.

FUNDING CONDITIONS & EXPECTATIONS

Funding Conditions

- **All decisions of the jury are final; not subject to a review or appeal;**
- Failure to submit reports (interim or final) will affect future requests for funding;
- Funding recipients must publicly acknowledge support by use of the City of Windsor logo on all forms of communication related to the project;
- Funding is provided on a single / one-time only project basis;
- Funding will not be given to for-profit organizations;
- Funding will not exceed the actual cash expenditure for the project;
- Additional funding for a project may be secured from other levels of government. In cases where funding from other Ontario government sources is included, this funding must be for a component of the project that is separate and distinct from the portion to be supported by the ACHF.

REPORTING

Successful applicants will provide a Final Post-Project Report within two (2) weeks of the completion of the Project. This report must be submitted to the City of Windsor's Culture Office. The form can be downloaded at the City's website, www.citywindsor.ca, (specifically www.achfwindsor.ca). Receipt of these reports is a pre-condition for consideration of an organization's future grant applications in any category and will be part of the jury resources in future grant application reviews.

If a project is incomplete, it is the responsibility of the grant recipient to contact the Culture Office to discuss the project status. Even in the case of an incomplete project, a Final Post-Project Report will still be required. There are no exceptions to this.

A grant recipient seeking to make significant changes to its initiatives as outlined in an application must consult with Culture staff prior to implementation. If the changes result in the cancellation or a significant delay in the completion of the initiative, the applicant will, after consultation with staff, be required to return to the City all Project Grant funds paid for that year.



Committee Matters: SCM 253/2023

Subject: Economic Revitalization Community Improvement Plan (CIP) application submitted by JBM Capital Inc. for 4611 Walker Road (Ward 9)

Moved by: Councillor Fred Francis

Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 556**

- I. THAT the request made by JBM Capital Inc. to participate in the Business Development Grant Program **BE APPROVED** for the property located at 4611 Walker Road for up to 10 years or until 100% of the eligible costs are repaid pursuant to the City of Windsor Economic Revitalization Community Improvement Plan;
- II. THAT Administration **BE DIRECTED** to prepare an agreement between the City, JBM Capital Inc., and/or persons or companies that have legally been assigned the right to receive grant payments, to implement the Business Development Grant Program in accordance with all applicable policies, requirements, and provisions contained within the Economic Revitalization Community Improvement Plan to the satisfaction of the City Planner for content, the Commissioner of Legal Services as to legal form, and the CFO/City Treasurer as to financial implications;
- III. THAT the CAO and City Clerk **BE AUTHORIZED** to sign the Business Development Grant Agreement; and,
- IV. THAT the approval to participate in the Business Development Grant Program **EXPIRE** if the grant agreement is not signed by applicant and owner within one year following Council approval. The City Planner may extend the deadline for up to one year upon request from the applicant.

Carried.

Report Number: S 111/2023

Clerk's File: SPL/14646

Clerk's Note:

1. The recommendation of the Development & Heritage Standing Committee and Administration are the same.
2. Please refer to Item 11.5 from the Community Services Standing Committee held on September 11, 2023.
3. To view the stream of this Standing Committee meeting, please refer to:
<http://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20230911/-1/9432>

**Subject: Economic Revitalization Community Improvement Plan (CIP)
application submitted by JBM Capital Inc. for 4611 Walker Road (Ward 9)**

Reference:

Date to Council: September 11, 2023
Author: Tracy Tang, MCIP, RPP
Planner II - Revitalization & Policy Initiatives
ttang@citywindsor.ca
519-255-6543 x 6449

Greg Atkinson, Manager of Development
gatkinson@citywindsor.ca
519-255-6543 x 6582
Planning & Building Services
Report Date: August 22, 2023
Clerk's File #: SPL/14646

To: Mayor and Members of City Council

Recommendation:

- I. THAT the request made by JBM Capital Inc. to participate in the Business Development Grant Program **BE APPROVED** for the property located at 4611 Walker Road for up to 10 years or until 100% of the eligible costs are repaid pursuant to the City of Windsor Economic Revitalization Community Improvement Plan;
- II. THAT Administration **BE DIRECTED** to prepare an agreement between the City, JBM Capital Inc., and/or persons or companies that have legally been assigned the right to receive grant payments, to implement the Business Development Grant Program in accordance with all applicable policies, requirements, and provisions contained within the Economic Revitalization Community Improvement Plan to the satisfaction of the City Planner for content, the Commissioner of Legal Services as to legal form, and the CFO/City Treasurer as to financial implications;
- III. THAT the CAO and City Clerk **BE AUTHORIZED** to sign the Business Development Grant Agreement; and,
- IV. THAT the approval to participate in the Business Development Grant Program **EXPIRE** if the grant agreement is not signed by applicant and owner within one year following Council approval. The City Planner may extend the deadline for up to one

year upon request from the applicant.

Executive Summary: N/A

Background:

City Council approved the Economic Revitalization Community Improvement Plan (CIP) at its January 31, 2011 meeting via CR 50/2011. The adopting By-law 30-2011 was passed by Council at its February 14, 2011 meeting.

The Economic Revitalization CIP provides financial incentives to encourage new investment in targeted economic sectors for the purposes of diversifying the local economy and creating/retaining jobs. The CIP allows the City to take a variety of measures to further the objectives of the Economic Revitalization CIP that would otherwise be prohibited by Ontario's *Municipal Act*. This includes the acquisition and preparation of land; construction, repair, rehabilitation or improvement of buildings; the sale, lease or disposal of land and buildings; and the provision of grants to owners or tenants of land—all of which must conform with the objectives and policies contained within the CIP.

To date, City Council has approved a number of applications made under the CIP representing a range of targeted economic sectors including manufacturing, research and development, creative industries, logistics, health & life sciences, and tourism.

JBM Capital Inc. has applied for financial incentives under the Business Development Grant Program for the property located at 4611 Walker Road (see Location Map). JBM Capital Inc. also owns and operates the adjacent properties located at 3051, 4001 Legacy Park Drive (The Brick and PetSmart plaza) and 4511 Walker Road & 3090 Legacy Park Drive (Staples plaza).

The property is 4.04 hectares (9.98 acres) in size, designated 'Mixed Use Centre' in the City's Official Plan and zoned Commercial District 3.6 (CD 3.6), which permits a range of commercial uses. On the subject property is currently a vacant two storey 6,500 m² (69,965 ft²) movie theatre building that was operated by Cineplex as a Silver City theatre for over 25 years. The tenant closed the Silver City theatre two years ago due to COVID-19. The building has remained vacant since.

Discussion:

Business Development Grant Program

The Business Development Grant Program is intended to provide financial incentive to stimulate new investment in targeted economic sectors for the purposes of expanding and diversifying Windsor's economy. The Business Development Grant Program will also apply to projects that demonstrate a major investment resulting in a significant positive impact on the local economy and workforce. The Business Development Grant Program is aimed at attracting new businesses to the city through the development or redevelopment of buildings and properties.

Successful applicants are eligible to receive an annual grant for up to 100% of the municipal property tax increase created by an investment in development or redevelopment of a building or property—provided it conforms with the Economic Revitalization CIP. The annual grants may continue, at Council’s discretion, for up to 10 years or until up to 100% of the eligible investment costs are repaid.

Proposed Redevelopment

The applicant proposes to renovate and redevelop the entire existing vacant building and attract another theatre tenant to occupy the majority of the building, at 46,059 square feet. The applicant also plans to potentially convert two of the existing theatre rooms to accommodate retail and/or office uses, which are not the subject of this application. The grant calculations are pro-rated based on the gross floor area which the eligible use is proposed to occupy, and thus for this application, only the area of the building proposed for the theatre use would be included in the grant calculations. Should the applicant be interested in applying for grants in the future for the office portion of the redevelopment, it would require a separate application. Retail space is not an eligible sector under the CIP.

Eligible Sector

The proposed theatre use of the portion of 4611 Walker Road falls under the eligible Creative Industries sector, which is defined as:

Creative Industries – Performing Arts Facilities

A building, room, or outdoor structure for the presentation of plays, music, films, or other dramatic performances before a live audience. Also includes companies primarily engaged in organizing, promoting, and/or managing live performing arts productions and similar events held in facilities that they own, manage and/or operate. This does not include bars, taverns, nightclubs, or drinking places primarily engaged in preparing and serving alcoholic beverages for immediate consumption.

Employment

According to the CIP application, the proposed tenant will hire over 30 full-time employees. The cinema renovations and redevelopment is expected to generate investment and employment interest for other restaurants and retailers in the surrounding commercial centre area.

CIP Objectives

The proposed redevelopment of the commercial theatre building located at 4611 Walker Road and recommended Business Development Grant supports the following CIP objectives:

- Encourage investment that results in the productive use of lands and/or buildings for the purposes of establishing or maintaining a business enterprise, or the

expansion of existing businesses to realize more effective use of the land's potential;

- Encourage capital investments that create new and/or maintain existing permanent jobs, as well as short-term construction jobs that contribute to the reduction of the unemployment rate;
- Provide financial incentive programs that are attractive to potential investors and corporate decision-makers, but are balanced with expectations of City taxpayers and the City's ability to fund the financial incentive programs; and
- Support investment and development that results in an increase in property assessment and grows the non-residential municipal tax base over the long-term.

Risk Analysis:

There is little risk associated with the approval of the CIP application. Staff resources are required for the upfront administration of the grant program and finalization of the legal agreement. Limited staff resources related to on-going monitoring of the eligible employment uses and issuance of annual grants will also be required over the next ten years. Should Council refuse the CIP request, there is a risk that JBM Capital Inc. may not proceed with the proposed redevelopment project and the building will remain vacant or may be demolished.

Climate Change Risks

Climate Change Mitigation:

The proposed redevelopment of the existing commercial theatre building implements Environmental Master Plan Objective C1: Encourage in-fill and higher density in existing built areas.

Climate Change Adaptation:

The proposed redevelopment of the existing commercial theatre building may be affected by climate change, in particular with respect to extreme precipitation and an increase in days above 30 degrees. While not the subject of this report, any new construction would be required to meet the current provisions of the Building Code, which would be implemented through the building permit process. The site would also be required to incorporate storm water management best practices. Any site plan control application will be reviewed for opportunities to enhance resiliency.

Financial Matters:

Business Development Grant Program

The tax increment portion of the Business Development Grant is not calculated or paid out until all eligible work is completed and the property is reassessed by MPAC. Reassessment of the property must result in an increase in assessment value. The grant amount is recalculated annually based on the actual assessed property value, tax

class, and municipal tax rate.

Summary of Potential Financial Incentives

The applicant proposes to spend a total of \$6,500,000 on the project. The current assessment value for the property as a result of its current state and condition was reduced to \$2,510,000 by way of the assessment appeal process through MPAC. The annual property taxes are \$112,406 with the municipal share being \$89,460.

City staff anticipate the post-development assessment value of the 46,059 square foot theatre space to be approximately \$8,000,000. The construction of the new theatre space is estimated to increase the total taxes to \$358,266 — a difference of \$245,860. The municipal tax levy for the property including the new theatre space would be \$287,866 — an increase of \$198,406, the annual tax grant amount. This would result in a total grant value of \$1,984,060 over the lifespan of the 10-year grant program and would offset approximately 30.5% of the eligible investment proposed by JBM Capital Inc.

Because the Business Development Grant Program does not cancel taxes, the applicant must pay the full amount of property taxes annually and will subsequently receive a grant for the difference between the pre and post-development municipal taxes. The City will retain the amount of pre-development (base) municipal taxes throughout the lifespan of the grant program, however will be foregoing any incremental property taxes which could otherwise be used to offset future budget pressures.

Consultations:

The Economic Revitalization CIP was subject to extensive stakeholder and public consultation as part of the approval process, including two public open houses, a statutory public meeting of Council and circulation among internal City staff and the Province.

Planning staff have consulted with the applicant prior to accepting the application for the Business Development Grant Program. Staff from the Planning, Finance, and Legal departments were consulted in the preparation of this report.

Conclusion:

Administration recommends that Council approve the request made by JBM Capital Inc. to participate in the Business Development Grant Program. Specifically, that the municipal portion of the tax increment resulting from the proposed redevelopment located at 4611 Walker Road be provided as an annual grant for up to 10 years or until 100% of the eligible costs are repaid pursuant to the City of Windsor Economic Revitalization CIP.

It is also recommended that approval to participate in the CIP expire if the grant agreement is not signed within one year following Council approval. The planned redevelopment conforms with the Economic Revitalization CIP and assists the City in

the achievement of a number of the CIP objectives.

Planning Act Matters: N/A

Approvals:

Name	Title
Josie Gualtieri	Financial Planning Administrator
Neil Robertson	Acting City Planner / Executive Director, Planning & Development Services
Wira Vendrasco	Deputy City Solicitor, Legal Services & Real Estate
Janice Guthrie	Commissioner, Corporate Services Chief Financial Officer / City Treasurer
Jelena Payne	Commissioner, Economic Development & Innovation
Joe Mancina	Chief Administration Officer

Notifications:

Name	Address	Email
Joseph Mikhail, JBM Capital Inc.		

Appendices:

- 1 Appendix A - Location Map
- 2 Appendix B - Application Overview



LOCATION MAP : 4611 WALKER ROAD



SUBJECT PROPERTY



JBM Capital Inc.

Commercial • Residential • Industrial
Developers
100 Ouellette Ave., Suite 700 (519) 944-2929
Windsor, Ontario N9A 5N8 Fax (519) 948-8482
Email jbm@cogeco.net Website: www.mikhailholdings.com

Request for CIP consideration for Silver City Theatre

Overview:

The movie and entertainment business has gone through extreme turmoil during COVID, and has never recovered. Theatres have lost financially and have closed many theatres throughout North America.

Silver City on Walker Road has now been closed for over Two Years with no sign of revitalizing it without extreme assistance from many parties.

There is but two operators in Canada. Windsor with a population growing towards 300K has but one theatre to support our growing economy.

We are working to bring a potential theatre company to Windsor. They are the only group in North America that will open a theatre. If the potential theatre company does not take this site, we will have no choice but to demolish the entire site. Once down, the city will absolutely be guaranteed that they will never ever have a second theatre due to the extreme cost to build a theatre. The fact is that the returns will never make it economical for a developer to invest in such.

Landlord Incentive offered:

Due to the financial hardship and movie theatre risk, the only way Windsor can secure theatre company is to offer them an expensive incentive. JBM Capital has offered cash incentive to help in rebuilding the theatre, as well as offering a period of free rent. The cost is

realistically not financially prudent and we would be much better off to simply take down the property and reduce the property taxes to vacant land. This would be the right financial decision to make, however, it would be the wrong one for the city and its need to have a second venue for entertainment.

Why Save the theatre:

Let us not forget what Walker Road looked like before Silver City was built. The theatre introduced Costco to the area, which led to a majority of huge boxes to follow. Its draw created a reason for Walker Road to become the dominant retail sector in the city, which then allowed residential growth to multiple.

What is the Risk if the theatre does not open:

We are currently in discussions with a major retailer in this space who have indicated that if the theatre is not open, they will move their store outside of Windsor. With the relocation of this space, all restaurants in this area will also move or be forced to close. Other big box in the area will likely look at following this move towards Tecumseh. It would not be difficult to see the city's tax base on Walker would diminish considerably.

What would be the cost to the city to apply CIP:

We would respectfully say nothing ... Without the incentive, the theatre would not open and the tax base remains the same if not less, if we are forced to take the building down. If CIP is offered, as taxes are calculated on rental income, and income would be zero Then the tax increase would still remain the same. If CIP is not offered, and the theatre does not open ... the city will lose over 200,000 sq. ft. of taxable retailers that will move outside the Windsor tax boundary.

How will a theater company invest in this site:

This theatre company has committed to making this the first-class theatre that can compete with any venue in Canada. Luxury seating occupying a 1 for 3 ratio will make movie going much more attractive. They will hire more than 30 full time employees, along with spin off

employment towards other restaurants and retailers relying on their traffic.

Conclusion:

This has been an extremely difficult task for us. The closure of the theatre has led to considerable financial strain on us along with other retailers relying on them. Its closure has further created increased vandalism in the area and created safety issues for many.

To get a theatre company to look here, we have had to negotiate with 5 major retailers in the area, and all had to be on side and all had to sign on to stay if we secure this tenant. Some required financial incentives and some required reduced rent ... but we believe we have an agreement subject to CIP.

I am old enough to remember the city with Five theatres when our population was under 200,000 ... and now we have one. Windsor deserves better ... I have put my personal financial gains aside in order to ensure this theatre opens ... and respectfully ask the city to review this request in light of its impact on all other business in the area.

Thank you

Joe



Committee Matters: SCM 252/2023

Subject: Brownfield Redevelopment Community Improvement Plan (CIP) application submitted by Windsor Essex Community Housing Corp. for 3321-3493 Bloomfield Road (Ward 2)

Moved by: Councillor Angelo Marignani
Seconded by: Councillor Fred Francis

Decision Number: **DHSC 555**

- I. THAT the request made by Windsor Essex Community Housing Corp. to participate in the Environmental Site Assessment Grant Program **BE APPROVED** for the completion of a proposed Phase II Environmental Site Assessment Study for the property located at 3321-3493 Bloomfield Road pursuant to the City of Windsor Brownfield Redevelopment Community Improvement Plan;
- II. THAT the City Treasurer **BE AUTHORIZED** to issue payment up to a maximum of \$8,313 based upon the completion and submission of a Phase II Environmental Site Assessment Study completed in a form acceptable to the City Planner and City Solicitor;
- III. THAT the grant funds in the amount of \$8,313 under the Environmental Site Assessment Grant Program **BE TRANSFERRED** from the CIP Reserve Fund 226 to Brownfield Strategy Remediation (project 7069003) when the eligible work is completed to the satisfaction of the City Planner;
- IV. THAT should the proposed Phase II Environmental Site Assessment Study not be completed within two (2) years of Council approval or if the full cost of the Study is reimbursed by any other grant program, the approval **BE RESCINDED** and the funds be uncommitted and made available for other applications.
Carried.

Report Number: S 110/2023
Clerk's File: Z/14644

Clerk's Note:

1. The recommendation of the Development & Heritage Standing Committee and Administration are the same.
2. Please refer to Item 11.4 from the Community Services Standing Committee held on September 11, 2023.
3. To view the stream of this Standing Committee meeting, please refer to:
<http://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20230911/-1/9432>

Subject: Brownfield Redevelopment Community Improvement Plan (CIP) application submitted by Windsor Essex Community Housing

Reference:

Date to Council: September 11, 2023
Author: Tracy Tang, MCIP, RPP
Planner II - Revitalization & Policy Initiatives
ttang@citywindsor.ca
519-255-6543 x 6449

Greg Atkinson, Manager of Development
gatkinson@citywindsor.ca
519-255-6543 x 6582
Planning & Building Services
Report Date: August 22, 2023
Clerk's File #: Z/14644

To: Mayor and Members of City Council

Recommendation:

- I. THAT the request made by Windsor Essex Community Housing Corp. to participate in the Environmental Site Assessment Grant Program **BE APPROVED** for the completion of a proposed Phase II Environmental Site Assessment Study for the property located at 3321-3493 Bloomfield Road pursuant to the City of Windsor Brownfield Redevelopment Community Improvement Plan;
- II. THAT the City Treasurer **BE AUTHORIZED** to issue payment up to a maximum of \$8,313 based upon the completion and submission of a Phase II Environmental Site Assessment Study completed in a form acceptable to the City Planner and City Solicitor;
- III. THAT the grant funds in the amount of \$8,313 under the Environmental Site Assessment Grant Program **BE TRANSFERRED** from the CIP Reserve Fund 226 to Brownfield Strategy Remediation (project 7069003) when the eligible work is completed to the satisfaction of the City Planner;
- IV. THAT should the proposed Phase II Environmental Site Assessment Study not be completed within two (2) years of Council approval or if the full cost of the Study is reimbursed by any other grant program, the approval **BE RESCINDED** and the funds be uncommitted and made available for other applications.

Executive Summary: N/A

Background:

Brownfield Redevelopment Community Improvement Plan (CIP)

Brownfield sites are properties that may be contaminated due to previous industrial or commercial uses such as a manufacturing facility or gas station. City Council approved a Brownfield Redevelopment CIP at its April 19, 2010 meeting for the purpose of encouraging the study, clean-up, and redevelopment of contaminated properties. The approval of the CIP was the result of nearly five years of study and consultation, which began in October 2005.

Importance of Brownfield Redevelopment

Historically, there has been little interest in redeveloping brownfield sites due to the uncertainty surrounding the extent of contamination and the potential cost of clean-up. The Brownfield Redevelopment CIP was adopted in 2010 and provides financial incentives to undertake the necessary studies and remedial work necessary to redevelop brownfield sites and reduce the potential negative impacts to the City's environment and neighbourhoods.

The benefits associated with brownfield redevelopment go far beyond the boundaries of the property. For example, they are often strategically located within existing built up areas of the City where services and other infrastructure, such as roads, schools, community facilities and public transit are already available, therefore additional infrastructure costs are not incurred to service these areas. The redevelopment of these sites also remove the negative stigma often associated with brownfield properties, which increases the value of the subject property and adjacent properties.

Site Background

The subject property is located on the east side of Bloomfield Road, and backs onto the Essex Terminal Railway corridor (see location map). The property is 3.22 hectares (or 7.97 acres) in size and irregularly shaped. It is currently an affordable housing complex operated by the Windsor Essex Community Housing Corp. (WECHC). The site is designated 'Residential' on Official Plan Schedule D: Land Use, and is zoned Residential District RD2.2.

The Phase One ESA identifies that the site was occupied by Federal Foundry & Steel Co. Ltd. between approximately 1924 and 1946, and by Zalev Brothers warehouse between 1952 and 1961. The site was developed to provide affordable housing in approximately 1970, and has been used for such use to current day. A number of

Potentially Contaminating Activities (PCAs) were identified on-site and off-site, including previous industrial uses, railway siding, fill material, and a gasoline spill.

The subject property is owned and operated by the WECHC. WECHC intends to develop the property to accommodate three (3) new residential buildings with 18 units in total, along with an expansion to the existing parking lot. A Site Plan Control (SPC) application was submitted to facilitate the development proposal, and an Environmental Site Assessment Phase II was listed as a pre-permit condition of SPC approval. The proposed development will receive funding through the Canadian Mortgage and Housing Corporation (CMHC) Rapid Housing Initiative. WECHC is incurring the eligible Phase 2 Environmental Site Assessment (ESA) costs and, should the application be approved, would receive the grant payment.

Discussion:

Environmental Site Assessment Grant Program

The ESA Grant Program offers a matching grant to property owners of brownfield sites to conduct environmental studies that provide information on the type and extent of contamination and potential remediation costs. The program offers 50% of the cost of an eligible study up to a maximum of \$15,000. If two studies are required, an additional \$10,000 is available for a maximum total grant value of \$25,000.

The applicant proposes to expand on the current residential use of the property through the construction of three (3) new multi-unit residential buildings, and they require a Phase 2 Environmental Site Assessment (ESA) study as part of their application for Site Plan Control. The applicant has completed a Phase I ESA, which identifies areas of potential environmental concern, and recommends that a Phase II ESA study be completed to assess the existing soil and groundwater conditions at the site and delineate the extent of any contamination (if required). Upon completion, the City would retain a copy of the final Phase II ESA study report.

General Program Requirements

Section 5.1 n) of the CIP states that *“The total of all grants, loans and tax assistance provided in respect of the particular lands and buildings of an applicant under the programs contained in the CIP shall not exceed eligible cost with respect to these lands and buildings”*

To ensure compliance with this requirement the applicant will be required to demonstrate that the eligible costs related to the Phase 2 ESA study have not been fully reimbursed under any other grant or funding program. If funded through another program, approval to participate in the Environmental Site Assessment Grant Program should be rescinded.

CIP Goals

City staff is supportive of the application as it meets all of the eligibility requirements specified within the Brownfield Redevelopment CIP. The proposed study of the subject site also supports the following CIP goals:

- To promote the remediation, rehabilitation, adaptive re-use and redevelopment of brownfield sites throughout the City of Windsor in a fiscally responsible and sustainable manner over the long term;
- Improve the physical and visual quality of brownfield sites;
- Improve environmental health and public safety;
- Provide opportunities for new housing, employment uses, and commercial uses;
- Increase tax assessment and property tax revenues;
- Promote Smart Growth, including the reduction of urban sprawl and its related costs;
- Increase community awareness of the economic, environmental and social benefits of brownfield redevelopment; and
- Utilize public sector investment to leverage significant private sector investment in brownfield remediation, rehabilitation, adaptive re-use, and redevelopment.

Policy Support

The study of brownfield sites to support clean up and redevelopment is supported by policies within the 2020 Provincial Policy Statement, the City's Official Plan and the City's Environmental Master Plan.

Risk Analysis:

As with all brownfield sites, there is a degree of risk associated with the potential presence of contamination. The proposed Phase II ESA study will assist in mitigating the above noted risk by confirming the presence and extent of any contamination. It may also provide an estimated cost for remediation and establish next steps in the remediation process, if required.

Climate Change Risks

Climate Change Mitigation:

The proposed residential development is supported by the Environmental Master Plan action item, which encourages use of the Brownfields Redevelopment Strategy.

Climate Change Adaptation:

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

Financial Matters:

The cost estimate (excluding HST) for completing the proposed Phase II ESA study is \$16,626. If approved, the maximum grant would total \$8,313. Should the actual costs of the study be less than what has been estimated, the grant payments would be based on the lower amount.

If approved, the grant would be paid from the Brownfield Strategy Remediation Fund (Project #7069003). The funds would be transferred from CIP reserve fund 226 for payment when the eligible study is complete. The current uncommitted balance of the CIP reserve fund is \$646,411 however this balance does not account for other CIP grant requests that are currently being considered by the standing committee or have been endorsed by the standing committee and are not yet approved by City Council.

Consultations:

The development and approval of the Brownfield Redevelopment CIP was subject to extensive stakeholder and public consultation, which sought input from a wide range of stakeholders and internal City departments.

Planning staff have consulted with the applicant prior to accepting the application for the Environmental Study Grant program. Staff from the Planning, Finance, and Legal Departments were consulted in the preparation of this report.

Conclusion:

City Staff recommend Council approve the request from Windsor Essex Community Housing Corp. to participate in the Environmental Site Assessment Grant Program. In the opinion of planning staff, the proposed study conforms to the Brownfield Redevelopment CIP and assists the City in the achievement of a number of the CIP goals.

Planning Act Matters: N/A

Approvals:

Name	Title
Josie Gualtieri	Financial Planning Administrator

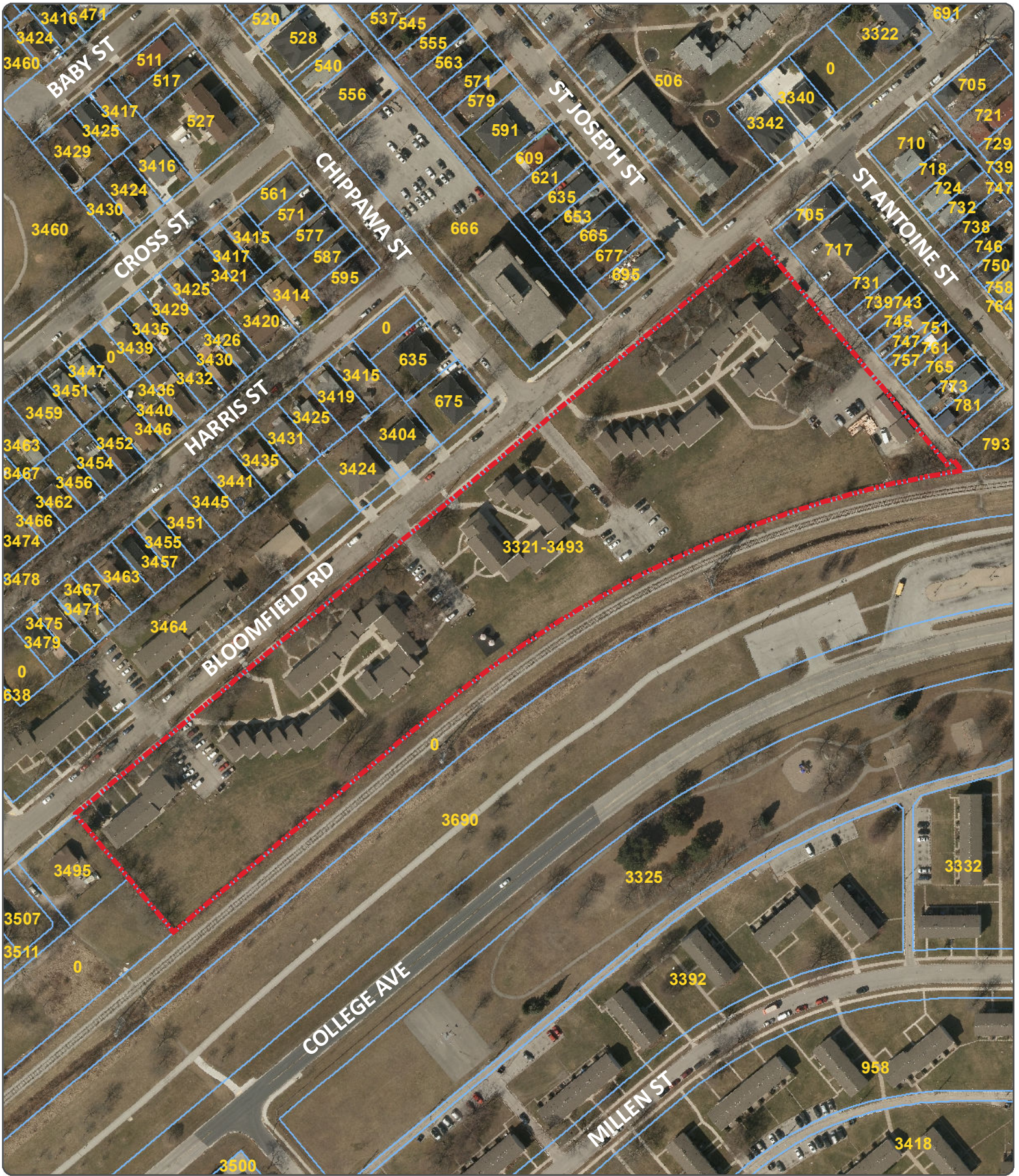
Name	Title
Neil Robertson	Acting City Planner / Executive Director, Planning & Development Services
Wira Vendrasco	Deputy City Solicitor, Legal Services & Real Estate
Janice Guthrie	Commissioner, Corporate Services Chief Financial Officer / City Treasurer
Jelena Payne	Commissioner, Economic Development & Innovation
Joe Mancina	Chief Administration Officer

Notifications:

Name	Address	Email
Jay Shanmugam, Windsor Essex Community Housing Corp.		
Vaibhav Desai, Windsor Essex Community Housing Corp.		

Appendices:

- 1 Appendix A - Location Map



LOCATION MAP : 3321-3493 BLOOMFIELD ROAD



SUBJECT PROPERTY





Committee Matters: SCM 251/2023

Subject: Closure of east/west alley located between Alexandra Avenue and Academy Drive, and north/south alley located between Northwood Street and east/west alley, Ward 10, SAA-6922

Moved by: Councillor Fred Francis
Seconded by: Councillor Mark McKenzie

Decision Number: **DHSC 553**

- I. THAT the 4.57-metre-wide east/west alley located between Alexandra Avenue and Academy Drive, save and except that portion containing the City's concrete sidewalk and chain-link fences, and shown on Drawing No. CC-1826 (*attached* hereto as Appendix "A"), and hereinafter referred to as the "subject east/west alley", **BE ASSUMED** for subsequent closure;

- II. THAT the subject east/west alley **BE CLOSED AND CONVEYED** to the abutting property owners and as necessary, in a manner deemed appropriate by the City Planner, subject to the following:
 - a. 3.0-metre-wide easement, measured 1.50 metres from either side of the following utility infrastructure, subject to there being accepted in the City's standard form and in accordance with the City's standard practice, be granted to:
 - i. Bell Canada to protect existing aerial infrastructure;
 - ii. Enbridge to accommodate existing underground infrastructure;
 - iii. ENWIN Utilities Ltd. to accommodate existing 16kV primary and 120/240v secondary overhead hydro distribution pole line, and 200.0 millimetre watermain; and
 - iv. MNSi. to accommodate existing aerial infrastructure.

 - b. 6.0-metre-wide easement, measured 3.0 metres from either side of the City's 300.0 millimetre asbestos cement sanitary sewer, subject to there being accepted in the City's standard form and in accordance with the City's standard practice, be granted to The Corporation of the City of Windsor.

- III. THAT the 4.57-metre-wide north/south alley located between Northwood Street and the subject east/west alley, and shown on Drawing No. CC-1826 (*attached* hereto as Appendix "A"), and hereinafter referred to as the "subject north/south alley", **BE ASSUMED** for subsequent closure;

IV. THAT the subject north/south alley **BE CLOSED AND CONVEYED** to the abutting property owners and as necessary, in a manner deemed appropriate by the City Planner, subject to the following:

- c. 3.0-metre-wide easement, measured 1.50 metres from either side of the following utility infrastructure, subject to there being accepted in the City's standard form and in accordance with the City's standard practice, be granted to:
 - i. Bell Canada to protect existing aerial infrastructure;
 - ii. ENWIN Utilities Ltd. to accommodate existing 16kV primary and 120/240v secondary overhead hydro distribution pole line; and
 - iii. MNSi. to accommodate existing aerial infrastructure.
- d. Ontario Land Surveyor be directed to use existing encroachments for determining the boundaries of the lands to be conveyed to each abutting property owner.

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

- e. For alley conveyed to abutting lands zoned RD1.4, \$1.00 plus HST (if applicable), deed preparation fee and proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.

VI. THAT The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1826, *attached* hereto as Appendix "A".

VII. THAT The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s).

VIII. THAT The Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor.

IX. THAT the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003.

Carried.

Report Number: S 100/2023
Clerk's File: SAA2023

Clerk's Note:

1. The recommendation of the Development & Heritage Standing Committee and Administration are the same.

2. Please refer to Item 11.2 from the Community Services Standing Committee held on September 11, 2023.
3. To view the stream of this Standing Committee meeting, please refer to:
<http://csg001-harmony.slig.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20230911/-1/9432>

Subject: Closure of east/west alley located between Alexandra Avenue and Academy Drive, and north/south alley located between Northwood Street and east/west alley, Ward 10, SAA-6922

Reference:

Date to Council: September 11, 2023
Author: Brian Nagata, MCIP, RPP
Planner II - Development Review
(519) 255-6543 ext. 6181

Planning & Building Services
Report Date: August 10, 2023
Clerk's File #: SAA2023

To: Mayor and Members of City Council

Recommendation:

- I. THAT the 4.57-metre-wide east/west alley located between Alexandra Avenue and Academy Drive, save and except that portion containing the City's concrete sidewalk and chain-link fences, and shown on Drawing No. CC-1826 (*attached* hereto as Appendix "A"), and hereinafter referred to as the "subject east/west alley", **BE ASSUMED** for subsequent closure;
- II. THAT the subject east/west alley **BE CLOSED AND CONVEYED** to the abutting property owners and as necessary, in a manner deemed appropriate by the City Planner, subject to the following:
 - a. 3.0-metre-wide easement, measured 1.50 metres from either side of the following utility infrastructure, subject to there being accepted in the City's standard form and in accordance with the City's standard practice, be granted to:
 - i. Bell Canada to protect existing aerial infrastructure;
 - ii. Enbridge to accommodate existing underground infrastructure;
 - iii. ENWIN Utilities Ltd. to accommodate existing 16kV primary and 120/240v secondary overhead hydro distribution pole line, and 200.0 millimetre watermain; and
 - iv. MNSi. to accommodate existing aerial infrastructure.
 - b. 6.0-metre-wide easement, measured 3.0 metres from either side of the City's 300.0 millimetre asbestos cement sanitary sewer, subject to there being accepted in the City's standard form and in accordance with the

City's standard practice, be granted to The Corporation of the City of Windsor.

- III. THAT the 4.57-metre-wide north/south alley located between Northwood Street and the subject east/west alley, and shown on Drawing No. CC-1826 (*attached* hereto as Appendix "A"), and hereinafter referred to as the "subject north/south alley", **BE ASSUMED** for subsequent closure;
- IV. THAT the subject north/south alley **BE CLOSED AND CONVEYED** to the abutting property owners and as necessary, in a manner deemed appropriate by the City Planner, subject to the following:
 - a. 3.0-metre-wide easement, measured 1.50 metres from either side of the following utility infrastructure, subject to there being accepted in the City's standard form and in accordance with the City's standard practice, be granted to:
 - i. Bell Canada to protect existing aerial infrastructure;
 - ii. ENWIN Utilities Ltd. to accommodate existing 16kV primary and 120/240v secondary overhead hydro distribution pole line; and
 - iii. MNSi. to accommodate existing aerial infrastructure.
 - b. Ontario Land Surveyor be directed to use existing encroachments for determining the boundaries of the lands to be conveyed to each abutting property owner.
- V. THAT Conveyance Cost **BE SET** as follows:
 - a. For alley conveyed to abutting lands zoned RD1.4, \$1.00 plus HST (if applicable), deed preparation fee and proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.
- VI. THAT The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1826, *attached* hereto as Appendix "A".
- VII. THAT The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s).
- VIII. THAT The Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor.
- IX. THAT the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003

Executive Summary:

N/A



STREET & ALLEY CLOSING (SAA/6922)

1:1,750

APPLICANT : ANNA FARIAS VERHESE

▨ REQUESTED & TO BE RECOMMENDED FOR CLOSURE
 ▨ TO BE RECOMMENDED FOR CLOSURE

PLANNING DEPARTMENT - PLANNING POLICY

DATE: OCTOBER, 2022



Figure 1 - Location Map

Background:

The applicant, Anna Verghese, owner of the property known municipally as 2589 Academy Drive (the subject property), applied to close the portion of the east/west alley abutting the subject property to the south, and shown on Drawing No. CC-1826 *attached* hereto as Appendix “A”, and also shown on the aerial photo *attached* hereto as Appendix “B”.

The applicant wishes to close the east/west alley for the purpose of enlarging the subject property to accommodate the construction of an attached garage on the south side of their home.

The Planning Department is recommending that the entire east/west alley be closed, save and except that portion containing the City’s concrete sidewalk and chain-link fences (the east/west alley). The Planning Department is also recommending that the north/south alley located between Northwood Street and the east/west alley be closed (the north/south alley).

The north/south and east/west alleys were established by Windsor Manor No. 2 Registered Plan of Subdivision 1307, registered on June 14, 1928, and used for

agricultural purposes until approximately 1954 when the abutting lands began to be developed as single family dwelling lots (refer to Figure 2 below).

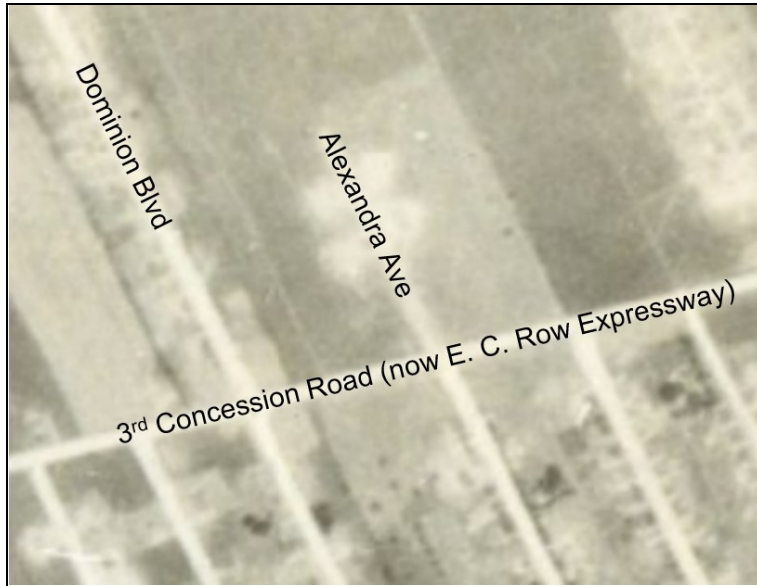


Figure 2 - 1954 Aerial Photo

(Ontario Department of Lands and Forests)

The north/south alley is unmaintained and composed primarily of grass and landscaping. The alley contains utility poles with guy wires and anchors. Over the years abutting properties encroached into the alley with fences, patios, a pergola and sheds. Each lot roughly encroached into its abutting half of the alley. There are no Encroachment Agreements on record for the use of the alley.

The east/west alley is unmaintained and composed primarily of grass and natural vegetation. The alley contains a 200.0 millimetre watermain and a 300.0 millimetre asbestos cement sanitary sewer. The subject property appears to have encroached into the alley with a fence. There are no Encroachment Agreements on record for the use of the alley.

Discussion:

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

Classification of Public Right-of-Ways

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

1. *Does the subject alley serve commercial properties?*

- a. The north/south and east/west alleys do not serve any commercial properties.
2. *Does the subject alley serve properties fronting on heavily traveled streets i.e. major arterial routes?*
 - a. The north/south and east/west alleys do not serve any properties fronting on a heavily travelled street.
 3. *Does the subject alley contain sewers, and must the alley remain accessible for servicing?*
 - a. The north/south alley does not contain any sewers.
 - b. The east/west alley contains a 300.0 millimetre asbestos cement sanitary sewer.
 - The Public Works - Engineering Department has no objections to the requested closure subject to an easement being granted in favour of the City for access to service and maintain the sewer.
 4. *Does the subject alley serve as the only vehicular means of access to rear parking areas and garages where the property has insufficient lot width for a side drive?*
 - a. The north/south and east/west alleys do not serve as the only vehicular means of access to any rear parking areas or garages.
 5. *Does the subject alley contain Fire Department connections that are deemed to be necessary for firefighting access?*
 - a. The north/south and east/west alleys do not contain any Fire Department connections.
 6. *Does the subject alley lie within a Holding zone or other similar undeveloped areas where the right-of-way system is clearly obsolete and has never been developed, but where the City needs to keep its options open until new area plans are prepared and development is imminent?*
 - a. The north/south and east/west alleys do not lie within a Holding zone or other similar undeveloped area.

Based on the above, the Planning Department deems the north/south and east/west alleys “dispensable”, and supports the requested closure.

It is our recommendation that, upon closure, the abutting property owners be given the chance to acquire the north/south and east/west alleys in the manner described in the Recommendation section herein. Hence the recommendation is to close and convey the alley to the abutting property owners, which is the standard manner of conveyance. This recommendation includes direction to the Ontario Land Surveyor to use existing encroachments or the centre of the alley where there are no encroachments for

determining the boundaries of the lands to be conveyed to each abutting property owner from the north/south alley.

Risk Analysis:

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

Climate Change Risks

Climate Change Mitigation:

N/A

Climate Change Adaptation:

N/A

Financial Matters:

The rate for an alley conveyed to abutting lands zoned RD1.4 is assessed at \$1.00 plus HST (if applicable), deed preparation fee and proportionate share of the survey costs as invoiced to the City by an Ontario Land Surveyor.

Consultations:

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

Notice of this application was issued to property owners abutting the north/south and east/west alleys by regular mail, with no objections being received as of the date of writing this report.

The owners of 2451 Academy Drive and 2491 Academy Drive confirmed via email and phone conversation respectively that they wish to purchase their halves of the north/south alley based on current encroachments.

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

Conclusion:

The Planning Department recommends closure of the north/south alley shown on attached Appendix “A”, subject to easements in favour of Bell Canada, ENWIN Utilities Ltd., and MNSi as in Recommendation IV.

The Planning Department recommends closure of the east/west alley shown on attached Appendix “A”, subject to easements in favour of Bell Canada, The Corporation

of the City of Windsor, Enbridge, ENWIN Utilities Ltd., and MNSi as in Recommendation II.

The closed east/west and north/south alleys are to be conveyed to the abutting property owners as in Recommendations II and IV of this report respectively.

Planning Act Matters:

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

Greg Atkinson, MCIP, RPP
Manager of Development Planning

Neil Robertson, MCIP, RPP
Acting City Planner

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

JP JM

Approvals:

Name	Title
Greg Atkinson	Manager of Development Planning / Deputy City Planner
Neil Robertson	Acting City Planner / Executive Director, Planning & Development Services
Stephanie Santos	Coordinator of Real Estate Services
Kate Tracey	Senior Legal Council, Legal Services & Real Estate
Jelena Payne	Commissioner, Economic Development & Innovation
Joe Mancina	Chief Administration Officer

Notifications:

Name	Address	Email
Ward 10 Councillor Jim Morrison	350 City Hall Square West, Suite 220 Windsor, Ontario N9A 6S1	jmorrison@citywindsor.ca
List of mailing labels for property owners abutting alleys issued to Clerks office		

Appendices:

- 1 Appendix A - Drawing No. CC-1826
- 2 Appendix B - EIS Drawing - Aerial Photo
- 3 Appendix C - Consultations with Municipal Departments and Utility Companies
- 4 Appendix D - Site Photos
- 5 Appendix E - Classification of Alleys and Suitability for Closure

APPENDIX "A" Drawing No. CC-1826



THE CORPORATION OF THE CITY OF WINDSOR - ENGINEERING DEPARTMENT Proposed Closure East/West And North/South Alley Between Academy Drive & Alexandra Avenue From Northwood Street to E.C Row			
 Kirk Tamm, Manager of Geomatics	SCALE: 1:2000	DATE: December 2022	REVISED: .
	DWN BY: GP	CHKD BY: PJU / MM	REVISION NO.: .
			DWG. NO. CC-1826

APPENDIX "B" EIS Drawing - Aerial Photo



STREET & ALLEY CLOSING (SAA/6922)

1:1,750

APPLICANT : ANNA FARIAS VERHESE



REQUESTED & TO BE RECOMMENDED FOR CLOSURE



TO BE RECOMMENDED FOR CLOSURE



PLANNING DEPARTMENT - PLANNING POLICY

DATE: OCTOBER, 2022

APPENDIX "C"

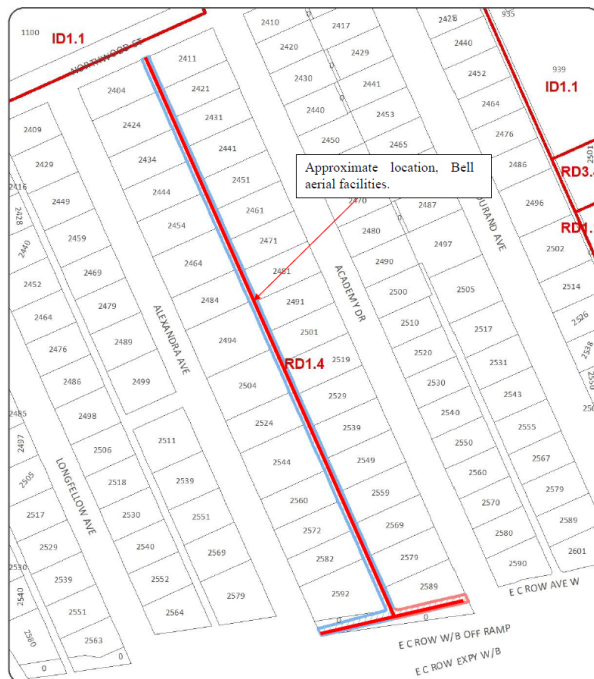
Consultations with Municipal Departments and Utility Companies

BELL CANADA WSP

Bell Canada requests a 3.0 m easement for the N/S length and E/W section to protect existing aerial infrastructure.

If 1.5 m on either side of the aerial facilities is not available, we request the entire width of the alley.

[Charleyne Hall - Bell Canada External Liaison, Right of Way & Indigenous Relation]



CANADA POST

No comments provided

COGECO CABLE SYSTEMS INC.

No comments provided

ENBRIDGE GAS

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

contractor obtains locates prior to performing any work and utilizes safe excavation practices while performing any work in the vicinity.

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

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

[Gord Joynson - Drafter / Estimator]



ENVIRONMENTAL SERVICES

No concerns from Environmental Services

[Anne-Marie Albidone - Manager, Environmental Services]

ENWIN UTILITIES - HYDRO

No objection to alley closing, however, an easement named to ENWIN Utilities Ltd. is required upon closing for the whole width and length of the entire alley both N/S and E/W to accommodate existing 16kV primary and 120/240v secondary overhead hydro distribution pole line.

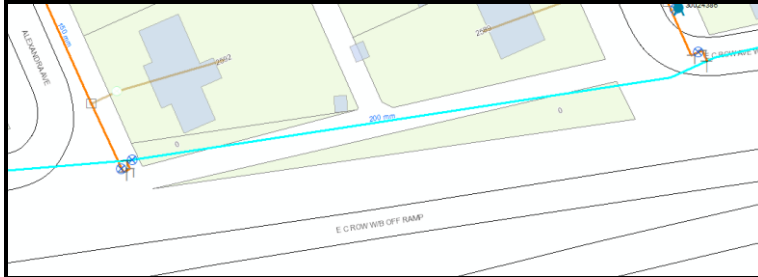
Prior to working in these areas, we suggest notifying your contractor and referring to the Occupational Health and Safety Act and Regulations for Construction Projects to confirm clearance requirements during construction. Also, we suggest referring to the Ontario Building Code for required clearances for New Building Construction.

[Nillavon Balachandran - Hydro Engineering Technologist]

ENWIN UTILITIES - WATER

There is a 200mm watermain that crosses the alley between Alexandra and Academy.

[Bruce Ogg - Water Project Review Officer]

**LEGAL DEPARTMENT**

For both the e/w and n/s alley, \$1 plus deed preparation and proportionate share of survey cost, as appropriate. Note even though the e/w alley adds frontage, it does not allow for the creation of a new lot and therefore market rate does not apply.

[Chris Carpenter - Coordinator of Real Estate Services]

MNSi

Sorry this one will also be an Aerial Easement

[Dave Hartleib - Outside Plant Manager]

PARKS & FACILITIES

January 12, 2023

I originally replied to this SAA/6922 Liaison on January 3rd to Meghan (cc above) with no comments from Parks Design & Development side as this area is not a public park. I also checked the EIS system for a second time now and there wasn't any existing trees on this area except for 2 trees at the Academy DR. side which are located outside of the requested area to be closed. See attached map from EIS. If there are any other existing trees in the required closure area then may be it's not recorded on the city EIS system or it's not owned by the city. Anyway, my understanding for this requested closure area as per the Liaison SAA/6922 is that the green area beside the existing walkway/trail E/W that needs to be closed but not the existing walkway/trail E/W.

I'm not rejecting the whole closure request or do not support the closure as only for this reason as long as the existing walkway will still open and out of the closure.

Also, the submitted map within the Liaison is not clear enough to confirm that the walkway/trail E/W will be closed. But definitely you can add a comment from your side confirming that the existing walkway/trail E/W must remain open.

January 3, 2023

Parks Design & Development has no comments for this SAA/6922 Liaison

[Sherif Barsom - Landscape Architect]

PLANNING DEPARTMENT

No comments provided

PLANNING DEPARTMENT - LANDSCAPE ARCHITECT

No objection to the proposed closure from a landscape architectural perspective.

[Stefan Fediuk - Landscape Architect]

PUBLIC WORKS - ENGINEERING

The subject north-south closure is composed of grass and dirt. There are hydro poles and overhead wires in this section. An easement will be required for utilities. There are no sewers or manholes within the proposed closure. The east-west portion of the closure is composed of grass and dirt. There may be a sanitary sewer and watermain in this section of alley, a sewer and watermain easement is required. A survey would have to determine the precise location of the subject alley, sidewalk and fences. This alley appears to serve no useful purpose by CR146/2005; therefore, we have no objections to the closure.

[Thomas Huynh - Technologist I]

PUBLIC WORKS - TRAFFIC

There is an existing sidewalk that connects Alexandria to Academy, leading to E.J. Lajeunesse School. Closing any section of the east/west alley as shown will affect the pathway and is not supported. Any consideration to closures of the east/west alley should remain clearly north of the existing chain link fence to keep the pathway intact. The north/south alley is currently inaccessible. No concerns with closing the north/south alley up to the south lot lines of 2592 Alexandria/2589 Academy.

[Mike Spagnuolo - Signal Systems Analyst]

ROGERS COMMUNICATIONS

No comments provided

TELUS COMMUNICATIONS

TELUS has no underground infrastructure in the area of your proposed work.

[Meghna Patel - Permit Coordinator]

TRANSPORTATION PLANNING

To ensure the sidewalk will be wide enough according to AODA standards and potentially putting a multiuse path, Transportation Planning has no concerns on the closure of the E/W alley such that there is 6 metres left opened from the south edge of the chain link fence. This width is required to allow access for maintenance and construction. Transportation Planning has no concerns on the closure of the N/S alley.

[Clare Amicarelli - Transportation Planning Coordinator]

TRANSIT WINDSOR

No comments provided

WINDSOR FIRE

No issues with Fire

[Mike Coste - Chief Fire Prevention Officer]

WINDSOR POLICE

The Windsor Police Service has no concerns or objections with the closure of this alley. The current configuration of the space is already physically closed off to vehicular access that the police would/could utilize and thus, closure will not carry any negative impact to police incident response or service delivery capacity for the affected properties.

[Barry Horrobin - Director of Planning & Physical Resources]

PPENDIX “D”
Site Photos (December 5, 2022)



Figure 1 - Looking west towards east/west alley from Academy Drive (2589 Academy Drive on right)



Figure 2 - Looking west towards east/west alley (2589 Academy Drive on right)



Figure 3 - Looking west towards east/west alley (2589 Academy Drive on right)



Figure 4 - Looking north towards north/south alley from midpoint of east/west alley (2589 Academy Drive on right)



Figure 5 - Looking east towards east/west alley (2592 Alexandra Avenue on left)



Figure 6 - Looking south towards north/south alley from Northwood Street (2404 Alexandra Avenue on right)

APPENDIX “E”

Classification of Alleys and Suitability for Closure

Classification of Public Rights-of-Ways:

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

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

Suitability for Closing:

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

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



Committee Matters: SCM 250/2023

Subject: University Avenue and Wyandotte Street Community Improvement Plan Grant Applications made by Ali Ahmed for 1342 Wyandotte Street West (Ward 3)

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

Decision Number: **DHSC 557**

- I. THAT the request made by 2814088 Ontario Inc. (Ali Ahmed) (Owner) for the proposed development at 1342 Wyandotte Street West to participate in the:
 - a. Building/Property Improvement Tax Increment Grant Program **BE APPROVED** for 100% of the municipal portion of the tax increment resulting from the proposed development for up to five (5) years in accordance with the University Avenue and Wyandotte Street Community Improvement Plan.
 - b. Municipal Development Fees Grant Program **BE APPROVED** for eligible municipal fees incurred after July 29, 2022 for Committee of Adjustment application fee and Building Permit fee, up to a maximum amount of \$50,000 pursuant to the University Avenue and Wyandotte Street Community Improvement Plan.
- II. THAT Administration **BE DIRECTED** to prepare the agreements between the City and 2814088 Ontario Inc. (Owner) to implement the Building/Property Improvement Tax Increment Grant Program at 1342 Wyandotte Street West in accordance with all applicable policies, requirements, and provisions contained within the University Avenue and Wyandotte Street Community Improvement Plan.
- III. THAT the CAO and City Clerk **BE AUTHORIZED** to sign the to the Building/Property Improvement Tax Increment Grant Program to the satisfaction of the City Planner as to content, the City Solicitor as to legal form, and the CFO/City Treasurer as to financial implications.
- IV. THAT funds in the amount of the cost of the Committee of Adjustment application fee and Building Permit application fee to a maximum of \$50,000 for the Municipal Development Fees Grant Program **BE TRANSFERRED** from the CIP Reserve Fund 226 to the University Avenue and Wyandotte Street Planning Fund (Project #7229001) when work is completed.

V. THAT should the project not be completed in two (2) years, City Council **AUTHORIZE** that the funds under the Municipal Development Fees Grant Program be uncommitted and made available for other applications.

VI. THAT the approval to participate in the Building/Property Improvement Tax Increment Grant Program **EXPIRE** if the grant agreement is not signed by applicant within one year following Council approval. The City Planner may extend the deadline for up to one year upon request from the applicant.

Carried.

Report Number: S 113/2023

Clerk's File: SPL/14645

Clerk's Note:

1. The recommendation of the Development & Heritage Standing Committee and Administration are the same.
2. Please refer to Item 11.6 from the Community Services Standing Committee held on September 11, 2023.
3. To view the stream of this Standing Committee meeting, please refer to:
<http://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20230911/-1/9432>

**Subject: University Avenue West and Wyandotte Street West
Community Improvement Plan Grant Applications made by 2814088
Ontario Inc. (Ali Ahmed) for 1342 Wyandotte Street West (Ward 3)**

Reference:

Date to Council: 2023-09-11
Author: Cherilynne Chau
Community Development Planning Assistant
519-255-6543 Ex 6438
cchau@citywindsor.ca

Laura Strahl
Planner III - Special Projects
519-255-6543 ext. 6396
lstrahl@citywindsor.ca

Planning & Building Services
Report Date: 2023-08-23
Clerk's File #: SPL/14645

To: Mayor and Members of City Council

Recommendation:

- I. THAT the request made by 2814088 Ontario Inc. (Ali Ahmed) (Owner) for the proposed development at 1342 Wyandotte Street West to participate in the:
 - a. Building/Property Improvement Tax Increment Grant Program **BE APPROVED** for 100% of the municipal portion of the tax increment resulting from the proposed development for up to five (5) years in accordance with the University Avenue and Wyandotte Street Community Improvement Plan.
 - b. Municipal Development Fees Grant Program **BE APPROVED** for eligible municipal fees incurred after July 29, 2022 for Committee of Adjustment application fee and Building Permit fee, up to a maximum amount of \$50,000 pursuant to the University Avenue and Wyandotte Street Community Improvement Plan.
- II. THAT Administration **BE DIRECTED** to prepare the agreements between the City and 2814088 Ontario Inc. (Owner) to implement the Building/Property

Improvement Tax Increment Grant Program at 1342 Wyandotte Street West in accordance with all applicable policies, requirements, and provisions contained within the University Avenue and Wyandotte Street Community Improvement Plan.

- III. THAT the CAO and City Clerk **BE AUTHORIZED** to sign the to the Building/Property Improvement Tax Increment Grant Program to the satisfaction of the City Planner as to content, the City Solicitor as to legal form, and the CFO/City Treasurer as to financial implications.
- IV. THAT funds in the amount of the cost of the Committee of Adjustment application fee and Building Permit application fee to a maximum of \$50,000 for the Municipal Development Fees Grant Program **BE TRANSFERRED** from the CIP Reserve Fund 226 to the University Avenue and Wyandotte Street Planning Fund (Project #7229001) when work is completed.
- V. THAT should the project not be completed in two (2) years, City Council **AUTHORIZE** that the funds under the Municipal Development Fees Grant Program be uncommitted and made available for other applications.
- VI. THAT the approval to participate in the Building/Property Improvement Tax Increment Grant Program **EXPIRE** if the grant agreement is not signed by applicant within one year following Council approval. The City Planner may extend the deadline for up to one year upon request from the applicant.

Executive Summary:

N/A

Owner: 2814088 Ontario Inc.

Principle Owner of 2814088 Ontario Inc.: Ali Ahmed

Background:

The University Avenue and Wyandotte Street Community Improvement Plan (University/ Wyandotte CIP) was approved by City Council on June 7, 2021 and an adopting by-law was passed by City Council on July 13, 2021.

The University/ Wyandotte CIP builds a vision for the corridors connecting the downtown to the University of Windsor, thereby informing land use and transportation concepts to enhance the surrounding communities. Financial incentives are provided to encourage private sector investment and redevelopment along the city's key corridors.

2814088 Ontario Inc. (Ali Ahmed), owner of the property located at 1342 Wyandotte Street (See Appendix A – Location Map and Appendix B – Current Building

Photographs), has applied for financial incentives under the Building/Property Improvement Tax Increment Grant Program and the Municipal Development Fees Grant Program. The applicant is proposing to construct three (3) residential units, two bachelors and one-bedroom unit in the vacant basement space that has been used for storage. The property on 1342 Wyandotte Street is an existing legal non-conforming, 4 storeys, 14-unit multiple dwelling.

On May 25, 2023, the property was approved through the Committee of Adjustment for the change of use for a Legal Non-Conforming use (14-unit multiple dwelling to a 17-unit multiple dwelling) without providing additional parking under a Commercial District CD2.2 zoning designation.

Discussion:

Building/Property Improvement Tax Increment Grant Program

This program is intended to provide economic incentive for the development, rehabilitation and redevelopment of properties within the catalyst project areas of the CIP. The program provides an annual grant equal to 100% of the increase in municipal property taxes for five years, after the project is completed and reassessed to help offset the costs of rehabilitating and redeveloping properties, as long as such development results in an increase in assessment and therefore an increase in property taxes. The applicant will initially be required to pay the full amount of property taxes owing for each year during the specified duration. However, the Building/Property Improvement Grant will be reimbursed for the amount of the municipal tax increment after the final tax bills for each year have been collected.

The proposed development of the building is anticipated to increase the assessed value and therefore increase municipal taxes. This project qualifies for the Building/Property Improvement Tax Increment Grant and the Financial Matters section of this report discusses the estimated grant amount.

Municipal Development Fees Grant Program

The Municipal Development Fees Grant Program is intended to encourage development along the University Ave West and Wyandotte Street West corridors by providing a financial incentive to offset the costs associated with seeking the appropriate planning approvals and building permits for a project. Property owners will be eligible to receive a grant for 100% of the specified Municipal Development Fees, up to a maximum of \$50,000 per property.

The applicant is eligible under the Municipal Development Fees Grant Program for Minor Variance and Building Permit application fees required for the proposed development.

Risk Analysis:

There is low risk associated with the approval of subject University/ Wyandotte CIP grant application. An agreement will be prepared between the City and the applicant to ensure all provisions under the University Avenue and Wyandotte Street Community Improvement Plan are met. The Municipal Development Fees Grant will not be paid out until all building permits are closed, and that all work has been completed to the satisfaction of the City Planner and the Chief Building Official. The owner must pay the Committee of Adjustment and Building Permit application fee in full before the grant can be issued. The Building/ Property Improvement Tax Increment Grant is issued upon completion of eligible work, the establishment of an increased reassessment value by the Municipal Property Assessment Corporation (MPAC), and only after the owner's full payment of annual property taxes. An agreement will also be prepared between the City and the applicant to ensure all provisions under the University Avenue and Wyandotte Street Community Improvement Plan are met.

Climate Change Risks

Climate Change Mitigation:

Designated Mixed Use Node (formerly Mixed Use Areas) in Schedule D: Land Use of the City of Windsor's Official Plan, the subject property is located in a neighbourhood where intensification is strongly encouraged. The proposed conversion of the underutilized basement into residential units is confined to the existing building footprint, limiting use to existing infrastructure thereby reducing the overall consumption of construction material.

The utilization of an existing building in an existing neighbourhood promotes energy efficiency, eliminating the need for new development to occur on greenfield sites.

Climate Change Adaptation:

N/A

Financial Matters:

Building/Property Improvement Tax Increment Grant Program

The program provides an annual grant equal to 100% of the increase in municipal property taxes for five (5) years, with the possibility of a five (5) year extension, up to a total of ten (10) years if the project is considered a Catalyst Project; a designated heritage property, projects where at least 20% of the residential units are considered affordable or the project is certified LEED bronze. The property is not a designated heritage property nor certified LEED bronze thus the project qualifies for a total of five (5) years for the tax grant towards eligible costs.

As shown in the table below, the estimated annual value of the grant is \$2,489. Over a 5 year, this grant amounts to a total of \$12,445. The applicant estimates that \$195,000 in total eligible costs will be incurred following development of the property. The *Planning Act* stipulates that the total grants under a CIP cannot exceed the eligible costs. The grant under that tax increment program accounts for 6.3% of the construction costs.

Estimate Property/Building Improvement Tax Increment Grant Calculation			
1342 Wyandotte Street West			
Annual Pre Development Municipal Taxes	Annual Estimate Post Development Municipal Taxes	Annual Estimate Value of Grant	Total Estimate Grant over five (5) years
\$ 18,974	\$ 21,463	\$ 2,489	\$ 12,445

Because the Grant Program does not cancel taxes, the applicant must pay the full amount of property taxes annually and will subsequently receive a grant for the difference between the pre and post-development municipal taxes. The City will retain the amount of pre-development (base) municipal taxes throughout the lifespan of the grant program; however will be foregoing any incremental property taxes which could otherwise be used to offset future budget pressures.

Municipal Development Fees Grant Program

The applicant is eligible for Municipal Development Fees Grant Program under the University/ Wyandotte CIP for 100% of the specified Municipal Development Fees, up to a maximum of \$50,000 per property. Following review of the information and drawing provided, it was determined that the owner would have to apply for the following applications to be permitted construction.

- Minor Variance fees -- \$2499.00
- Building Permit fees -- to be determined by the Building Division at time of Building Permit.

The University/ Wyandotte CIP application stipulates that the applicant shall assume all risks for any costs incurred prior to Council approval. On March 28, 2023, the applicant submitted a Minor Variance application for the Legal Non-Conforming Use for the property, to permit a 17-unit multiple dwelling without providing additional parking under a Commercial District CD2.2 zoning designation. The Minor Variance for the subject property was approved on May 25, 2023. The Committee of Adjustment fee was incurred after the applicant submitted the University Avenue West and Wyandotte Street

West (July 22, 2022), therefore staff recommend the grant include the fee for the Committee of Adjustment.

Since University/ Wyandotte CIP grant applications are approved by Council, the approved grant amount will be transferred to the capital project account to be kept as committed funds, until the grant is ready to be paid out. The uncommitted balance of the CIP Reserve Fund 226 is \$646,411. However, this balance does not account for other CIP grant requests that are currently being considered by the Development & Heritage Standing Committee/City Council or have been endorsed by the standing committee and are not yet approved by City Council.

Consultations:

The City of Windsor’s University Avenue and Wyandotte Street Community Improvement Plan was subject to stakeholder and public consultation as part of the approval process, including public meetings, a statutory public meeting and circulation among internal City staff and the Province.

Planning staff have consulted with the project owner prior to accepting the grant application. Staff from the Planning, Finance and Legal Departments were also consulted in the preparation of this report.

Conclusion:

Administration recommends that City Council approve the application made by 2814088 Ontario Inc., owner, of property on 1342 Wyandotte Street West, to participate in the Building Property Improvement Tax Increment Grant Program and Municipal Development Fees Grant Program Municipal Development Fees Grant Program under the University Avenue and Wyandotte Street Community Improvement Plan. It is also recommended that approval to participate in the programs expire if the eligible work is not completed within two years or the tax increment agreement is not signed within one year following Council approval. The proposed development is a good example of residential intensification that will help reinforce a diversity in housing types along the Wyandotte Street West mixed use corridor.

Approvals:

Name	Title
Laura Strahl	Planner III – Special Projects
Josie Gualtieri	Financial Planning Admin.
Neil Robertson	Manager of Urban Design/ Deputy City Planner/Acting City Planner
Wira Vendrasco	Deputy City Solicitor

Janice Guthrie	Chief Financial Officer/City Treasurer
Jelena Payne	Commissioner of Economic Development & Innovation
Joe Mancina	Chief Administrative Officer

Notifications:

Name	Address	Email
Ali Ahmed		gamrini@gmail.com
Dawne Martens		midtownmngmt@gmail.com

Appendices:

- 1 Appendix A - Location Map
- 2 Appendix B - Current Building



LOCATION MAP : 1342 WYANDOTTE STREET WEST



SUBJECT PROPERTY



Appendix B – Current Building

1342 Wyandotte Street West





Subject: Closure of part of east/west alley located east of Perth Street, Ward 1, SAA-6765

Moved by: Councillor Fred Francis

Seconded by: Councillor Kieran McKenzie

Decision Number: **DHSC 554 DHSC 494**

- I. THAT the portion of the 4.57-metre-wide east/west alley located between Perth Street and the east limit of the property known municipally as 1707 Armanda Street (legally described as Lots 666 to 669, Plan 708), and shown on Drawing No. CC-1813 (*attached* hereto as Appendix "A"), and hereinafter referred to as the "Subject Lands", **BE ASSUMED** for subsequent closure;
- II. THAT the Subject Lands **BE CLOSED AND CONVEYED** to the owner of 1707 Armanda Street and as necessary, in a manner deemed appropriate by the City Planner, subject to the following:
 - a. Easement, subject to there being accepted in the City's standard form and in accordance with the City's standard practice, be granted to:
 - i. Bell Canada for protection of existing buried facilities;
- III. THAT Conveyance Cost **BE SET** as follows:
 - a. For alley conveyed to abutting lands zoned RD1.1 or DRD1.1, \$1.00 plus deed preparation fee and proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.
- IV. THAT The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1813;
- V. THAT The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s);
- VI. THAT The Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor;
- VII. THAT the information regarding flood mitigation options for the Perth Street right-of-way **BE PROVIDED** to the proponent.

Carried.

Clerk's Note:

1. The recommendation of the Development & Heritage Standing Committee and Administration are **not** the same.
2. Please refer to Item 11.3 from the Community Services Standing Committee held on September 11, 2023.
3. To view the stream of this Standing Committee meeting, please refer to:
<http://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20230911/-1/9432>

Subject: Closure of part of east/west alley located east of Perth Street, Ward 1, SAA-6765

Moved by: Councillor Kieran McKenzie
Seconded by: Councillor Mark McKenzie

That the report of the Planner II – Development Review dated March 3, 2023, entitled “Closure of part of east/west alley located east of Perth Street, Ward 1, SAA-6765” **BE REFERRED** back to Administration to consult with the resident and other departments with options for addressing the flooding issues within the Perth Street right-of-way; and,

That this information **BE BROUGHT FORWARD** to a future meeting of the Development & Heritage Standing Committee.
Carried.

Report Number: S 28/2023
Clerk’s File: SAA2023

Clerk’s Note:

1. The recommendation of the Development & Heritage Standing Committee and Administration are the same.
2. Please refer to Item 11.1 from the Development & Heritage Standing Committee held on April 5, 2023.
3. To view the stream of this Standing Committee meeting, please refer to:
<http://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20230405/-1/9402>

Subject: Closure of part of east/west alley located east of Perth Street, Ward 1, SAA-6765

Reference:

Date to Council: April 5, 2023
Author: Brian Nagata, MCIP, RPP
Planner II - Development Review
(519) 255-6543 ext. 6181

Planning & Building Services
Report Date: March 3, 2023
Clerk's File #: SAA2023

To: Mayor and Members of City Council

Recommendation:

- I. THAT the portion of the 4.57-metre-wide east/west alley located between Perth Street and the east limit of the property known municipally as 1707 Armanda Street (legally described as Lots 666 to 669, Plan 708), and shown on Drawing No. CC-1813 (*attached* hereto as Appendix "A"), and hereinafter referred to as the "Subject Lands", **BE ASSUMED** for subsequent closure;
- II. THAT the Subject Lands **BE CLOSED AND CONVEYED** to the owner of 1707 Armanda Street and as necessary, in a manner deemed appropriate by the City Planner, subject to the following:
 - a. Easement, subject to there being accepted in the City's standard form and in accordance with the City's standard practice, be granted to:
 - i. Bell Canada for protection of existing buried facilities;
- III. THAT Conveyance Cost **BE SET** as follows:
 - a. For alley conveyed to abutting lands zoned RD1.1 or DRD1.1, \$1.00 plus deed preparation fee and proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.
 - b. For that portion of the Perth Street right-of-way abutting 1707 Armanda Street to the southerly limit of the north half of the east/west alley, \$25.50 per square foot. For the southerly remaining portion of the Perth Street right-of-way, \$10.00 per square foot;

- IV. THAT the request to close the 18.29-metre-wide Perth Street right-of-way located between Armanda Street and Wentworth Street **BE DEFERRED** for subsequent closure until such time that more is known on the final outcome of the Ojibway National Urban Park;
- V. THAT The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1813;
- VI. THAT The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s);
- VII. THAT The Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor.

Executive Summary:

N/A



Figure 1 - Location Map

Background:

The applicant, James Maxwell, owner of the property known municipally as 1707 Armanda Street (the subject property), applied to close the portion of the east/west alley abutting the subject property to the south (the alley) and the Perth Street right-of-way located between Armanda Street and Wentworth Street (the right-of-way), and shown on Drawing No. CC-1813 **attached** hereto as **Appendix "A"**, and also shown on the aerial photo **attached** hereto as **Appendix "B"**.

The alley is unmaintained and utilized as part of the rear yard for the subject property, which is occupied by a Single Family Dwelling. The alley is bound by the subject property to the north and 0 Wentworth Street (Roll No. 080-830-27400) to the south, both of which are owned by the applicant. The alley contains a chain-link fence, an ornamental garden with shrubs, part of a concrete pool deck and diving board, part of a concrete walkway, part of a detached garage and a wood fence. There are no Encroachment Agreements on record for the use of the alley.

The concrete pool deck and fence making up part of the swimming pool enclosure have been in place since at least 1978 (1978 Aerial Photo) and 1982 (April 20, 1982 Plan of Survey) respectively. The portion of the detached garage within the alley was constructed without a Building Permit between 1996 and 2000 (1996 & 2000 Aerial Photos). The concrete walkway that leads to an accessory building located at 0 Wentworth Street was constructed between 1987 and 1996 (1987 & 1996 Aerial Photos). The accessory building was constructed between 1987 and 1996 (1987 & 1996 Aerial Photos) without a Building Permit.

The right-of-way is unmaintained, composed of grass and vegetation in a natural state, and contains a north/south ditch running its entire length. The south portion of the right-of-way is included in the Prairie Remnants (Titcombe Road North) Life Area of Natural and Scientific Interest (ANSI) and the Tallgrass Prairie Heritage Park. Tallgrass Prairie Heritage Park is identified under C-248, a Private Member's Bill to establish an Act to amend the *Canada National Parks Act* for the creation of the Ojibway National Urban Park (ONUP).

Parks Canada launched a program in August 2021 to support the creation of a network of National Urban Parks. National Urban Parks aim to contribute to conservation goals, provide access to nature for major population centres, and contribute to reconciliation with Indigenous peoples.

C-248 was introduced in the House of Commons on February 9, 2022 and is currently in progress. The complete process for C-248 to become law is detailed below.

- C-248 passed first reading in the House of Commons on February 9, 2022.
- C-248 passed second reading in the House of Commons on June 8, 2022
- Standing Committee on Environment and Sustainable Development passed C-248 at their November 17, 2022 meeting.
- C-248 must subsequently receive third reading in the House of Commons, first reading, second reading, third reading and passage by the Senate, and Royal Assent before coming into force.

- C-248 is currently before the House of Commons for third reading and a final vote soon after.

The vegetation, which also encompasses parts of 0 Wentworth Street, **provides habitat for species at risk** as defined under the *Endangered Species Act, 2007, S. O. c.6* (the Act). This subsequently **will require** a permit or authorization from the Ministry of the Environment, Conservation and Parks (MECP), **prior** to a party conducting an activity on the said lands that could impact an endangered or threatened plant or animal or its habitat (i.e. construction, demolition, excavation, grading, grass cutting, landscaping, recreation, removal of vegetation, etc.). The party who is to conduct such activity is **responsible to obtain** any **required** permit or authorization from the MECP, and **comply** with the provisions of the Act. **Consultation** by the party with the MECP **prior** to undertaking an activity is **strongly advised** (SAROntario@ontario.ca). Additional information can be found at the following MECP webpage:

[Development and infrastructure projects and endangered or threatened species](#)

The applicant wishes to close the alley and right-of-way for the reason that he maintains them and consequently would like to own them. The applicant also wishes to purchase the right-of-way so that he can regrade it to address the ongoing flooding issues stemming from the ditch.

Discussion:

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

Classification of Public Right-of-Ways

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

1. *Does the subject alley serve commercial properties?*
 - a. The alley and right-of-way do not serve commercial properties.
2. *Does the subject alley serve properties fronting on heavily traveled streets i.e. major arterial routes?*
 - a. The alley and right-of-way do not serve properties fronting on heavily travelled streets.
3. *Does the subject alley contain sewers, and must the alley remain accessible for servicing?*
 - a. The alley and right-of-way do not contain any sewers.

4. *Does the subject alley serve as the only vehicular means of access to rear parking areas and garages where the property has insufficient lot width for a side drive?*
 - a. The alley and right-of-way do not provide vehicular access to any rear parking areas or garages.

5. *Does the subject alley contain Fire Department connections that are deemed to be necessary for firefighting access?*
 - a. The alley and right-of-way do not contain any Fire Department connections.

6. *Does the subject alley lie within a Holding zone or other similar undeveloped areas where the right-of-way system is clearly obsolete and has never been developed, but where the City needs to keep its options open until new area plans are prepared and development is imminent?*
 - a. The alley lies in part within a Development Reserve District 1.1 (DRD1.1) zone, however is not required for any future development of the lands to the south.

 - b. The right-of-way lies in part within a DRD1.1 zone.
 - The closure may restrict the comprehensive development of the Registered Plans of Subdivision to the south, if and when they are developed, in the case that ONUP is not established or is established and does not include the said lands.

Based on the above in conjunction with the subject property's long standing encroaching concrete pool deck and fence, the Planning Department deems the alley "dispensable" and supports the requested closure.

It is our recommendation that, upon closure, the owner of the subject property be given the chance to acquire the alley in the manner described in the Recommendation section herein. Hence the recommendation is to close and convey the alley to the owner of the subject property.

Based on the above, the Planning Department deems the right-of-way "indispensable" and does not support the requested closure at this time.

The closure may be more appropriate in the future, if and when ONUP is established. Until such time, the closure is deemed to be **PREMATURE**. A future closure of the right-of-way will include the City retaining that portion located within the Prairie Remnants (Titcombe Road North) Life Area of Natural and Scientific Interest (ANSI) and the Tallgrass Prairie Heritage Park.

It is our recommendation that the request to close the right-of-way be **DEFERRED**.

Risk Analysis:

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

Climate Change Risks

Climate Change Mitigation:

N/A

Climate Change Adaptation:

N/A

Financial Matters:

The rate for an alley and surplus lands conveyed to abutting lands zoned RD1.1 or DRD1.1 is assessed at \$1.00 plus deed preparation fee and proportionate share of the survey costs as invoiced to the City by an Ontario Land Surveyor.

The rate for the portion of the Perth Street right-of-way abutting 1707 Armanda Street and extending to the southerly limit of the north half of the east/west alley is \$25.50 per square foot.

The rate for the remaining portion of the Perth Street right-of-way is \$10.00 per square foot.

Consultations:

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

The Planning Department's Landscape Architect, the Public Works Traffic Operations Department and the Transportation Planning Department through their comments have advised that the right-of-way should remain open.

Notice of this application was issued to property owners abutting the alley and right-of-way on May 11, 2022 with no objections being received as of the writing of this report. The owner of 1685 Armanda Street, via phone conversation on May 31, 2022, confirmed that they would like to purchase their half of the right-of-way if it is closed.

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

Conclusion:

The Planning Department recommends closure of the alley shown on attached Appendix "A", subject to an easement in favour of Bell Canada, as in Recommendation II of this report.

The closed alley is to be conveyed to the owner of the subject property as in Recommendation II of this report.

The Planning Department further recommends that the closure of the right-of-way shown on attached Appendix "A" be **DEFERRED** as in Recommendation IV of this report.

Planning Act Matters:

Brian Nagata, MCIP, RPP
Planner II - Development

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

Michael Cooke, MCIP, RPP
Manager of Policy Planning

Thom Hunt, MCIP, RPP
City Planner

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

JP *OC*

Approvals:

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

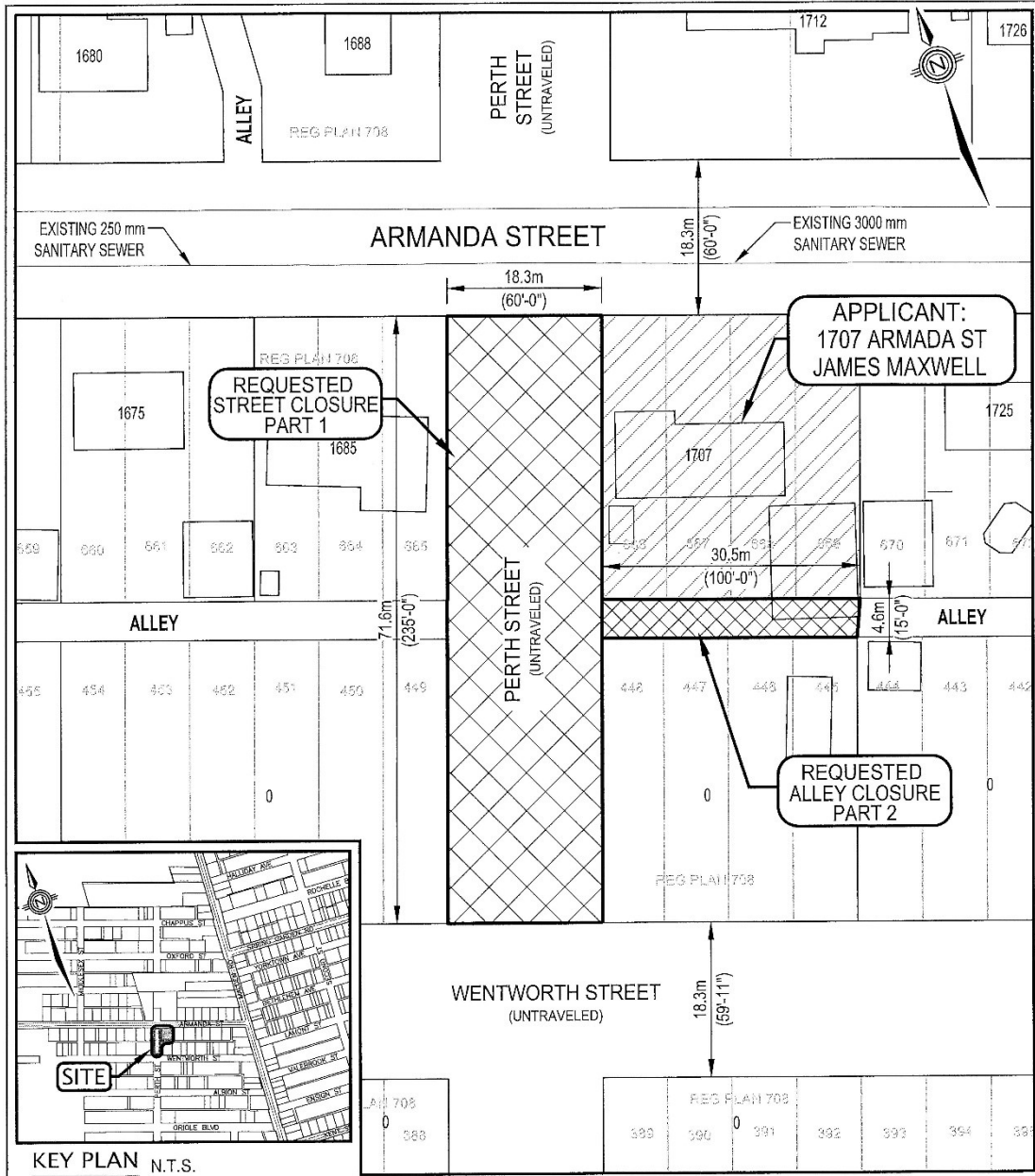
Notifications:

Name	Address	Email
Ward 1 Councillor Fred Francis	350 City Hall Square West, Suite 220 Windsor, Ontario N9A 6S1	ffrancis@citywindsor.ca
List of mailing labels for property owners abutting alley issued to Clerks office		

Appendices:

- 1 Appendix A - Drawing No. CC-1813
- 2 Appendix B - EIS Drawing - Aerial Photo
- 3 Appendix C - Consultations with Municipal Departments and Utility Companies
- 4 Appendix D - Site Photos
- 5 Appendix E - Classification of Alleys and Suitability for Closure

APPENDIX "A" Drawing No. CC-1813



THE CORPORATION OF THE CITY OF WINDSOR - ENGINEERING DEPARTMENT Proposed Closure of Perth Street Between Armanda Street and Wentworth Street, And Partial Closure of East/West Alley Between Perth Street and Malden Road			
Kirk Tamm, Manager of Geomatics	SCALE: 1:600 DWN BY: DB	DATE: MAY 2022 CHKD BY: PJU / MM	REVISED: REVISION NO.: DWG. NO. CC-1813

APPENDIX "B" EIS Drawing - Aerial Photo



STREET & ALLEY CLOSING (SAS/6765)

1:1,000

APPLICANT : JAMES MAXWELL

 SUBJECT LANDS

PLANNING DEPARTMENT - DEVELOPMENT DIVISION

DATE: MAY, 2022



APPENDIX "C"

Consultations with Municipal Departments and Utility Companies

BELL CANADA WSP

Bell Canada requests an easement over the e/w alley portion to protect existing buried facilities; approximate location indicated by green line. Locates may be necessary to determine precise location.



Approximate location, existing Bell Canada buried facilities.

STREET & ALLEY CLOSING (SAS/6765)

1:1,000

APPLICANT : JAMES MAXWELL



SUBJECT LANDS

PLANNING DEPARTMENT - DEVELOPMENT DIVISION

DATE: MAY, 2022

CANADA POST

No comments provided

COGECO CABLE SYSTEMS INC.

No comments provided

ENBRIDGE GAS

After reviewing the provided drawing at 1685 Armanda Street and consulting our mapping system, please note that Enbridge Gas has active infrastructure in the proposed area. A PDF drawing has been attached for reference.

Please Note:

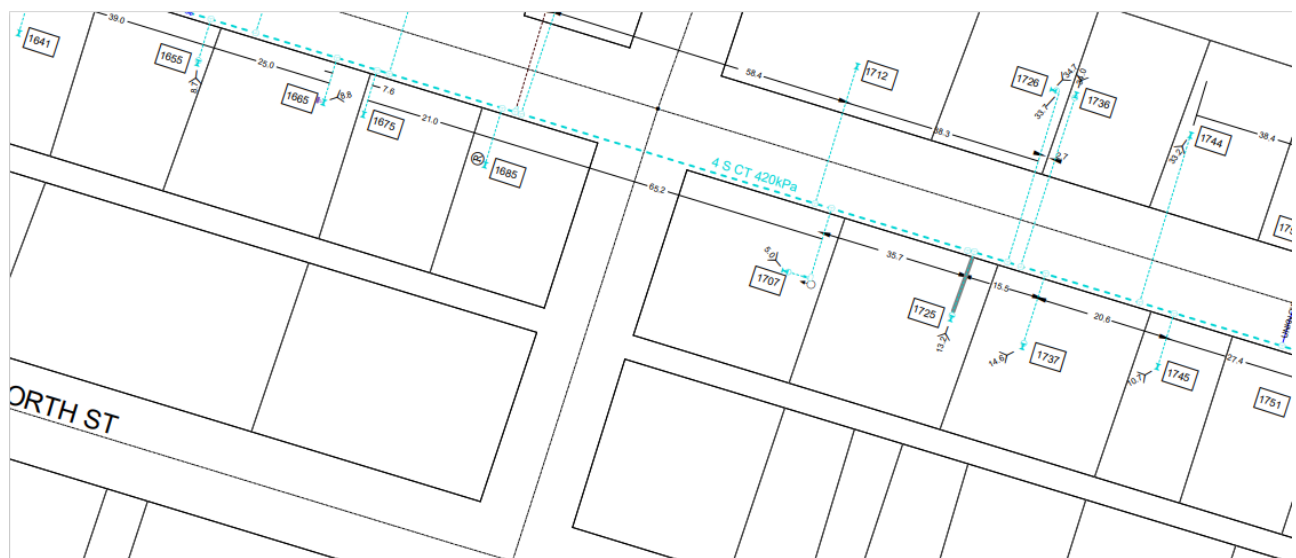
1. The shown piping locations are approximate and for information purposes only
2. The drawings are not to scale
3. This drawing does not replace field locates. Please contact Ontario One Call for onsite locates prior to excavating, digging, etc.

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

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

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

[James Makhoulf, Summer Student - Drafting]



ENVIRONMENTAL SERVICES

No comments provided

ENWIN UTILITIES - HYDRO

No objection to street & alley closing. Be advised that the overhead 120/240V service to the applicant's address crosses the North-East corner of the subject lands.

[Zachary Mancini, Hydro Engineering Technologist]

ENWIN UTILITIES - WATER

Water Engineering has no objections.

[Bruce Ogg, Water Project Review Officer]

LEGAL DEPARTMENT

For the alley lands conveyed to RD1.1 or DRD1.1, \$1 plus deed preparation and proportionate share of the survey cost as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.

For that portion of Perth abutting 1707 Armanda to the southerly limit of the north half of the east west alley, \$25.50 per square foot. For the southerly remaining portion of Perth, \$10.00 per square foot.

[Denise Wright, Lease Administrator]

MNSi

MNSi does not require an easement through the subject lands.

[Dave Hartleib, Outside Plant Manager]

PARKS & FACILITIES

I have the same opinion with what Stefan said within his below email to you today. It is recommended that the Perth Street Right-of-way not be closed and sold for this SAS/6765 LIAISON.

[Sherif Barsom, Landscape Architect]

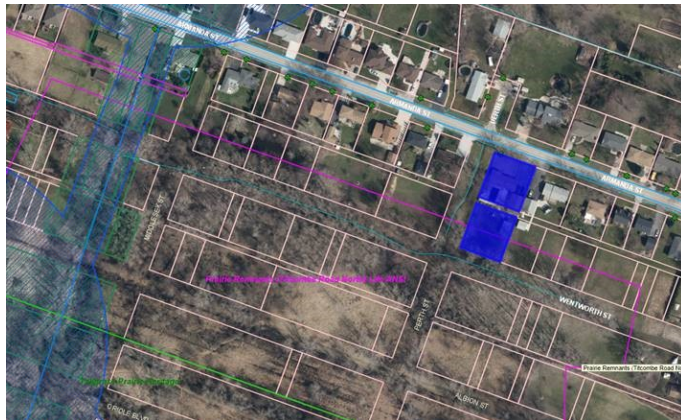
PLANNING DEPARTMENT

No comments provided

PLANNING DEPARTMENT - LANDSCAPE ARCHITECT

The proposed street and alley closure abuts undeveloped wooded area immediately north of the Tallgrass Prairie Heritage Parkland. Within this parkland and the wooded area to the north of it are species at risk and significant wildlife habitat.

According to the 2017 aerial photography, the two properties owned by the applicant are developed and the yard is characterized by a manicured lawn, therefore there would be no objection to the closure of the east-west alley between the applicant's properties of 1707 Armanda and the unaddressed parcel on the undeveloped Wentworth Street immediate south of 1707 Armanda.



However, the application also calls for the closure of the undeveloped portion of Perth Street, between Armanda and Wentworth. The southern portion of the proposed Perth Street closure lies within the Prairie Remnants (Titcombe Road North) Life ANSI. A natural drain runs down the center of the Perth Street ROW as well as the Wentworth ROW, connecting up to the ERCA regulated wetlands, west of the proposed closure near the undeveloped Middlesex Street. Consultation with the City Naturalist and the Executive Director of Parks has identified that this unopened right of way provides species at risk habitat and a natural corridor for wildlife to move between Tallgrass Prairie Heritage Park and the natural area north of Armanda. Therefore, it is recommended that the Perth Street Right-of-way not be closed and sold.

[Stefan Fediuk, Landscape Architect]

PUBLIC WORKS - ENGINEERING

The east/west section of the alley to be closed is approximately 31 m long and 5 m wide and composed of grass. The north/south section of right-of-way closure (Perth St.) is approximately 72 m long and 18 m wide and composed of grass. There are no sewers or manholes located within the closure. There is a drainage ditch within the north/south section. There are no hydro poles or guy wires within the alley. The alley and right-of-way have no usefulness, therefore, we have no objections to the closure application. If the alley isn't closed, the property owner at 1707 Armanda will be required to remove the encroaching objects or enter into an encroachment agreement with the City.

[Adam Pillon - Manager Right-of-Way]

PUBLIC WORKS - TRAFFIC

The Perth St ROW will be needed to connect to the future road network connecting to Wentworth and southerly, and should remain as public right-of-way. Access is also required for all lot owners south of Armanda. The ROW may also be necessary to provide drainage to the ditch along the south side of Armanda.

The east/west alley south of 1707 Armanda is currently restricted by a chain link gate. No concerns with closing the east west alley south of the applicant property.

[Mike Spagnuolo, Signal Systems Analyst]

ROGERS COMMUNICATIONS

No comments provided

TELUS COMMUNICATIONS

TELUS has no underground infrastructure in the area of your proposed work

[Meghna Patel, Permit Coordinator]

TRANSPORTATION PLANNING

The requested alley closure to the west of 1707 Armanda is indicated to become a future road (Perth St) and should remain open. Planning should be consulted on whether there are still plans for this land to become right-of-way. There are no objections to the proposed area to the south of 1707 Armanda.

[Shannon Deehan, Transportation Planner I]

TRANSIT WINDSOR

No comments provided

WINDSOR FIRE

No comments provided

WINDSOR POLICE

No comments provided

APPENDIX "D"
Site Photos (December 5, 2022)



Figure 1 - Looking east towards alley from Perth St right-of-way (1707 Armanda St left)



Figure 2 - Looking east towards alley from Perth St right-of-way (1707 Armanda St left)



Figure 3 - Perth St right-of-way, looking south from juncture with alley



Figure 4 - Perth St right-of-way, looking south from juncture with Wentworth St right-of-way



Figure 5 - Perth St right-of-way, looking north from juncture with alley (1707 Armanda St right)



Figure 6 - Looking south towards Perth right-of-way from Armanda St (1707 Armanda St left)

APPENDIX “E”

Classification of Alleys and Suitability for Closure

Classification of Public Rights-of-Ways:

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

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

Suitability for Closing:

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

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

Subject: Additional Information Memo to S 28/2023, Ward 1

Reference:

Date to Council: September 11, 2023
Author: Brian Nagata, MCIP, RPP
Planner II - Development Review
(519) 255-6543 ext. 6181

Planning & Building Services
Report Date: August 22, 2023
Clerk's File #: SAA2023

To: Mayor and Members of City Council

Additional Information:

Addendum to Recommendation for Report S 28/2023:

- Part b. of Recommendation III **BE DELETED**
- Recommendation IV **BE DELETED**
- Recommendations V, VI and VII **BE RENUMBERED** to IV, V and VI respectively

Background:

The Development & Heritage Standing Committee (DHSC), at their April 5, 2023 meeting, considered report S 28/2023 concerning the closure of the Perth Street right-of-way (R.O.W.) located between Armanda Street and Wentworth Street, and part of the east/west alley located east of Perth Street. DHSC approved the following motion directing Administration to provide additional information on options for addressing flooding issues within the Perth Street R.O.W.

*That the report of the Planner II - Development Review dated March 3, 2023, entitled "Closure of part of east/west alley located east of Perth Street, Ward 1, SAA-6765" **BE REFERRED** back to Administration to consult with the resident and other departments with options for addressing the flooding issues within the Perth Street right-of-way; and,*

*That this information **BE BROUGHT FORWARD** to a future meeting of the Development & Heritage Standing Committee.*

The additional information request stems from concerns about ongoing flooding in the Perth Street R.O.W. raised by the applicant through correspondence to the Planning Department and delegation to the DHSC.

Discussion:

The Public Works Department, via July 18, 2023 email, provided the Planning Department with the following options for mitigating flooding within the Perth Street R.O.W. and the impacts thereof on surrounding properties:

- File a local improvement petition for a new storm sewer;
- Apply for the basement flooding program to help protect their house; and/or
- Apply for the new culvert replacement program to help with ditch flow.

In this email, the Public Works Department confirms that the drains in the area have very little grade, and the water will take longer to get to the outlet. Therefore, it is preferred that the Perth Street R.O.W. remain open and naturalized as any changes to the inlying ditch may create issues for surrounding properties.

The Planning Department provided the aforesaid information to the applicant via July 27, 2023 email. The applicant, via same day follow-up email, requested that the scope of his application be amended to exclude the Perth Street R.O.W. due to the high conveyance price. The Planning Department has no concerns with the request and is consequently recommending that the Recommendation of report S 28/2023 be amended accordingly as per the *Addendum to Recommendation for Report S 28/2023* section herein.

Conclusion:

This memo responds to the questions asked by DHSC about report S 28/2023. It provides options for mitigating flooding within the Perth Street R.O.W. and the impacts thereof on surrounding properties. The memo also recommends changes to the Recommendation of report S 28/2023 to accommodate the applicant’s request to remove the Perth Street R.O.W. from the scope of the application.

Planning Act Matters:

N/A

Approvals:

Name	Title
Greg Atkinson	Manager of Development/Deputy City Planner
Neil Robertson	Acting City Planner / Executive Director, Planning & Development Services
Kate Tracey	Senior Legal Council, Legal Services & Real Estate
Jelena Payne	Commissioner, Economic Development & Innovation
Joe Mancina	Chief Administration Officer

Notifications:

Name	Address	Email
Ward 1 Councillor Fred Francis	350 City Hall Square West, Suite 220 Windsor, Ontario N9A 6S1	ffrancis@citywindsor.ca

Appendices:

None



Subject: Closure of north/south alley between Clairview Avenue and 8445 Riverside Drive East, and east/west alley between Dieppe Street and north/south alley, Ward 6, SAA-6844

Moved by: Councillor Angelo Marignani
Seconded by: Councillor Fred Francis

Decision Number: **DHSC 552**

- I. THAT the 4.88-metre-wide north/south alley located between Clairview Avenue and the property known municipally as 8445 Riverside Drive East (legally described as Lot 1, Part of Lot 2 & Part of Closed Riverside, Plan 1029), and shown on Drawing No. CC-1822 (*attached* hereto as Appendix "A"), and hereinafter referred to as the "subject north/south alley", **BE ASSUMED** for subsequent closure;
- II. THAT the subject north/south alley **BE CLOSED AND CONVEYED** to the abutting property owners and as necessary, in a manner deemed appropriate by the City Planner, subject to the following:
 - a. 3.0-metre-wide easement, measured 1.50 metres from either side of the following utility infrastructure, subject to there being accepted in the City's standard form and in accordance with the City's standard practice, be granted to:
 - i. Bell Canada to accommodate aerial cable/poles;
 - ii. ENWIN Utilities Ltd. to accommodate existing overhead 120/240-volt hydro distribution; and
 - iii. MNSi. to accommodate existing aerial plant on the poles.
- III. THAT the 4.88-metre-wide east/west alley located between Dieppe Street and the subject north/south alley, and shown on Drawing No. CC-1822 (*attached* hereto as Appendix "A"), and hereinafter referred to as the "subject east/west alley", **BE ASSUMED** for subsequent closure;
- IV. THAT the portion of the subject east/west alley abutting 8445 Riverside Drive East **BE CLOSED AND CONVEYED** to the abutting property owners and as necessary, in a manner deemed appropriate by the City Planner.
- V. THAT the portion of the subject east/west alley abutting 8415 Riverside Drive East (legally described as Lots 4 & 5, Part of Closed Street, Plan 1029) and 8435 Riverside Drive East (legally described as Lot 3, Part of Lot 2, Part of Closed

Street, Plan 1029) **BE CLOSED AND CONVEYED** to the owner of the abutting property known municipally as 244 Dieppe Street (legally described as Lot 6, Plan 1029) and as necessary, in a manner deemed appropriate by the City Planner, subject to the following:

- a. Easement over that portion of the subject east/west alley abutting 8415 Riverside Drive East, subject to there being accepted in the City's standard form and in accordance with the City's standard practice, be granted to:
 - i. The owner of 8415 Riverside Drive East for access to maintain their hedgerow bordering the said portion of the subject east/west alley.

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

- a. For alley conveyed to abutting lands zoned RD1.1 or RD1.2, \$1.00 plus HST (if applicable), deed preparation fee and proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.

VII. THAT The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1822, *attached* hereto as Appendix "A".

VIII. THAT The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s).

IX. THAT The Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor.

X. THAT the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003

Carried.

Report Number: S 99/2023

Clerk's File: SAA2023

Clerk's Note:

1. The recommendation of the Development & Heritage Standing Committee and Administration are **not** the same.
2. Please refer to Item 11.1 from the Community Services Standing Committee held on September 11, 2023.
3. To view the stream of this Standing Committee meeting, please refer to:
<http://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20230911/-1/9432>

Subject: Closure of north/south alley between Clairview Avenue and 8445 Riverside Drive East, and east/west alley between Dieppe Street and north/south alley, Ward 6, SAA-6844

Reference:

Date to Council: September 11, 2023
Author: Brian Nagata, MCIP, RPP
Planner II - Development Review
(519) 255-6543 ext. 6181

Planning & Building Services
Report Date: August 10, 2023
Clerk's File #: SAA2023

To: Mayor and Members of City Council

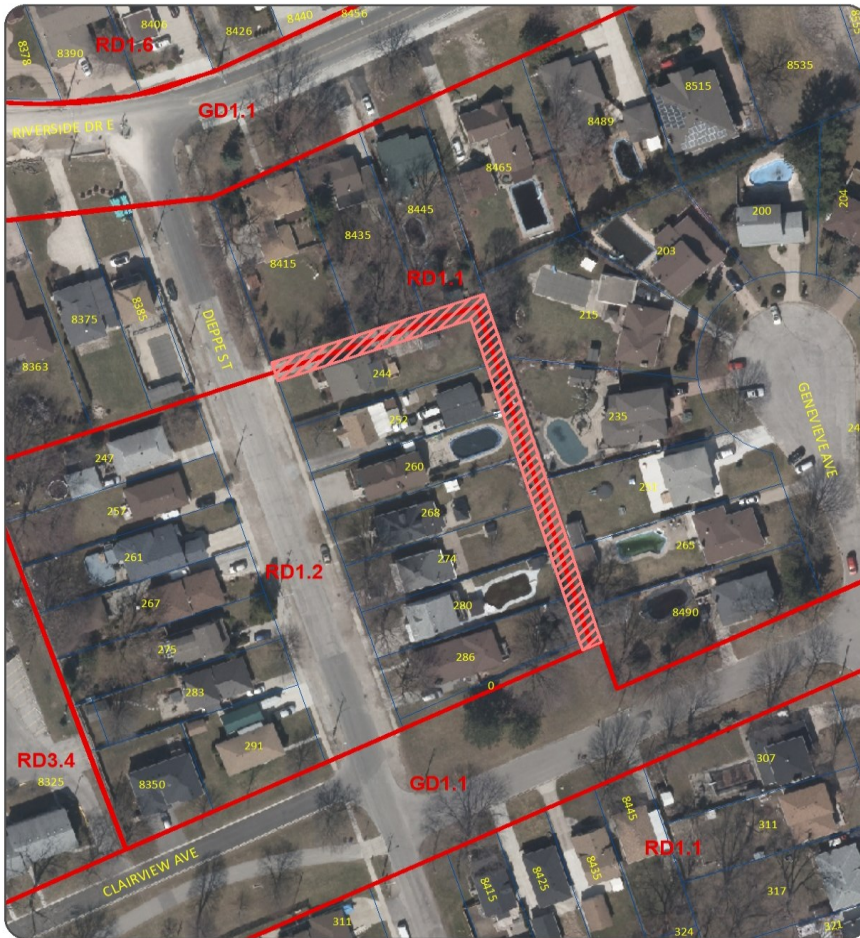
Recommendation:

- I. THAT the 4.88-metre-wide north/south alley located between Clairview Avenue and the property known municipally as 8445 Riverside Drive East (legally described as Lot 1, Part of Lot 2 & Part of Closed Riverside, Plan 1029), and shown on Drawing No. CC-1822 (*attached* hereto as Appendix "A"), and hereinafter referred to as the "subject north/south alley", **BE ASSUMED** for subsequent closure;
- II. THAT the subject north/south alley **BE CLOSED AND CONVEYED** to the abutting property owners and as necessary, in a manner deemed appropriate by the City Planner, subject to the following:
 - a. 3.0-metre-wide easement, measured 1.50 metres from either side of the following utility infrastructure, subject to there being accepted in the City's standard form and in accordance with the City's standard practice, be granted to:
 - i. Bell Canada to accommodate aerial cable/poles;
 - ii. ENWIN Utilities Ltd. to accommodate existing overhead 120/240-volt hydro distribution; and
 - iii. MNSi. to accommodate existing aerial plant on the poles.
- III. THAT the 4.88-metre-wide east/west alley located between Dieppe Street and the subject north/south alley, and shown on Drawing No. CC-1822 (*attached* hereto as Appendix "A"), and hereinafter referred to as the "subject east/west alley", **BE ASSUMED** for subsequent closure;

- IV. THAT the subject east/west alley **BE CLOSED AND CONVEYED** to the abutting property owners and as necessary, in a manner deemed appropriate by the City Planner, subject to the following:
- a. Easement over that portion of the subject east/west alley abutting the property known municipally as 8415 Riverside Drive East (legally described as Lots 4 & 5, Part of Closed Street, Plan 1029), subject to there being accepted in the City's standard form and in accordance with the City's standard practice, be granted to:
 - i. The owner of the property known municipally as 8415 Riverside Drive East for access to maintain their hedgerow bordering the said portion of the subject east/west alley.
- V. THAT Conveyance Cost **BE SET** as follows:
- a. For alley conveyed to abutting lands zoned RD1.1 or RD1.2, \$1.00 plus HST (if applicable), deed preparation fee and proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.
- VI. THAT The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1822, *attached* hereto as Appendix "A".
- VII. THAT The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s).
- VIII. THAT The Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor.
- IX. THAT the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003

Executive Summary:

N/A



STREET & ALLEY CLOSING (SAA/6844)

1:1,000

APPLICANT : CLAIRE OFNER AND JACK TOBIN

 SUBJECT LANDS

PLANNING DEPARTMENT - PLANNING POLICY

DATE: AUGUST, 2022



Figure 1 - Location Map

Background:

The applicant, Claire Ofner, owner of the property known municipally as 244 Dieppe Street (the subject property), applied to close the north/south alley located between Clairview Avenue and 8445 Riverside Drive East (the north/south alley), and the east/west alley located between Dieppe Street and the north/south alley (the east/west alley), and shown on Drawing No. CC-1822 *attached* hereto as Appendix “A”, and also shown on the aerial photo *attached* hereto as Appendix “B”.

The north/south alley and east/west alley were established by Registered Plan 1029, registered on November 14, 1921.

The north/south alley is unmaintained and composed primarily of grass with sporadic trees located throughout. The north/south alley contains utility poles with guy wires and anchors. Over the years abutting properties encroached into the alley with fences. The subject property, 252 & 260 Dieppe Street, and 251 & 265 Genevieve Avenue

encroached on more than half of the north/south alley. There are no Encroachment Agreements on record for the use of the north/south alley.

The east/west alley is unmaintained and composed primarily asphalt and grass. The asphalt portion of the east/west alley is being utilized as a driveway by the subject property. The asphalt was installed over an existing gravel driveway sometime between 2019 and 2021. Over the past several decades the subject property has encroached into the east/west alley, utilizing it as a driveway and an extension of the rear yard. There are no Encroachment Agreements on record for the use of the east/west alley.

The applicant wishes to close the north/south alley for the purpose of purchasing the section abutting the subject property, which has been encroached on and utilized as an extension of the rear yard for several years.

The applicant wishes to close the east/west alley for the purpose of satisfying an Order to Comply issued for paving a portion of the east/west alley.

Discussion:

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

Classification of Public Right-of-Ways

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

1. *Does the subject alley serve commercial properties?*
 - a. The north/south alley and east/west alley do not serve any commercial properties.
2. *Does the subject alley serve properties fronting on heavily traveled streets i.e. major arterial routes?*
 - a. The north/south alley and east/west alley do not serve properties fronting on heavily travelled streets.
3. *Does the subject alley contain sewers, and must the alley remain accessible for servicing?*
 - a. The north/south alley and east/west alley do not contain any sewers.

4. *Does the subject alley serve as the only vehicular means of access to rear parking areas and garages where the property has insufficient lot width for a side drive?*
 - a. The north/south alley and east/west alley do not serve as the only vehicular means of access to any rear parking areas or garages.
5. *Does the subject alley contain Fire Department connections that are deemed to be necessary for firefighting access?*
 - a. The north/south alley and east/west alley do not contain any Fire Department connections.
6. *Does the subject alley lie within a Holding zone or other similar undeveloped areas where the right-of-way system is clearly obsolete and has never been developed, but where the City needs to keep its options open until new area plans are prepared and development is imminent?*
 - a. The north/south alley and east/west alley do not lie within a Holding zone or other similar undeveloped area.

Based on the above, the Planning Department deems the north/south alley and east/west alley “dispensable”, and supports the requested closure.

It is our recommendation that, upon closure, the abutting property owners be given the chance to acquire the north/south alley in the manner described in the Recommendation section herein. Hence the recommendation is to close and convey the north/south alley to the abutting property owners, which is the standard manner of conveyance.

This includes the subject property, 252 Dieppe Street, 260 Dieppe Street, 251 Genevieve Avenue and 265 Genevieve Avenue, all of which have encroached upon more than their half of the north/south alley. This approach is being taken in order to be as fair as possible in conveying the north/south alley, which no abutting property owners have permission to encroach upon.

It is further our recommendation that, upon closure, the abutting property owners be given the chance to acquire the east/west alley in the manner described in the Recommendation section herein. Hence the recommendation is to close and convey the east/west alley to the abutting property owners, which is the standard manner of conveyance.

This excludes those portions of the east/west alley abutting 8415 Riverside Drive East and 8435 Riverside Drive East, which are recommended to be offered firstly to the owner of the subject property. This recommendation is based on the historical use of the east/west alley by the subject property in conjunction with the owners of 8415 Riverside Drive East waiving their right to purchase their half of the alley and owners of 8435 Riverside Drive East not expressing any interest to purchase their half of the alley to date.

It should be noted that if the owners of 8415 Riverside Drive East and 8435 Riverside Drive East were to purchase their half of the east/west alley, they will be receiving it as-is. This means that the removal of the existing asphalt driveway belonging to the subject property and the restoration of their half of the east/west alley will be come a civil matter.

Risk Analysis:

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

Climate Change Risks

Climate Change Mitigation:

N/A

Climate Change Adaptation:

N/A

Financial Matters:

The rate for an alley conveyed to abutting lands zoned RD1.1 or RD1.2 is assessed at \$1.00 plus HST (if applicable), deed preparation fee and proportionate share of the survey costs as invoiced to the City by an Ontario Land Surveyor.

Consultations:

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

Notice of this application was issued to property owners abutting the alley by regular mail.

The owner of 280 Dieppe Street verbally indicated that they do not object to the closure and would like to purchase their half of the north/south alley should it be closed.

The owner of 286 Dieppe Street confirmed via email that they do not oppose the closure of the north/south alley.

The owner of 8415 Riverside Drive East verbally indicated that they are amenable to waiving their right to purchase their half of the east/west alley, if an easement is granted allowing them access to maintain their hedgerow bordering the alley.

The owners of 8445 Riverside Drive East confirmed via email that they do not oppose the closure of the north/south alley or the east/west alley.

Notice of Development & Heritage Standing Committee meeting and Council meeting are published in the Windsor Star prior to each of the meetings. In addition, notice of

each of the public meetings will be mailed to the abutting/affected property owners prior to the meetings.

Conclusion:

The Planning Department recommends closure of the north/south alley shown on attached Appendix “A”, subject to easements in favour of Bell Canada, ENWIN Utilities Ltd., and MNSi as in Recommendations II of this report.

The Planning Department recommends closure of the east/west alley shown on attached Appendix “A”, subject to an easement in favour of 8415 Riverside Drive East as in Recommendations IV of this report.

The closed north/south alley and the east/west alley are to be conveyed to the abutting property owners as in Recommendation II and IV of this report respectively.

Planning Act Matters:

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

Greg Atkinson, MCIP, RPP
Manager of Development Planning

Neil Robertson, MCIP, RPP
Acting City Planner

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

JP JM

Approvals:

Name	Title
Greg Atkinson	Manager of Development Planning/Deputy City Planner
Neil Robertson	Acting City Planner / Executive Director, Planning & Development Services
Stephanie Santos	Coordinator of Real Estate Services
Kate Tracey	Senior Legal Council, Legal Services & Real Estate
Jelena Payne	Commissioner, Economic Development & Innovation
Joe Mancina	Chief Administration Officer

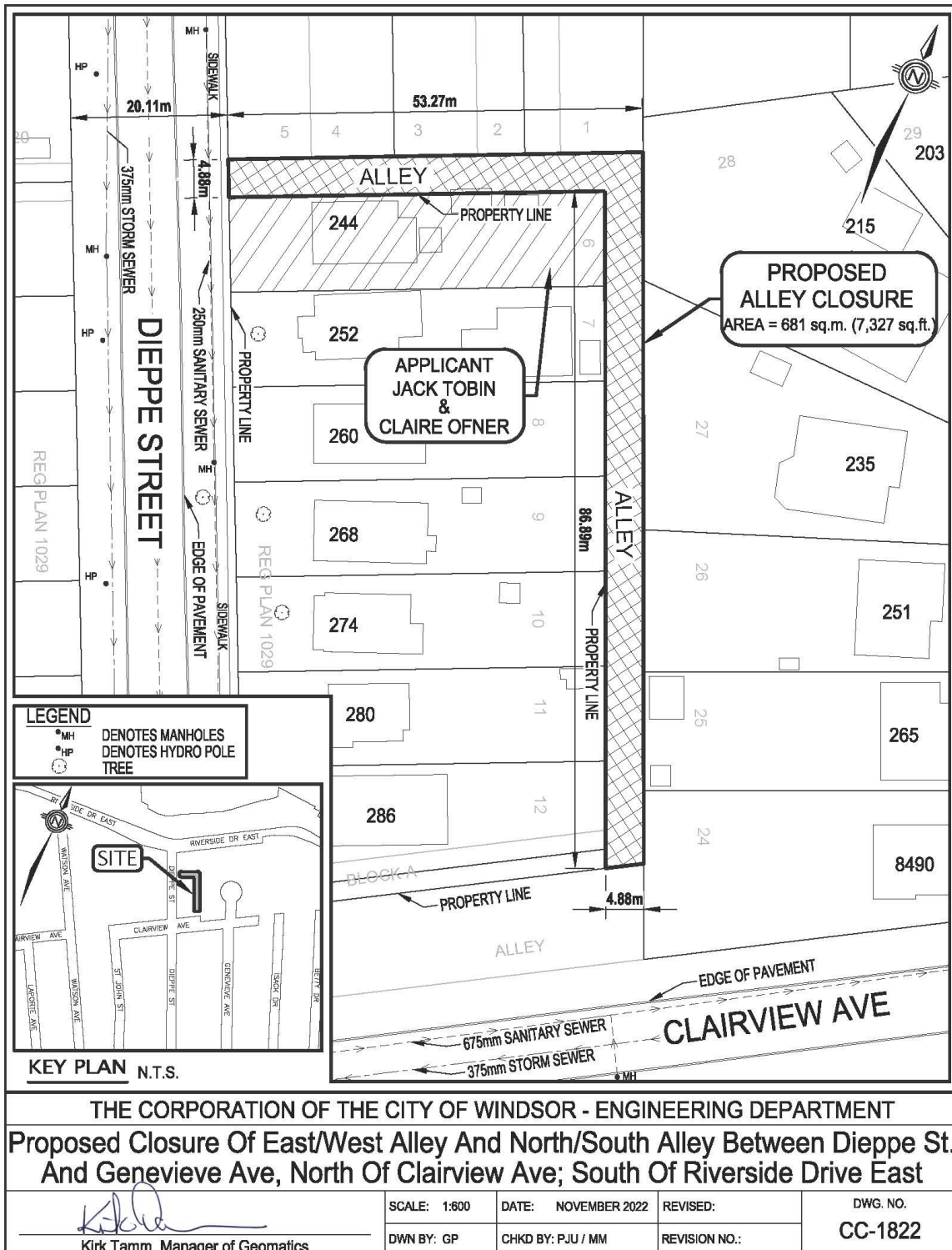
Notifications:

Name	Address	Email
Ward 6 Councillor Jo-Anne Gignac	350 City Hall Square West, Suite 220 Windsor, Ontario N9A 6S1	joagignac@citywindsor.ca
List of mailing labels for property owners abutting alley issued to Clerks office		

Appendices:

- 1 Appendix A - Drawing No. CC-1822
- 2 Appendix B - EIS Drawing - Aerial Photo
- 3 Appendix C - Consultations with Municipal Departments and Utility
- 4 Appendix D - Site Photos
- 5 Appendix E - Classification of Alleys and Suitability for Closure

APPENDIX "A" Drawing No. CC-1822



APPENDIX "B" EIS Drawing - Aerial Photo



STREET & ALLEY CLOSING (SAA/6844)

1:1,000

APPLICANT : CLAIRE OFNER AND JACK TOBIN

 SUBJECT LANDS

PLANNING DEPARTMENT - PLANNING POLICY

DATE: AUGUST, 2022



APPENDIX “C”

Consultations with Municipal Departments and Utility Companies

BELL CANADA WSP

Bell Canada requests a 3.0 m wide easement, to measure 1.5 m on either side of the aerial cable/poles for the length of the n/s portion of the alley.

[Charleyne Hall - Bell Canada External Liaison, Right of Way & Indigenous Relation]



COGECO CABLE SYSTEMS INC.

No comments provided

ENBRIDGE GAS

After reviewing the provided drawing at the alley behind 244 - 286 Dieppe St and consulting our mapping system, please note that Enbridge Gas has no active infrastructure in the proposed area. A PDF drawing has been attached for reference.

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

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

[Jose Delloso - Drafter / Estimator, Construction Windsor]

PLANNING DEPARTMENT

No comments provided

PLANNING DEPARTMENT - LANDSCAPE ARCHITECT

No objections from a landscape architectural perspective.

[Stefan Fediuk - Landscape Architect]

PUBLIC WORKS - ENGINEERING

No comments provided

PUBLIC WORKS - OPERATIONS

There are no maintenance concerns and the application is supported.

[Roberta Harrison - Coordinator Maintenance]

PUBLIC WORKS - TRAFFIC

The east west alley shown is used as a driveway by 244 Dieppe. If the applicant does not secure the full width, there may be some access restrictions with vehicles, however it may satisfy encroachment concerns. Since the applicant is the one requesting the closure, there is no objection to closing as proposed.

Recommend closing the north/south alley up to the south property line of 286 Dieppe to avoid any projections and match geometry.

[Mike Spagnuolo - Signal Systems Analyst]

ROGERS COMMUNICATIONS

No comments provided

TELUS COMMUNICATIONS

TELUS has no underground infrastructure in the area of your proposed work.

[Meghna Patel - Permit Coordinator]

TRANSPORTATION PLANNING

244 Dieppe St is utilizing the adjacent alley for parking, however, there are no concerns with the proposed closure since they are the applicants with the closure request.

[Shannon Deehan - Transportation Planning Coordinator]

TRANSIT WINDSOR

Transit Windsor has no objections.

[Jason Scott - Supervisor, Planning]

WINDSOR FIRE

No comments provided

WINDSOR POLICE

The Windsor Police Service has no concerns or objections with the closure of this L-shaped section of alley between Dieppe Street and Genevieve Avenue. Closure will not carry any negative impact to police response or service delivery capacity for the affected properties.

[Barry Horrobin - Director of Planning & Physical Resources]

APPENDIX "D"
Site Photos (April 20, 2023)



Figure 1 - Dieppe Street, looking south from entrance to east/west alley



Figure 2 - Dieppe Street, looking north from entrance to east/west alley



Figure 3 - Looking east towards east/west alley from Dieppe Street



Figure 4 - Looking north towards north/south alley from Clairview Avenue

APPENDIX “E”

Classification of Alleys and Suitability for Closure

Classification of Public Rights-of-Ways:

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

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

Suitability for Closing:

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

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

September 11, 2023
Development & Heritage Standing Committee
Item 11.1 – Written Submission

From: Carole Allison
Sent: September 8, 2023 12:15 PM
To: clerks <clerks@citywindsor.ca>
Subject: Alley closer Clairview, Riverside Dr

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I'm the owner of 274 Dieppe, I have no objection to the closure of the alley, and will not attend the mtg.
Thank you for the information.

Carole Allison

274 Dieppe.



Committee Matters: SCM 247/2023

Subject: Revision to Zoning By-law 8600 – University Residential Land Corp. – 0 Huron Church – Ward 2

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Fred Francis

Decision Number: **DHSC 549**

1. THAT Zoning By-law 8600 **BE AMENDED** by revising the following Section 20(1) site-specific provision as follows:

477. For the lands comprising of Pt Lot 63 & 64, Concession 1; further described as Parts 1& 2, Plan 12R-14334 (known municipally as 0 Huron Church Road), identified as Parcel “B”, as shown on Schedule “A” of this by-law, despite the regulations of the Commercial District 3.3 (CD3.3) zone category, the following regulations shall apply:

a) Building Height – maximum - 40.0 m

[ZDM 4; ZNG/6736]

Carried.

Report Number: S 101/2023

Clerk’s File: Z/10891

Clerk’s Note:

1. The recommendation of the Development & Heritage Standing Committee and Administration are the same.
2. Please refer to Item 7.4 from the Community Services Standing Committee held on September 11, 2023.
3. To view the stream of this Standing Committee meeting, please refer to:
<http://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20230911/-1/9432>

Subject: Revision to Zoning By-law 8600 – University Residential Land Corp. – 0 Huron Church – Ward 2

Reference:

Date to Council: September 11, 2023
Author: Pablo Golob, MCIP, RPP
Planner II
519-255-6543 Ext. 6918
pgolob@citywindsor.ca
Planning & Building Services
Report Date: 8/14/2023
Clerk's File #: Z/10891

To: Mayor and Members of City Council

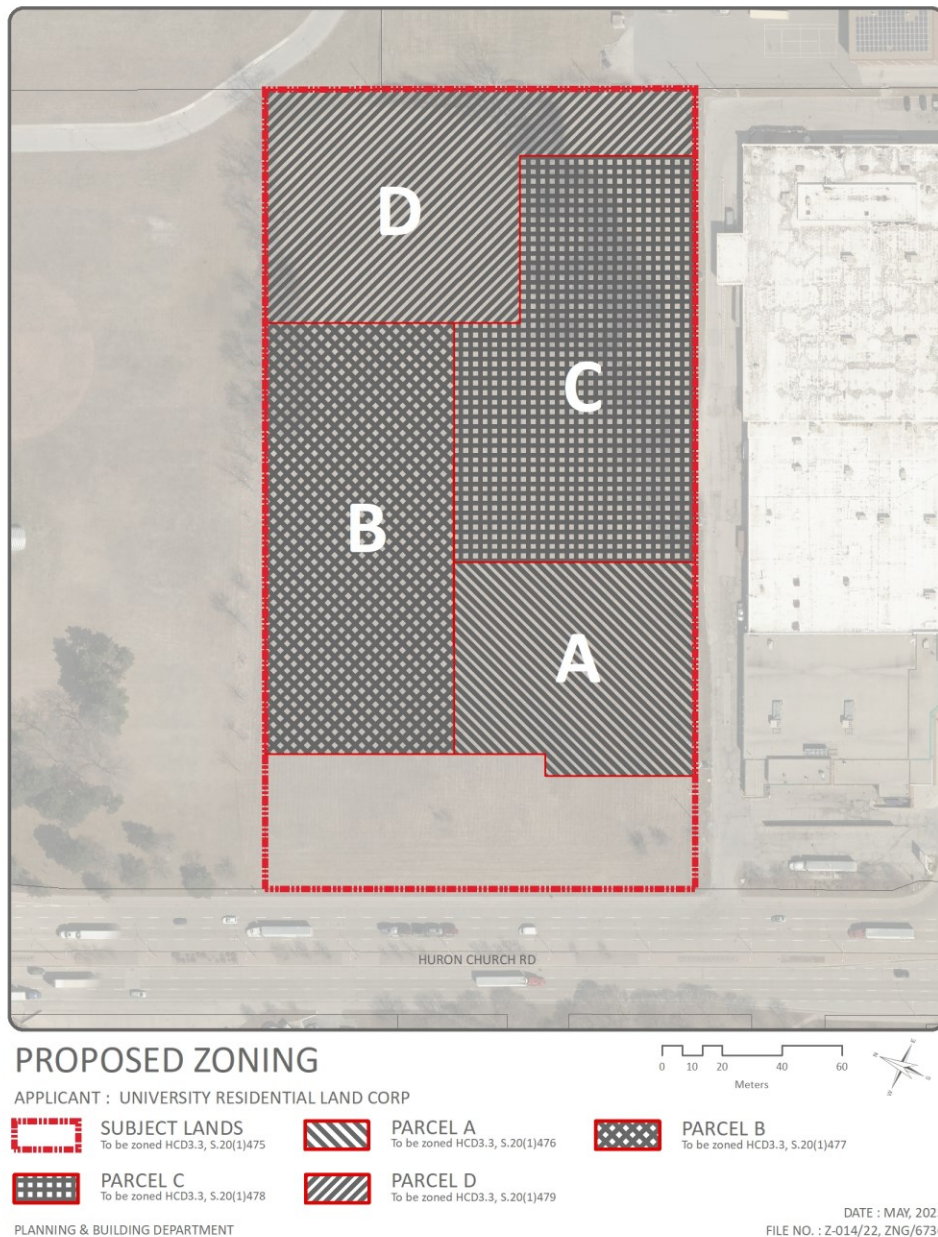
Recommendation:

1. THAT Zoning By-law 8600 **BE AMENDED** by revising the following Section 20(1) site-specific provision as follows:
 477. For the lands comprising of Pt Lot 63 & 64, Concession 1; further described as Parts 1& 2, Plan 12R-14334 (known municipally as 0 Huron Church Road), identified as Parcel "B", as shown on Schedule "A" of this by-law, despite the regulations of the Commercial District 3.3 (CD3.3) zone category, the following regulations shall apply:
 - a) Building Height – maximum - 40.0 m
- [ZDM 4; ZNG/6736]

Executive Summary:

On June 12, 2023 City Council passed By-law 73-2023, as recommended in CR179/2023 (Report Number S 35/2023). By-law 73-2023 had the purpose and effect to amend the zoning of Pt Lot 63 & 64, Concession 1; further described as Parts 1& 2, Plan 12R-14334 (known municipally as 0 Huron Church Road; Roll No. 050-370-15400; PIN 01221-0350), to facilitate the development of three (3) high profile multiple dwelling buildings and one (1) combined use building (ranging from 8 to 14 stories in height), in addition to two (2) commercial use buildings. This by-law amended the existing CD3.3 zoning category of the subject site with five separate site-specific provisions to permit the proposed development, including exceptions to permitted building heights. The

various site-specific provisions are depicted in Schedule “A” (below), which forms part of By-law 73-2023.



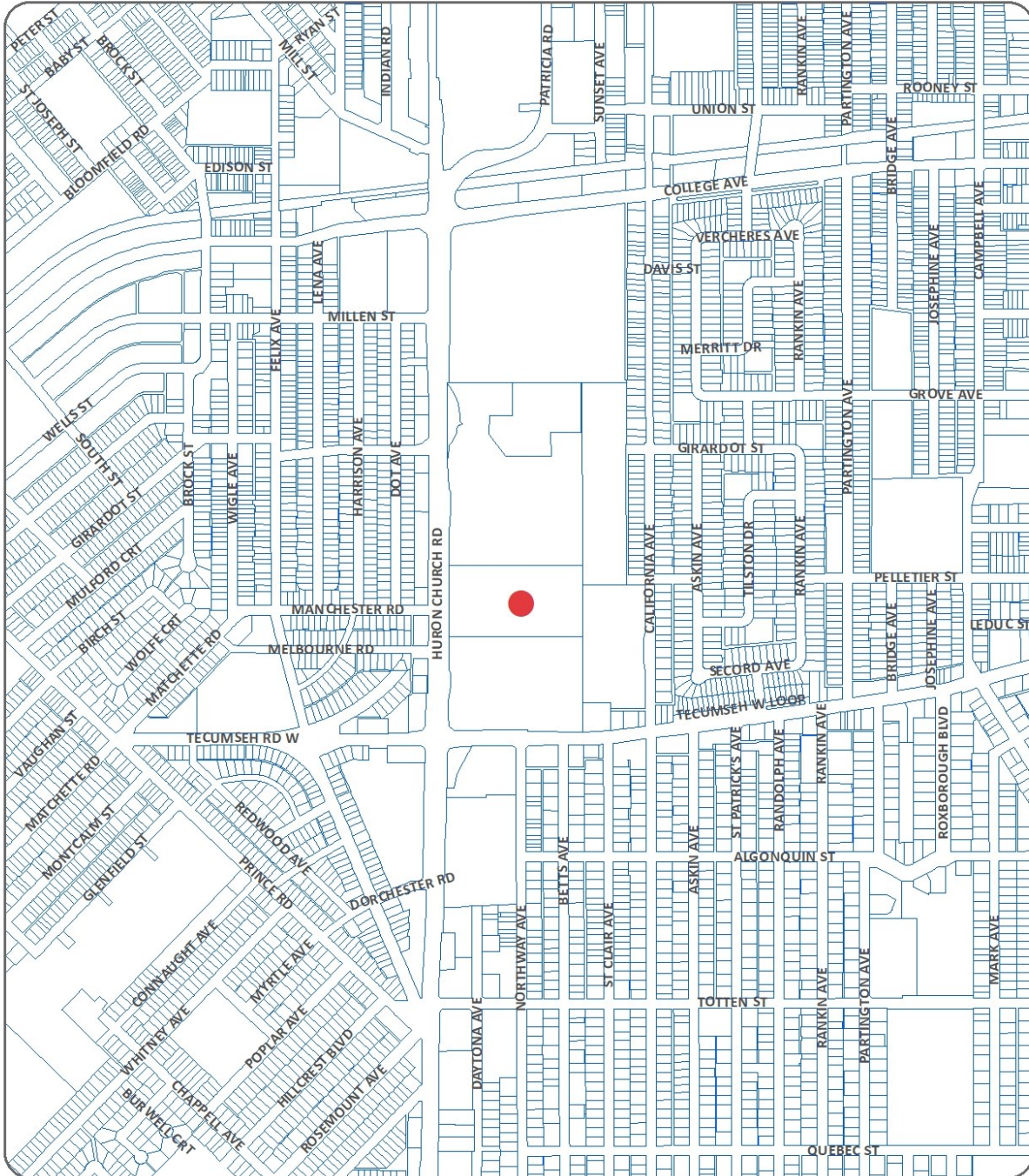
Subsequent to the formal passing of By-law 73-2023 (attached as Appendix A), the applicants notified the Planning Department of a numerical error in site-specific provision number 477 (S.20(1) 477) pertaining to By-law 73-2023. Site-specific provision number 477 provides a specific zoning exception to portions of the subject lands (identified as Parcel “B” on Schedule “A” of By-law 73-2023) to permit a maximum building height of 37.0 m. The applicants have advised that an administrative error incorrectly stated the proposed building height of Parcel “B” as 37.0 m, and should have instead read as proposed building height of 40.0 m to enable the intended 12-storey multiple dwelling building. In this regard, an amendment to Zoning By-Law 8600 is proposed to correct the numerical error and enable a maximum building height of 40.0 m on the lands subject to site-specific

provision 477 (Parcel “B” on Schedule “A” of By-law 73-2023).

Planning staff are agreeable to the proposed amendment given that the proposal did not receive opposition from the public during the approvals process and/or public meetings, and there are no administrative concerns with the proposed revision. Amending the maximum permitted building height of site-specific provision number 477 (S.20(1) 477) will not alter the design or scope of the development. The total number of stories and units will remain as approved through by-law 73-2023.

Specific design elements are to be implemented during the subsequent site plan control process and building permitting process. Refer to Council Report S 35/2023 (attached as Appendix B) for administration’s detailed review of the development proposal corresponding to By-law 73-2023.

Figure 1: Key Map



KEY MAP - Z 014-22, ZNG-6736 & OPA 157, OPA-6737

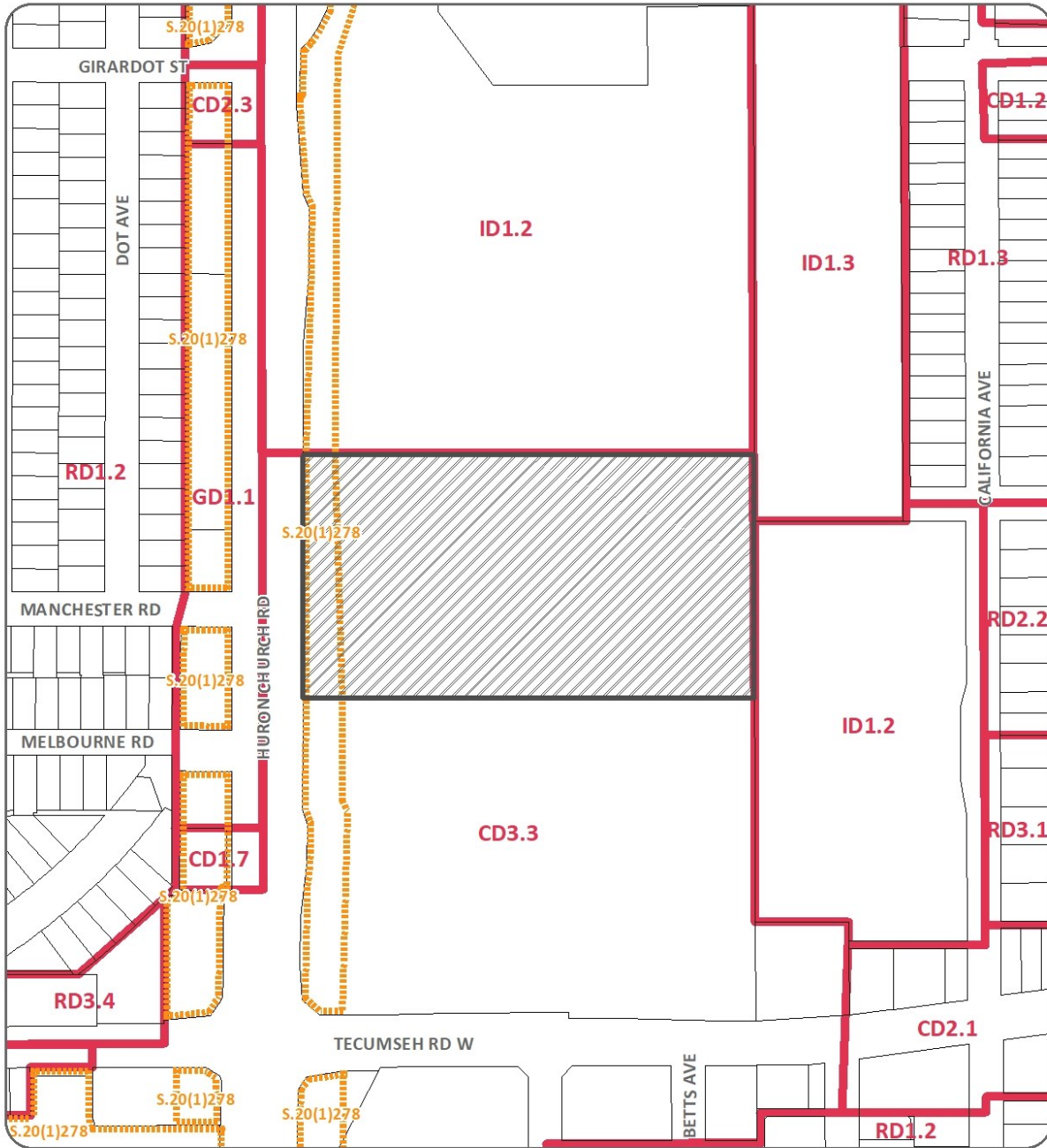


● SUBJECT LANDS

APPLICANT: WESTDELL DEVELOPMENT CORP

ADDRESS: 0 HURON CHURCH ROAD

Figure 2: Subject Parcel



PART OF ZONING DISTRICT MAP 4

N.T.S.

REZONING

Applicant: Westdell Development Corp



SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT



DATE : JUNE 2022
FILE NO. : Z-014/22, ZNG-6736

Figure 3: Neighbourhood Map



NEIGHBOURHOOD MAP - Z 014-22, ZNG-6736 &



SUBJECT LANDS

OPA 157, OPA-6737

APPLICANT: WESTDELL DEVELOPMENT CORP

ADDRESS: 0 HURON CHURCH ROAD

Risk Analysis:

N/A

Financial Matters:

N/A

Consultations:

N/A

Conclusion:

The above recommendation will correct a numerical error in By-law 73-2023 identified by the applicants, and enable the development of a 40.0 m (12-storey) multiple dwelling building on the subject lands (as intended). Planning staff are agreeable to amending the corresponding site-specific provision (S.20(1) 477) pertaining to By-law 73-2023, as the revision will not alter the design or scope of the development and the proposal did not receive credible opposition from the public during the approvals process

Planning Act Matters:

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

Neil Robertson, MCIP, RPP

Acting City Planner / Manager of Growth

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

JP

JM

Approvals:

Name	Title
Neil Robertson	Manager Growth / Acting City Planner
Wira Vendrasco	Deputy City Solicitor, Legal Services & Real Estate
Jelena Payne	Commissioner, Economic Development & Innovation
Joe Mancina	Chief Administration Officer

Notifications:

Name	Address	Email
University Residential Land Corp. (David Traher)	1701 Richmond Street, Unit 3B London ON N5X 3Y2	dtraher@westdellcorp.com
Storey Samways Planning Ltd. (David French)	55 Forest Street, Suite N Chatham ON N7L 1Z9	davidf@storeysamways.ca
Councillor Costante (Ward 2)		
Property owners and residents within 120 m of the subject lands		

Appendices:

Appendix A - By-law 73-2023

Appendix B - Council Report S 35/2023

BY-LAW NUMBER 73-2023

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

Passed the 12th day of June, 2023.

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

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

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

1. Item Number	2. Zoning District Map Part	3. Lands Affected	4. Official Plan Amendment Number	5. Zoning Symbol	6. New Zoning Symbol
1	4	Part of Lots 63 & 64, Concession 1; described as Parts 1 & 2, Plan 12R-14334 (known municipally as 0 Huron Church Road; Roll No. 050-370-15400; PIN 01221- 0350)	157	CD3.3	HCD3.3

2. That subsection 1 of Section 20 of By-law Number 8600 is further amended by adding the following paragraphs:

475. EAST SIDE OF HURON CHURCH ROAD, NORTH OF TECUMSEH ROAD WEST

For the lands comprising Pt Lot 63 & 64, Concession 1; further described as Parts 1& 2, Plan 12R-14334, the following additional provisions shall apply:

- a) A *Combined Use Building* and *Multiple Dwelling* shall be additional permitted uses.
- b) Notwithstanding Section 24.20.5.1, for *dwelling units* in a *Combined Use Building* or a *Multiple Dwelling* containing a minimum of 5 *dwelling units*, required parking shall be provided at a rate of 1.15 *parking spaces* for each *dwelling unit*.
- c) Notwithstanding Section 24.40.1.3, for a *Combined Use Building* with 9 or more *dwelling units*, the total number of required *loading spaces* shall be 2 per building.
- d) Notwithstanding Section 24.40.1.5, for a *Multiple Dwelling* with 9 or more *dwelling units*, the total number of required *loading spaces* shall be 2 per building.

[ZDM4; ZNG/6736]

476. EAST SIDE OF HURON CHURCH ROAD, NORTH OF TECUMSEH ROAD WEST - Parcel A

For the lands comprising Pt Lot 63 & 64, Concession 1; further described as Parts 1 & 2, Plan 12R-14334, identified as Parcel A on Schedule “A” to By-law _____, the maximum *building height* shall be 46.0 m.

[ZDM4; ZNG/6736]

477. EAST SIDE OF HURON CHURCH ROAD, NORTH OF TECUMSEH ROAD WEST - Parcel B

For the lands comprising Pt Lot 63 & 64, Concession 1; further described as Parts 1 & 2, Plan 12R-14334, identified as Parcel B on Schedule “A” to By-law _____, the maximum *building height* shall be 37.0 m.

[ZDM4; ZNG/6736]

478. EAST SIDE OF HURON CHURCH ROAD, NORTH OF TECUMSEH ROAD WEST - Parcel C

For the lands comprising Pt Lot 63 & 64, Concession 1; further described as Parts 1 & 2, Plan 12R-14334, identified as Parcel C on Schedule “A” to By-law _____, the maximum *building height* shall be 34.0 m.

[ZDM4; ZNG/6736]

479. EAST SIDE OF HURON CHURCH ROAD, NORTH OF TECUMSEH ROAD WEST - Parcel D

For the lands comprising Pt Lot 63 & 64, Concession 1; further described as Parts 1 & 2, Plan 12R-14334, identified as Parcel D on Schedule “A” to By-law _____, the maximum *building height* shall be 28.0 m.

[ZDM4; ZNG/6736]

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

1. Item Number	2. Zoning District Map Part	3. Lands Affected	4. Official Plan Amendment Number	5. Zoning Symbol
1	4	Part of Lots 63 & 64, Concession 1; further described as Parts 1&2, Plan 12R-14334 (known municipally as 0 Huron Church Road; Roll No. 050-370- 15400; PIN 01221-0350)	157	S.20(1)H475
2	4	Part of Lots 63 & 64, Concession 1; further described as Parts 1&2, Plan 12R-14334, identified as Parcel A on Schedule “A” of this by-law (known municipally as 0 Huron Church Road; Roll No. 050-370- 15400; PIN 01221-0350)	157	S.20(1)476
3	4	Part of Lots 63 & 64, Concession 1; further described as Parts 1&2, Plan 12R-14334, identified as Parcel B on Schedule “A” of this by-law (known municipally as 0 Huron Church Road; Roll No. 050-370- 15400; PIN 01221-0350)	157	S.20(1)477

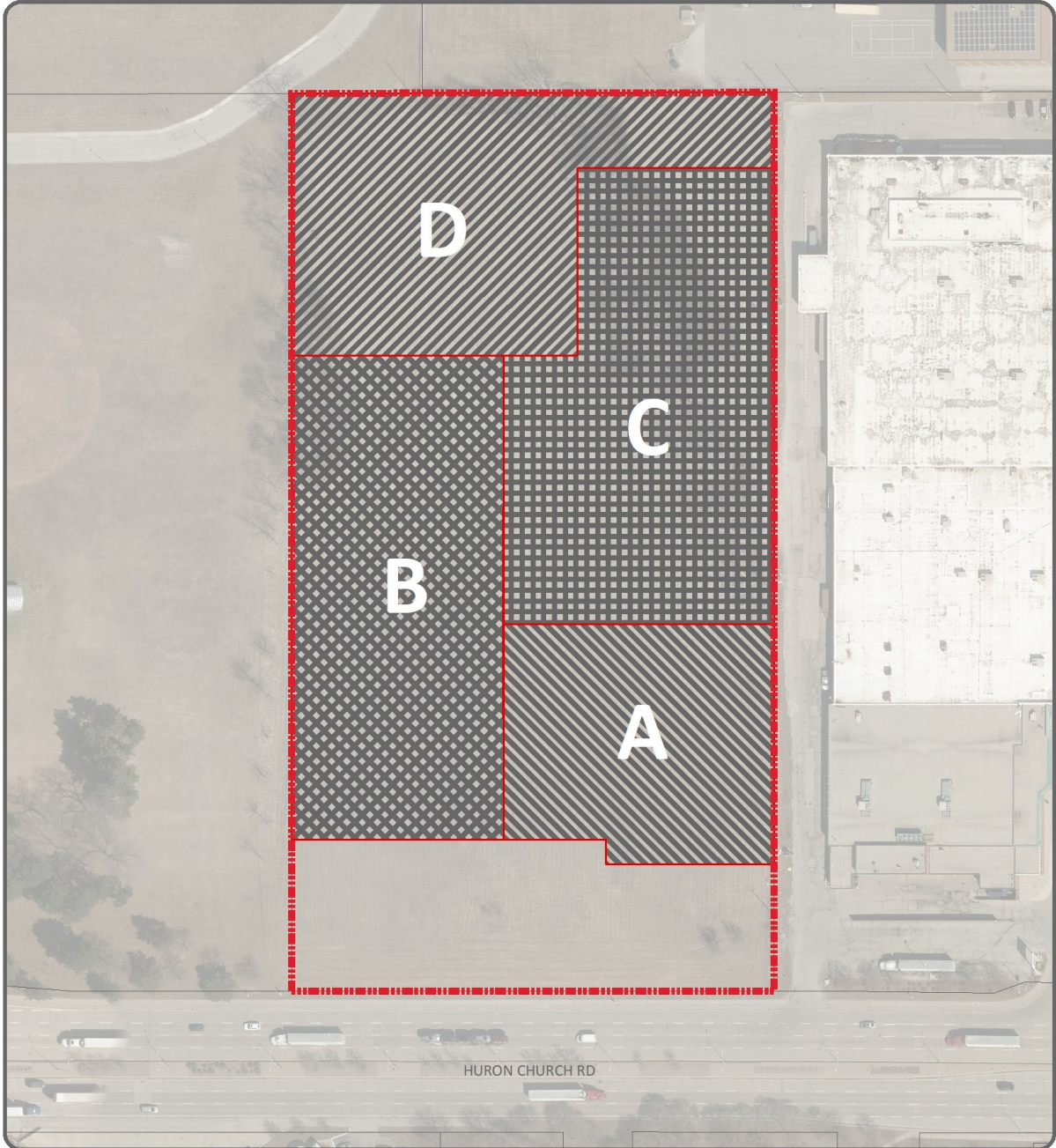
4	4	Part of Lots 63 & 64, Concession 1; further described as Parts 1&2, Plan 12R-14334, identified as Parcel C on Schedule "A" of this by-law (known municipally as 0 Huron Church Road; Roll No. 050-370- 15400; PIN 01221-0350)	157	S.20(1)478
5	4	Part of Lots 63 & 64, Concession 1; further described as Parts 1&2, Plan 12R-14334, identified as Parcel D on Schedule "A" of this by-law (known municipally as 0 Huron Church Road; Roll No. 050-370- 15400; PIN 01221-0350)	157	S.20(1)479

4. That the H symbol (Holding Zone) be removed when the following conditions have been satisfied:
- a) An application is received to remove the H symbol;
 - b) An easement for access across the abutting commercial lands to the south (Part of Lots 63 & 64, Concession 1, Part Closed Alley, Plan 1120, known municipally as 2640-2790 Tecumseh Road West; Roll No. 050-470-15500) for the benefit of Part of Lots 63 & 64, Concession 1; further described as Parts 1&2, Plan 12R-14334, is registered on title for both properties, to the satisfaction of the City Planner.

DREW DILKENS, MAYOR

CITY CLERK

First Reading - June 12, 2023
 Second Reading - June 12, 2023
 Third Reading - June 12, 2023



PROPOSED ZONING

APPLICANT : UNIVERSITY RESIDENTIAL LAND CORP



SUBJECT LANDS
To be zoned HCD3.3, S.20(1)475



PARCEL A
To be zoned HCD3.3, S.20(1)476



PARCEL B
To be zoned HCD3.3, S.20(1)477



PARCEL C
To be zoned HCD3.3, S.20(1)478



PARCEL D
To be zoned HCD3.3, S.20(1)479

PLANNING & BUILDING DEPARTMENT

DATE : MAY, 2023
FILE NO. : Z-014/22, ZNG/6736

Schedule "A" forms part of By-law 73-2023

Clerk

Mayor

Subject: OPA & Rezoning – University Residential Land Corp. – 0 Huron Church - OPA 157 OPA/6737 Z-014/21 ZNG/6736 – Ward 2

Reference:

Date to Council:

Author: Pablo Golob, MCIP, RPP

Planner II

519-255-6543 x6918

pgolob@citywindsor.ca

Planning & Building Services

Report Date: March 7, 2023

Clerk's File #:

To: Mayor and Members of City Council

Recommendation:

1. THAT Schedule "A" of Volume 1: The Primary Plan of the City of Windsor Official Plan **BE AMENDED** by applying a Specific Policy Area to Pt Lot 63 & 64, Concession 1; further described as Parts 1& 2, Plan 12R-14334, known municipally as 0 Huron Church Road (Roll No. 050-370-15400), situated on the east side of Huron Church Road, immediately northeast of the corner of Huron Church Road and Tecumseh Road West.
2. THAT Section 1 of Volume 2: Secondary Plans & Special Policy Areas of the City of Windsor Official Plan **BE AMENDED** by adding a Special Policy Area as follows:
 - 1.X East side of Huron Church Road, situated immediately northeast of the corner of Huron Church Road and Tecumseh Road West (0 Huron Church Road);
 - 1.X.1 The property described as Pt Lot 63 & 64, Concession 1; further described as Parts 1& 2, Plan 12R-14334, known municipally as 0 Huron Church Road (Roll No. 050-370-15400), situated on the east side of Huron Church Road, immediately northeast of the corner of Huron Church Road and Tecumseh Road West, **IS DESIGNATED** on Schedule A: Planning Districts and Policy Areas in Volume I: The Primary Plan;
 - 1.X.2 Notwithstanding the "Mixed Use Node" designation of the subject land on Schedule D: Land Use in Volume I: The Primary Plan, residential uses in excess of four stories in height shall be permitted;
 - 1.X.3 Notwithstanding Section 7.2.6.4(b)(iv) in Volume I – The Primary Plan, two direct right-in / right-out vehicular access points to Huron Church Road shall be permitted.

3. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of Pt Lot 63 & 64, Concession 1; further described as Parts 1& 2, Plan 12R-14334, known municipally as 0 Huron Church Road (Roll No. 050-370-15400), situated on the east side of Huron Church Road, immediately northeast of the corner of Huron Church Road and Tecumseh Road West, by adding site specific exceptions to Section 20(1) as follows:

4XX. EAST SIDE OF HURON CHURCH ROAD, SITUATED IMMEDIATELY NORTHEAST OF THE CORNER OF HURON CHURCH ROAD AND TECUMSEH ROAD WEST

For the lands comprising of Pt Lot 63 & 64, Concession 1; further described as Parts 1& 2, Plan 12R-14334, known municipally as 0 Huron Church Road:

- a) A *Combined Use Building* and *Multiple Dwelling* shall be additional permitted uses.
- b) Notwithstanding Section 24.20.5.1, for a *Combined Use Building – Dwelling Units*, or *Multiple Dwelling containing a minimum of 5 Dwelling Units*, a *Parking Rate* of 1.15 parking space for each *dwelling unit* shall be permitted.
- c) Notwithstanding Section 24.40.1.3, for a *Combined Use Building* with 9 or more *dwelling units*, the total number of required *loading spaces* shall be 2
- d) Notwithstanding Section 24.40.1.5, for a *Multiple Dwelling* with 9 or more *dwelling units*, the total number of required *loading spaces* shall be 2

4XX. For the lands comprising of Pt Lot 63 & 64, Concession 1; further described as Parts 1& 2, Plan 12R-14334, known municipally as 0 Huron Church Road, identified as Parcel “A”, as shown on Schedule “A” of this by-law, despite the regulations of the Commercial District 3.3 (CD3.3) zone category, the following regulations shall apply:

- a) Building Height – maximum - 46.0 m

4XX. For the lands comprising of Pt Lot 63 & 64, Concession 1; further described as Parts 1& 2, Plan 12R-14334 (known municipally as 0 Huron Church Road), identified as Parcel “B”, as shown on Schedule “A” of this by-law, despite the regulations of the Commercial District 3.3 (CD3.3) zone category, the following regulations shall apply:

- a) Building Height – maximum - 37.0 m

4XX. For the lands comprising of Pt Lot 63 & 64, Concession 1; further described as Parts 1& 2, Plan 12R-14334 (known municipally as 0 Huron Church Road), identified as Parcel “C”, as shown on Schedule “A” of this by-law, despite the regulations of the Commercial District 3.3 (CD3.3) zone category, the following regulations shall apply:

- a) Building Height – maximum - 34.0 m

4XX. For the lands comprising of Pt Lot 63 & 64, Concession 1; further described as Parts 1& 2, Plan 12R-14334 (known municipally as 0 Huron Church Road), identified as Parcel “D”, as shown on Schedule “A” of this by-law, despite the regulations of the Commercial District 3.3 (CD3.3) zone category, the following regulations shall apply:

- a) Building Height – maximum - 28.0 m

[ZDM 4; ZNG/6736]

4. THAT, at the discretion of the City Planner, Deputy City Planner, or Site Plan Approval Officer, the following **BE SUBMITTED** either prior to, or with, an application for site plan approval:
 - a) Updated documents, reports, or studies, including any addendum or memorandum, submitted in support of the applications for amendments to the Official Plan and Zoning By-law 8600 to reflect the site plan for which approval is being sought;
 - b) Detailed tree survey to the satisfaction of the City Forester;
 - c) Detailed Landscape Plan to the satisfaction of the Landscape Architect;
 - d) Archaeological Assessment – Entered Into Register verification letter from the Ontario Ministry of Heritage, Sport, Tourism and Culture Industries, to the satisfaction of the Heritage Planner.
5. THAT the Site Plan Approval Officer **BE DIRECTED**:
 - a) To incorporate the following, subject to any updated information, into an approved site plan and executed and registered site plan agreement:
 - 1) Mitigation measures identified in Section 5 of the Acoustical Report, prepared by Baird AE and dated February 24, 2023, subject to the approval of the City Planner;
 - 2) Measures identified in the Stormwater Management and Sanitary Sewer Study prepared by Baird AE and dated March 29, 2022, subject to the approval of the City Planner and City Engineer;
 - 3) Transportation Impact Study requirements of the City of Windsor Transportation Planning Division, contained in Appendix E of this report, and measures identified in Section 6 of the Traffic Impact Study prepared by Baird AE and dated February 24, 2023, subject to the approval of the City Planner, City Engineer, or Transportation Planning Senior Engineer;
 - 4) Requirements of the City of Windsor – Engineering Department – Right-Of-Way Division contained in Appendix E of this report subject to the approval of the City Engineer
 - b) To review and consider the comments from municipal departments and external agencies in Appendix E to Report S 35/2023.

Executive Summary:

N/A

Background:

Application Information:

Location: 0 Huron Church Road; east side of Huron Church Road, situated immediately northeast of the corner of Huron Church Road and Tecumseh Road West, Roll No. 050-370-15400

Ward: 2 **Planning District:** University **Zoning District Map:** 4

Applicant: University Residential Land Corp. (David Traher)

Agent: Storey Samways Planning Ltd. (David French)

Submitted Documents:

- Applications - Official Plan Amendment & Zoning By-law Amendment
- Conceptual Site Plan and Renderings (attached as Appendix A)
- Planning Rational Report (Revised) (attached as Appendix B)
- Stormwater Management and Sanitary Sewer Study
- Transportation Impact Study
- Parking Brief
- Stage 1 & 2 Archaeological Assessment
- Species-at-Risk Screening
- Shadow Study
- Urban Design Study
- Acoustical Report

Proposal:

The applicant is proposing to construct three (3) multiple dwelling buildings and one (1) combined use building across the subject parcel, each building with varying height and number of dwelling units. Two (2) additional stand-alone commercial use buildings are proposed on the lands fronting Huron Church Road.

The proposal includes a total of 640 dwelling units, 8 commercial retail units with a combined GFA of 966 m², 779 parking spaces, 9 loading spaces, and 55 bicycle parking spaces. Vehicular access is proposed from Huron Church Road via two new access points, and from Tecumseh Road West via an access road through the abutting University Shopping Centre. Associated parking is provided on the subject site, located within the proposed multiple dwelling and combined use buildings, and adjacent surface parking areas. The proposed development is subject to site plan control.

Site Information:

OFFICIAL PLAN	ZONING	CURRENT USE	PREVIOUS USE
Mixed Use Node (Schedule D) Huron Church Road Corridor (Schedule A)	Commercial District 3.3 (CD3.3), S.20(1)278	Vacant	Vacant
LOT FRONTAGE HURON CHURCH RD	LOT DEPTH	LOT AREA	LOT SHAPE
143.35 m	266.8 m	3.83 ha	Rectangular
470.3 ft	875.3 ft	9.46 ac	
<i>All measurements are provided by the applicant and are approximate.</i>			

Neighbourhood Description:

The subject parcel is comprised of vacant lands located on the east side of Huron Church Road, immediately northeast of the corner of Huron Church Road and Tecumseh Road West.

To the north is Assumption College Catholic High School and University of Windsor lands, including the St. Denis Athletic and Community Centre. To the east is the Westview Freedom Academy, vacant lands owned by the University of Windsor, and low density residential uses.

To the south are the Huron Church Road and Tecumseh Road West commercial corridors, which include a mix of established and newly constructed commercial uses, including big box retail at the abutting University Shopping Centre. To the west are low to medium density residential uses, coupled with institutional uses, including Marlborough Public School.

Nearby significant uses include the University of Windsor main campus, located about 670 m to the north, Hotel-Dieu Grace Healthcare about 630 m to the south-west, and the Ambassador Bridge, approximately 950 m to the north.

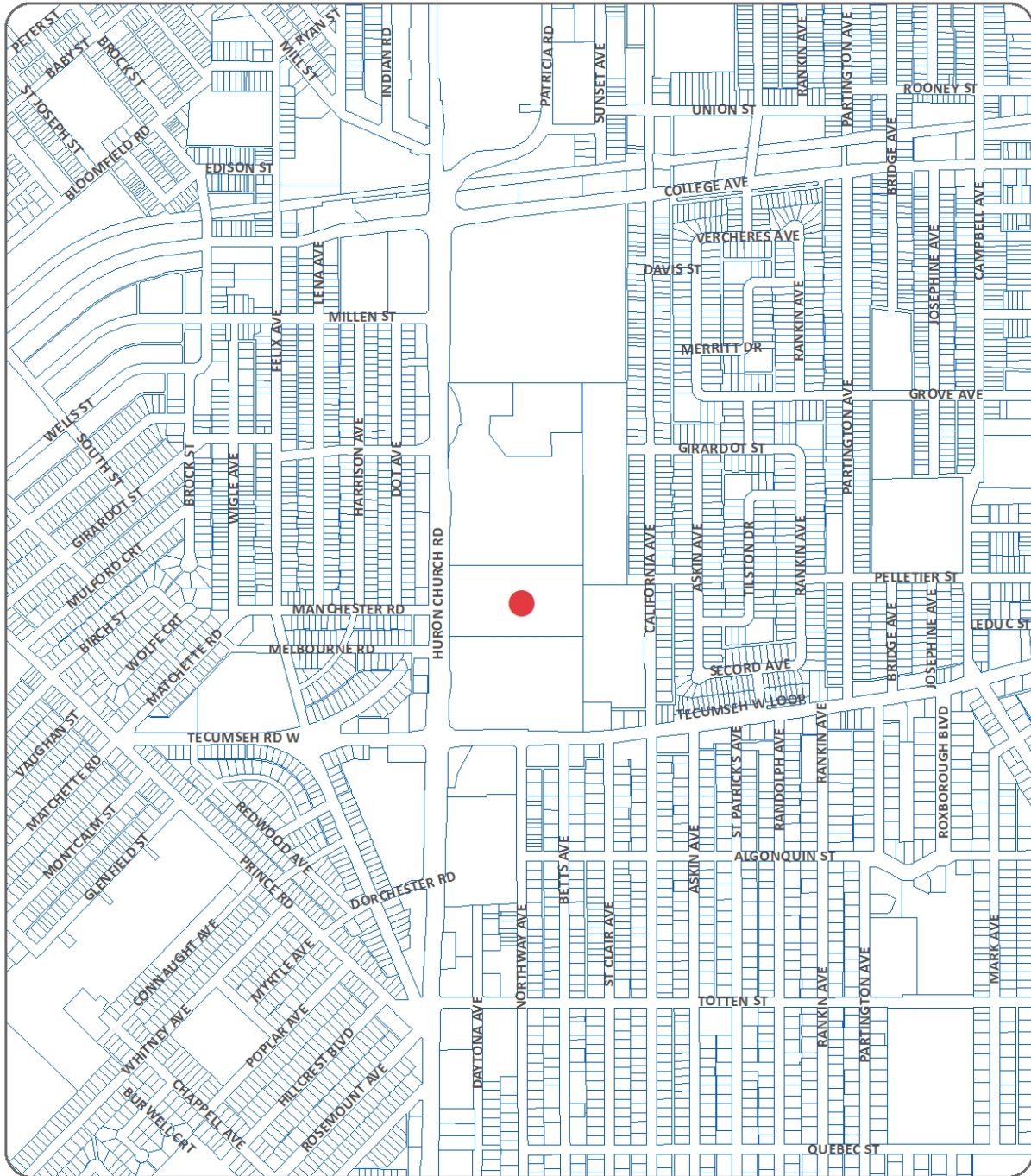
Various schools and municipal parks are located within 750 m of the subject parcel. Mic Mac Park, which has an outdoor swimming pool, splash pad, various sports fields and other recreational facilities, is just over 850m to the west.

Per Schedule F: Roads and Bikeways in the City of Windsor Official Plan, Huron Church Road is a Class I Arterial Road with an eight-lane urban cross-section with sidewalks on both sides. Tecumseh Road West is a Class II Collector with a six-lane cross section with sidewalks on both sides. The intersection of Huron Church Road and Tecumseh Road West is signalized with left turn lanes. The intersections of Tecumseh Road West and Northway Avenue, and Tecumseh Road West and California Avenue are also signalized.

Public transit is available via the Central 3 bus. The closest existing stop is located on Tecumseh Rd. W. at northwest corner of Northway Ave., about 350 m away. This will be maintained in the Council approved Transit Master Plan.

Existing water mains, storm sewers, and sanitary sewers are available.

Figure 1: Key Map



KEY MAP - Z 014-22, ZNG-6736 & OPA 157, OPA-6737

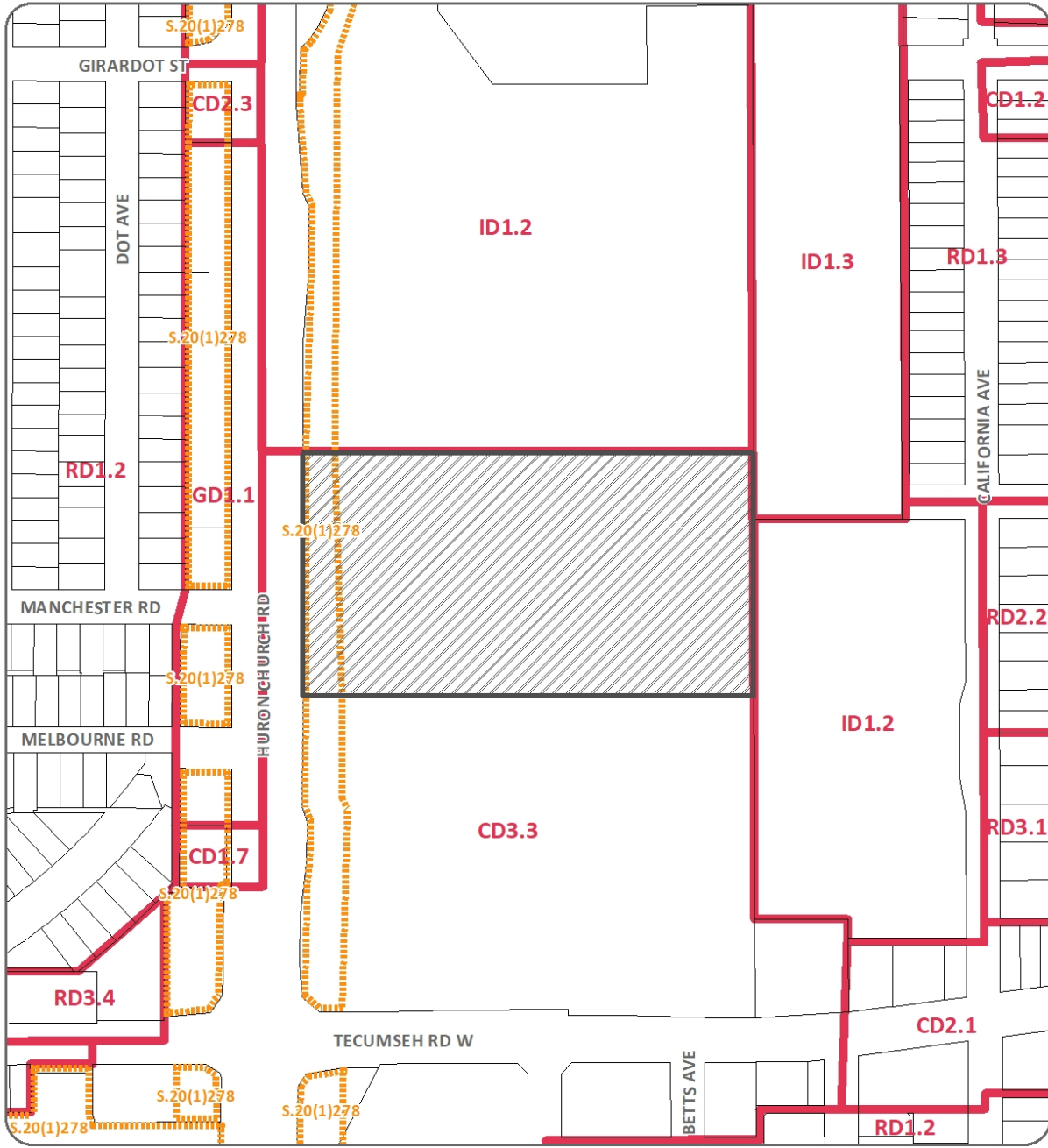


● SUBJECT LANDS

APPLICANT: WESTDELL DEVELOPMENT CORP

ADDRESS: 0 HURON CHURCH ROAD

Figure 2: Subject Parcel - Rezoning

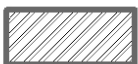


PART OF ZONING DISTRICT MAP 4

N.T.S.

REZONING

Applicant: Westdell Development Corp



SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT



DATE : JUNE 2022
FILE NO. : Z-014/22, ZNG-6736

Discussion:

Planning Rationale Report (PRR) - Storey Samways Planning Ltd., David French, BA, CPT - 8 June 2022 (See Appendix B to Report S 35/2023)

The PRR provides a description of the site, surrounding land uses, proposed development, and corresponding amendments. The PRR speaks to a development proposal (four 10-storey towers) which has since been modified, however remains accurate in scope. A planning analysis of the Provincial Policy Statement 2020, the City of Windsor Official Plan and Zoning By-law 8600 are provided.

The PRR concludes that the proposed development “will allow for the most efficient build out of the site, while making use of the available local servicing capacities, without producing any negative impacts to either the future residents of the buildings, or the adjacent residential, institutional, and commercial neighbours.” The PRR also notes that the proposal “will make efficient use of a vacant and under-utilized parcel of land without requiring the need of public investment or tax-payer funded upgrades to existing infrastructure and service facilities”.

It is the professional opinion of Mr. French that the proposed development

- “1) is consistent with, and implements, the relevant policies of the Provincial Policy Statement;*
- 2) conforms to important Provincial and municipal policies;*
- 3) represents sound planning”*

The Planning Department generally concurs with the planning commentary in the PRR.

Acoustical Report - Baird AE - Shurjeel Tunio, P. Eng. – 24 February 2023

The Acoustical Report notes that *“traffic noise from Huron Church Road will have an impact on the building facades. Mitigation measures, such as warning clauses, air conditioning, building components and forced air heating, are therefore required.”*

Stationary noise sources were evaluated with predicted sound levels exceeding the noise limits in NPC 300 “Environmental Noise Guideline, Stationary and Transportation Sources–Approval and Planning” – Ministry of the Environment and Climate Change (MOECC). Section 5 of the report identifies the specific mitigation measures proposed for the development. As the development proposal has been modified since submission, a revised Acoustical Report reflecting the current development proposal will be required with an application for site plan control. Specific mitigation measures will be further refined during the site plan control process.

Traffic Impact Study (TIS) – Baird AE - Shurjeel Tunio, P. Eng. – 24 February 2023

The TIS concludes that *“the proposed development is expected to have a minimal impact on the conditions at the intersections of Tecumseh Road West with Huron Church Road and California Avenue”*. The TIS also notes that *“the access from Huron Church Road...will not affect mobility of northbound traffic”*. TIS recommendations include *“an increment in timing of protective eastbound left”* at the intersection of Tecumseh Road West and Northway Avenue /University Plaza Access, *“a protective eastbound left turning phase”* at the intersection of Tecumseh Road West and California

Avenue, and an *“exclusive right-turn lane for southbound traffic at the intersection of Tecumseh Road West with University Shopping Centre Access 2”*.

Transportation Planning notes that the proposed amendments are viable for the subject site, however revisions and additional analysis to the TIS are required to accurately determine the scope of necessary offsite improvements. A revised TIS which addresses the comments of Transportation Planning will be required with an application for site plan control. The specific parameters of offsite improvements will be further refined and implemented during the site plan control process.

Parking Brief – Baird AE - Shurjeel Tunio, P. Eng. – 24 February 2023

A parking brief was prepared in support of a proposed reduction to the parking space requirements of Zoning By-Law 8600. The report concludes that *“in order to support the proposed reduced parking, several provisions have been made in the proposal “*, including enhancements to pedestrian connections, bicycle parking, and walkability.

Stormwater Management and Sanitary Sewer Study – Baird EA - Shurjeel Tunio, P. Eng. – 29 March 2022

The preliminary stormwater management study notes that *“outflow from the site to the existing storm sewer shall be restricted to the 5-year flow”* and concludes that *“the ponding depth and freeboard required during 100-year event is satisfied as per Windsor Essex Standards manual”*. Stormwater management will be achieved through *“temporary excess run-off storage in underground ADS chamber and parking lot surfaces.”*

The Sanitary Sewer Study states that the existing 375 mm dia. sanitary sewer *“will be operating at 52.48% capacity”* with the addition of the proposed development and concludes that *“the “sanitary sewer has sufficient capacity to accommodate the proposed development flow”*.

As the development proposal has been modified since submission, a revised Stormwater Management Report reflecting the current development proposal will be required with an application for site plan control. The specific measures identified in the report will be implemented during the site plan control process and subsequent permitting process.

Species At Risk Clearance - Goodban Ecological Consulting Inc. – Anthony Goodban, Ecologist – 26 January 2023

The applicant provided clearance from the Ministry of the Environment, Conservation and Parks (MECP) for species at risk (SAR) screening. Per the MECP clearance, *“the ministry’s review of the project documentation and information that has been provided, the conclusions that neither section 9 (species protection) nor section 10 (habitat protection) of the ESA 2007 will be contravened for endangered and threatened SAR – as long as the proposed mitigation measures are implemented – appear reasonable and valid. There are no known occurrences of endangered or threatened SAR at the project location or general area. Therefore, authorization under the ESA 2007 is not required for this project.”* The SAR clearance from MECP will remain valid so long as the site continue to be maintained in its current state.

Provincial Policy Statement, 2020

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

The vision of the PPS focuses growth and development within urban settlement areas, that land use must be carefully managed to accommodate appropriate development to meet the full range of current and future needs, while achieving efficient development patterns. Planning authorities are encouraged to permit and facilitate a range of housing options, including residential intensification, to respond to current and future needs. Land use patterns should promote a mix of housing, including affordable housing.

Section 6.1 in the Planning Rationale Report contains a list of relevant PPS polices and a response to those polices. The Planning Department generally concurs with the PPS analysis in the PRR.

Regarding Policies 1.1.1, 1.1.2 & 1.1.3, the proposed combined use building and multiple dwellings are an efficient development and promote a land use pattern that sustain the financial well being of the municipality and accommodates an appropriate market-based residential type that meets long-term needs. No environmental or public health concerns were noted.

The combined use building and multiple dwellings are considered infill and intensification and are located well within the settlement area, and within walking distance of a bus route, making it a transit-supportive development that optimizes transit investments and an appropriate location for intensification. The proposed development will make use of existing infrastructure such as roads, sewers and watermains to achieve a cost-effective development pattern and minimize land consumption and servicing costs.

No deficiencies in infrastructure and public service facilities have been identified. The Traffic Impact Study notes that the intersections in the study areas will operate at acceptable levels of service, pending implementation of offsite improvements. Elementary, Secondary, and post-secondary educational institutions, as well as municipal parks, are located within the neighbourhood. The preliminary sanitary and storm sewer studies note no issues. A final storm water study will be reviewed during site plan control.

The proposed development represents an opportunity to incorporate climate change measures such as stormwater management to control the flow of rain water into the stormwater system and the use of building materials and devices to mitigate heating, cooling and water use concerns.

The proposed development utilizes land within the settlement area through intensification & redevelopment, provides a density and a use that makes efficient use of land & resources and is appropriate for available infrastructure avoiding the need for any unjustified or uneconomical expansion. It minimizes negative impacts to air quality by allowing residents to use alternative transportations means such as walking, cycling or public transit, and allows for the inclusion of modern building materials & construction methods to promote energy efficiency and deal with climate change impacts.

The proposed zoning amendment is consistent with Policies 1.1.1, 1.1.2, and 1.1.3.

Regarding Policy 1.4, the proposed development allows the City to accommodate residential growth through residential intensification, and directs development to where appropriate levels of infrastructure and public service facilities exist.

The proposed amendment to Zoning By-law 8600 is consistent with Policy 1.4.

Policy 1.6 provides direction on infrastructure and public service facilities. Policy 1.6.3 a) states that “*the use of existing infrastructure and public service facilities should be optimized*” and Policy 1.6.6.2 states that for “*existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services*”. The proposed amendment promotes intensification and redevelopment – three multiple dwellings and one combined use building with a total of 640 dwelling units – that will optimize the use of existing infrastructure. Per Policy 1.6.6.7, stormwater management has been integrated into this process and will be further refined during the site plan control process.

Given the availability of existing roads, public transit, and cycling facilities nearby, the proposed combined use building and multiple dwellings allow for the efficient use of existing transportation infrastructure, minimizes the number and length of vehicle trips, and supports the use of transit and active transportation. This is consistent with Policy 1.6.6.7.

The proposed amendment to Zoning By-law 8600 is consistent with Policy 1.6.

Policy 1.7 promotes long-term economic prosperity. The proposed development is responding to market-based needs and will provide a housing supply and options for a diverse workforce that optimizes the use of land, resources, infrastructure, and public service facilities, and that through modern construction and building materials, will promote energy conservation and minimize the impacts of climate change.

The proposed amendment to Zoning By-law 8600 is consistent with Policy 1.7.

Policy 1.8 provides direction on energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and preparing for the impacts of a changing climate. The proposed development represents a compact form, promotes the use of active transportation and transit and a form of intensification that will improve the mix of employment and housing uses to shorten commute journeys and decrease transportation congestion. Existing trees will be protected where viable and landscaping will be enhanced.

The proposed combined use building and multiple dwellings are consistent with Policy 1.8.

The proposed development, amendments to the Official Plan, and the amendments to Zoning By-law 8600, are consistent with the PPS.

City of Windsor Official Plan:

Section 6.2 in the Planning Rationale Report contains a list of relevant Official Plan (OP) polices and a response to those polices. Since the submission of the PRR, the MRICBL amending by-laws for the OP and Zoning By-law 8600 have come into effect (OPA 159), altering the OP designation of the subject parcel from *Mixed Use* to *Mixed Use Node*. While the PRR speaks to the policies of the previous OP designation, the

Planning Department generally concurs with the OP analysis in the PRR. Further analysis on the current OP designation is provided below.

The parcel is located within the University Planning District and is designated Mixed Use Node on Schedule D: Land Use of the OP. Relevant excerpts from the Official Plan are attached as Appendix C to this report.

Regarding the Safe, Caring and Diverse Community component (Section 3.2.1) of the Development Strategy in Chapter 3, the proposed development expands the variety of housing types and provides an opportunity for area residents to live in their neighbourhoods as they pass through the various stages of their lives.

The proposed development conforms to the policy direction of Section 3.2.1.

Chapter 4 provides policy direction on creating a healthy and liveable city, a high quality of life, a strong sense of community and community empowerment. Section 4.2.1.5 encourages a mix of housing types and services to allow people to remain in their neighbourhoods as they age. The proposed development provides an opportunity for people to move from other dwellings but remain in the neighbourhood. The proposed development conforms to Section 4.2.3 - Quality of Life, in that it recognizes the shelter needs of the community and represents an appropriate range and mix of housing.

Through the applicant's open house, the forthcoming public meeting (as required by the Planning Act) at the Development & Heritage Standing Committee and future Council meeting, the public has had the opportunity to be involved in this planning process. Notice has been provided in the Windsor Star newspaper and through the mail to tenants and property owners within 120 m of the subject lands. This conforms to Section 4.2.5

The proposed development conforms to the policy direction of Chapter 4.

Chapter 6 – Land Use provides policy direction on the land use designations on Schedules D and E in the Official Plan. The preamble states that Chapter 6 “*promotes a compact urban form and directs compatible development to appropriate locations within existing and future neighbourhoods*”.

Applicable goals include 6.1.1 - Safe, caring and diverse neighbourhoods, 6.1.2 - Environmentally sustainable urban development, 6.1.3 - Housing suited to the needs of Windsor's residents, 6.1.10 – Pedestrian oriented clusters of residential, commercial, employment and institutional uses, and 6.1.14 – direction of residential intensification to areas where transportation, municipal services, community facilities and goods and services are readily available. The proposed development introduces a cluster of uses that creates and supports a diverse neighbourhood, creates an environmentally sustainable development by redeveloping a serviced vacant parcel within the settlement area, and provides residential intensification with a housing form that is in demand.

The proposed development conforms to the Goals in Section 6.1.

The subject parcel is designated Mixed Use Node on Schedule D: Land Use in Volume I: The Primary Plan. The preface for the recently adopted Mixed Use Node designation states that these lands are to “*provide for compact clusters of commercial, office, institutional, open space, and residential uses... Mixed Use Nodes are intended to serve as the focal point for the surrounding neighbourhoods, community, or region. As*

such, they will be designed with a pedestrian orientation and foster a distinctive and attractive area identity”.

Applicable objectives of the Mixed Use Node designation include Section 6.9.1.1 – To encourage multi-functional areas which integrate compatible commercial, institutional, open space and residential uses, Section 6.9.1.2 - To encourage a compact form of mixed use development, Section 6.9.1.5 – To ensure the long term viability of Mixed Use areas, and Section 6.9.1.7 - To increase the use of walking, cycling and public transportation within the designated Mixed Use area by fostering a strong livework-shopping-recreation relationship.

The development proposal represents a compact mix of high profile residential uses integrated with compatible commercial uses which promote utilization of alternative transportation modes, create an attractive mixed-use community, and ensure the long term viability of the Huron Church Road and Tecumseh Road West Mixed Use Node.

The proposed development conforms to the Objectives in Section 6.9.1.

Section 6.9.2 lists policies of the Mixed Use Nodes land use designation. Per Section 6.9.2.1, *“uses permitted in the Mixed Use Nodes land use designation include retail and service commercial establishments, offices, cultural, recreation and entertainment uses, and institutional, open space and residential uses of up to four stories in height”*. While the uses of the proposed development are permitted, the height of the proposed combined use and multiple dwelling buildings is not. In this regard, the applicants are requesting an amendment to permit buildings in excess of four stories.

The proposed development seeks to exploit its location along Huron Church Road and proximity to abutting commercial areas through the provision of three high profile multiple dwelling buildings and one combined use building, ranging from 8 to 14 stories in height. In consultation with administration, the applicants have devised a development proposal in which proposed building heights achieve compatibility and appropriate transition to abutting lower scale development. The transitions are achieved through reductions to height limitations from the Huron Church Road frontage towards the east end of the parcel. Building step backs and landscape buffers further enhance compatibility.

Proposed building height provisions are to be established through site specific Zoning By-Law Amendments. Specific design elements will be implemented during the site plan control process and subsequent building permitting process.

Locational criteria in Section 6.9.2.3 include access to a highway, arterial or collector road, provision of full municipal physical services, provision of public transit, and compatibility with surrounding development pattern.

Huron Church Road is a Class I Arterial Road, with public transportation services available within 350 m. No deficiencies in physical municipal services have been identified. The density and combination of uses in the proposed development is anticipated to supplement the surrounding development pattern, and serve to strengthen the intersection as a focal point for the surrounding neighbourhood.

Section 6.9.2.4 lists evaluation criteria for Mixed Use Nodes development. The subject parcel is not within or adjacent to any area identified on Schedule C: Development Constraint Areas and described in the Environment chapter of the Official Plan and is not within a site of potential or known contamination. A Traffic Impact Study has been submitted by the proponents with regard to traffic generation and distribution. A Stage 1 & 2 Archaeological Report has been submitted to demonstrate the absence of heritage resources. The proposal adheres to the provisions of the Huron Church Road Corridor Special Policy Area. The proposed development is capable of being provided with full municipal services and emergency services, is designed to be pedestrian oriented, and is designed to coexist with existing land uses and be compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, and parking.

Compatible does not mean the proposed development needs to be identical to or even similar to existing development in an area. A development should be able to coexist with existing land uses. The proposed development is compatible with existing land uses.

The proposed development conforms to the Locational Criteria in Section 6.9.2.3 and the Evaluation Criteria in Section 6.9.2.4.

Section 6.9.2.5 lists design guidelines for Mixed Use Nodes development. With the exception of height limitations (discussed above), and provisions stemming from the Huron Church Road Corridor Special Policy Area, the proposed development achieves the associated design policies and guidelines. The proposal was designed to integrate with the abutting commercial uses, which in turn cultivates a compact urban form and pedestrian friendly environment. The design layout helps to foster a distinctive and attractive area identity, contributing to the unique character of the abutting Mixed Use Node. Detailed implementation of design policies and guidelines is to be further refined during the site plan control process.

The proposed development conforms to the Design Guidelines in Section 6.9.2.5. and Site Plan Control criteria in Section 6.9.2.6.

Per Section 6.9.2.7, Council may establish a reduced parking standard to reflect the public transportation supportive design of a Mixed Use Node development. The subject development proposal seeks to reduce standard parking and loading space parking requirements for dwelling units, while meeting or exceeding the requirements for accessible parking spaces and bicycle parking spaces. 15 percent of provided parking spaces are to be designated as visitor parking. Proposed parking reductions are to be established through site specific Zoning By-Law Amendments

The proposed development and amendments conform to the policies in Chapter 6 – Land Use.

Chapter 7 provides policy direction on Infrastructure, which includes transportation systems such as pedestrians, transit and roads, and physical services such as sewers.

Applicable goals in Section 7.1 include safe, sustainable, effective and efficient infrastructure (7.1.1), optimal use of infrastructure (7.1.2), and accessible, affordable and available transportation system (7.1.3).

Applicable objectives in Section 7.2.1 include making efficient use of existing transportation infrastructure (7.2.1.2), promoting a land use pattern, density and mix of uses that reduces vehicle trips and supports alternative transportation modes including

public transit (7.2.1.5), minimize conflicts within the transportation system (7.2.1.11), and maintaining a safe and efficient road network (7.2.1.15).

Section 7.2.2 provides general policy direction on Infrastructure. Applicable policies include promoting development patterns that support an increase in walking, cycling and public transportation (7.2.2.5), providing for a more compact urban form to reduce the growth in home based trip making (7.2.2.6 (b)), requiring bicycle spaces (7.2.2.17), and focusing high density residential development in areas which have access to transit and pedestrian amenities (7.2.2.18 (a)).

The proposed development makes use of the existing road network and public transit services and represents a density that reduces vehicle trips and supports alternative transportation modes. The Traffic Impact Study notes no issue with anticipated traffic volumes, pending implementation of necessary offsite improvements. No issues with municipal sanitary or storm sewers have been identified. Opportunities for direct pedestrian access to abutting commercial uses are proposed.

The proposed development conforms to the Goals in Section 7.1, the Objectives in Section 7.2.1, and the General Policies in Section 7.2.2.

Section 7.2.6 describes the classification of, and provides general policy direction on, the Road Network within the City of Windsor. Per Schedule F: Roads and Bikeways in the City of Windsor Official Plan, Huron Church Road is a Class I Arterial Road with an eight-lane urban cross-section with sidewalks on both sides. Under the operational and design characteristics of Class I Arterial Roads, direct property access to Class I Arterial Roads is not permitted (7.2.6.4 b) iv). As the subject parcel has no existing road access, the applicants are requesting an amendment to the Official Plan for an exemption from this policy to permit two new right-in/right-out accesses onto Huron Church Road.

Policy 7.2.6.4 b) IV) is intended to protect the functionality of major transportation corridors in the City. In consultation with Transportation Planning, the proposed new access points will have no adverse impacts on the functionality of the Huron Church Road corridor and will protect the intended use of the corridor. The requirements of the Huron Church Road Corridor Special Policy Area will not be affected by this amendment.

The proposed development and amendments conform to the policies of Section 7 – Infrastructure.

The requested official plan amendments conform to policies of Section 11.2.2 of the Official Plan.

The requested zoning amendments conform to the Zoning Amendment Policies, Section 11.6.3.1 and 11.6.3.3, of the Official Plan.

The proposed amendments conform to the general policy direction of the Official Plan.

Zoning By-Law:

Relevant excerpts from Zoning By-law 8600 are attached as Appendix D to this report. The subject lands are zoned Commercial District 3.3 (CD3.3) which permits for a range of commercial uses with a maximum building height of 20.0 m.

The applicant is requesting a site-specific zoning amendment to permit the use of a *Combined Use Building* and a *Multiple Dwelling*. A total of 640 dwelling units, 8

commercial retail units with a combined GFA of 966 m², 779 parking spaces, 9 loading spaces, and 55 bicycle parking spaces are proposed. To facilitate the development and enable the proposed design layout, the applicant is also requesting site-specific exceptions to the provision of minimum number of parking spaces, minimum number of loading spaces, and maximum permitted building height.

Per Zoning By-Law 8600, the minimum parking rate for residential dwelling units is 1.25 spaces per unit. The applicant is seeking a site-specific exception to enable a minimum parking rate of 1.15 spaces per unit. The applicant is also seeking a site-specific exception to enable a minimum of 2 loading spaces per *Combined Use Building* or *Multiple Dwelling*. Parking rates for the proposed commercial uses are to be compliant with Zoning By-Law Provisions. The result is a proposed deficiency of 66 parking spaces for the development.

A parking brief was prepared in support of the proposed reductions to the parking space requirements of Zoning By-Law 8600. The report concludes that “*in order to support the proposed reduced parking, several provisions have been made in the proposal*”, including enhancements to pedestrian connections, and the provision of bicycle parking spaces in excess of by-law requirements. Given the applicant's desire to maximize the landscaped open space yard area and adhere to the provisions of the Huron Church Road Corridor Special Policy Area, the proposed site-specific parking exemptions are being supported by Administration

The CD3.3 zone permits a maximum building height of 20.0 m. The development proposal includes the provision of three high profile multiple dwelling buildings and one combined use building, ranging from 8 to 14 stories in height. As such, the applicant is seeking site-specific exceptions to enable proposed building heights ranging from 28.0 m to 46.0 m.

The subject development went through several revisions and administrative reviews in an attempt to achieve a proposal that would meet the mutual interests of the applicant and the City. The applicants have devised a development proposal (in consultation with administration) which achieves compatibility and appropriate transition to abutting lower scale development. The transitions are achieved through alternating building height limitations, building step backs, and landscape buffers. The alternating building height provisions (exceptions) are to be established through site specific Zoning By-Law Amendments, depicted in Schedule “A” (attached as Appendix E in this report).

Specific design elements will be implemented during the site plan control process and subsequent building permitting process. As discussed in the Official Plan section, the proposed development is compatible in terms of scale, massing, siting, height, orientation, setbacks, and parking. The proposed zoning provisions achieve that compatibility. With the exception of the above noted site-specific provisions, the proposed development is in compliance with the provisions of Zoning By-law 8600. No additional zoning deficiencies have been identified.

Site Plan Control:

Site plan control will apply to the proposed development. Design issues will be considered during site plan review. Recommendation 5 provides further direction to the Site Plan Approval Officer.

Risk Analysis:

N/A

Climate Change Risks

Climate Change Mitigation:

In general, infill intensification will minimize the impacts on community greenhouse gas emissions as these developments create complete communities and neighbourhoods while using currently available infrastructure such as parks, sewers, sidewalks, streets, schools and public transit.

Climate Change Adaptation:

The proposed development will provide many opportunities to increase resiliency for the development and surrounding area, including improved stormwater management.

Financial Matters:

N/A

Consultations:

Public Open House: The applicant held an informal virtual public open house on March 9, 2022. A total of 60 properties were provided notice, representing a 120 m radius of the Site. In addition to the Planning Consultant (Agent) and Applicant, a total of 5 members of the public attended. Section 5.0 in the Applicant’s Planning Rationale Report provides a summary of the comments received and responses made at the open house.

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

Public Notice: Statutory notice will be advertised in the Windsor Star, a local daily newspaper. A courtesy notice will be mailed to property owners and residents within 120m of the subject parcel. The Development & Heritage Standing Committee is the public meeting as required by the Planning Act.

Planner’s Opinion:

The *Planning Act* requires that a decision of Council in respect of the exercise of any authority that affects a planning matter, “shall be consistent with” Provincial Policy Statement 2020. The amendments have been evaluated for consistency with the PPS and conformity with the policies of the Official Plan.

Based on the documents submitted by the applicant, the comments received from municipal departments and external agencies, and the analysis presented in this report, it is my opinion that the requested amendments to the Official Plan and Zoning By-law

8600 are consistent with the PPS 2020 and are in conformity with the City of Windsor Official Plan.

The staff recommendation will permit a significant development consisting of a mix of high profile residential uses integrated with commercial uses that are able to coexist with existing land uses in the surrounding area.

The proposed development is an appropriate form of intensification and expands the range of dwelling types in an area predominately dominated by single unit dwellings. It provides residential intensification with a housing form that is in demand, introduces a cluster of uses that creates and supports a diverse neighbourhood, allows new residents to locate within an established area, and allows for residents to utilize alternative and active transportation modes.

Modern construction methods and building materials will allow the development to mitigate stormwater and climate change concerns. Existing infrastructure, such as roads, sidewalks, watermains, sewers, and public transit is being utilized, avoiding the need for any unjustified or uneconomical expansion of that infrastructure. Site plan control is the appropriate tool to incorporate the requirements and consider the concerns of municipal departments and external agencies.

It is my opinion that the proposed development is compatible with existing land uses and that the recommendations to amend the Official Plan and Zoning By-law 8600 constitutes good planning.

Conclusion:

Staff recommend approval of the requested amendments to the Official Plan to permit residential uses in excess of four stories in height, and direct property access to a Class I Arterial Road. Staff recommend approval of the requested amendments to Zoning By-law 8600 to add *Combined Use Building* and *Multiple Dwelling* as permitted uses, as well as site-specific exceptions for the provision of minimum number of parking spaces, minimum number of loading spaces, and maximum permitted building height.

Planning Act Matters:

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

Neil Robertson, MCIP, RPP
Manager of Urban Design

Thom Hunt, MCIP, RPP
City Planner

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

JP *OC*

Approvals:

Name	Title
Neil Robertson	Manager of Urban Design / Deputy City Planner
Thom Hunt	City Planner / Executive Director, Planning & Development Services

Name	Title
Wira Vendrasco	Deputy City Solicitor, Legal Services & Real Estate
Jelena Payne	Commissioner, Economic Development & Innovation
Onorio Colucci	Chief Administration Officer

Notifications:

Name	Address	Email
University Residential Land Corp. (David Traher)	1701 Richmond Street, Unit 3B London ON N5X 3Y2	dtraher@westdellcorp.com
Storey Samways Planning Ltd. (David French)	55 Forest Street, Suite N Chatham ON N7L 1Z9	davidf@storeysamways.ca
Councillor Costante (Ward 2)		
Property owners and residents within 120 m of the subject lands		

Appendices:

- 1 Appendix A - Conceptual Site Plan and Elevations
- 2 Appendix B - Planning Rationale Report
- 3 Appendix C - Excerpts from Official Plan
- 4 Appendix D - Excerpts from Zoning By-law 8600
- 5 Appendix E - Schedule "A" to Zoning By-Law Amendment
- 6 Appendix F - Comments



**Subject: Rezoning – Meo & Associates Inc. – 1646 Alexis Road – Z-043/22
ZNG/6940 - Ward 5**

Moved by: Councillor Mark McKenzie
Seconded by: Councillor Fred Francis

THAT the report of the Senior Planner dated September 11, 2023 entitled “Rezoning – Meo & Associates Inc. – 1646 Alexis Road – Z-043/22 ZNG/6940 - Ward 5” BE DEFERRED to a future meeting of the Development & Heritage Standing Committee to allow time to address concerns brought forward by the residents.

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

Aye votes: Councillors Mark McKenzie, Fred Francis, and Member Anthony Arbour.

Nay votes: Councillors Jim Morrisson, Kieran McKenzie, Angelo Marignani, and Member Daniel Grenier.

Absent: Member Robert Polewski

Abstain: None.

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

Decision Number: **DHSC 548**

1. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of Part of Lot 100, Concession 1 (McNiff’s Survey) Sandwich East, (1646 Alexis Road; Roll No. 010-290-02610; PIN 01122-0505), situated on the east side of Alexis Road between Reginald Street and Alice Street, further identified as Part 2 on Appendix F – Severance Plan to Report S 96/2023, from Institutional District 1.1 (ID1.1) to Residential District 3.2 (RD3.2) and by adding a site specific exception as follows:

486. EAST SIDE OF ALEXIS ROAD BETWEEN REGINALD ST & ALICE ST

For the lands comprising Part of Lot 100, Concession 1 (McNiff’s Survey) Sandwich East, the following additional provisions shall apply:

1. For a *multiple dwelling*, the following additional provisions shall apply:

- a) THAT the lands be deemed a *corner lot*
- b) Building Setback – minimum
 - from Alexis Road 6.0 m
 - from Reginald Street 4.5 m
- c) Landscaped Open Space Yard – minimum 28% of *lot area*

[ZDM 7, 11; ZNG/6940]

2. THAT the Site Plan Approval Officer **BE DIRECTED** to incorporate the following into site plan approval of the required site plan control agreement:
 - a) Requirements of the City of Windsor - Engineering Department in Appendix G to Report S 96/2023, subject to the approval of the City Engineer;
 - b) Requirements of the City of Windsor – Transportation Planning in Appendix G to Report S 96/2023, subject to the approval of the City Engineer; and to review and consider the comments from municipal departments and external agencies in Appendix G to Report S 96/2023; and,
3. THAT administration **BE REQUESTED** to conduct a traffic analysis of the immediate surrounding neighbourhood and to come forward with recommendations for Councils consideration to address parking concerns and general traffic issues.
Carried.

Councillors Mark McKenzie, Fred Francis and Member Arbour voting nay.

Report Number: S 96/2023
Clerk's File: Z/14603

Clerk's Note:

1. The recommendation of the Development & Heritage Standing Committee and Administration are **not** the same.
2. Please refer to Item 7.3 from the Community Services Standing Committee held on September 11, 2023.
3. To view the stream of this Standing Committee meeting, please refer to:
<http://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20230911-1/9432>

**Subject: Rezoning – Meo & Associates Inc. – 1646 Alexis Road –
Z-043/22 ZNG/6940 - Ward 5**

Reference:

Date to Council: September 11, 2023
Author: Adam Szymczak, MCIP, RPP
Senior Planner
519-255-6543 x6250
aszymczak@citywindsor.ca
Planning & Building Services
Report Date: August 4, 2023
Clerk's File #: Z/14603

To: Mayor and Members of City Council

Recommendation:

1. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of Part of Lot 100, Concession 1 (McNiff's Survey) Sandwich East, (1646 Alexis Road; Roll No. 010-290-02610; PIN 01122-0505), situated on the east side of Alexis Road between Reginald Street and Alice Street, further identified as Part 2 on Appendix F – Severance Plan to Report S 96/2023, from Institutional District 1.1 (ID1.1) to Residential District 3.2 (RD3.2) and by adding a site specific exception as follows:

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 - a) That the lands be deemed a *corner lot*
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from Alexis Road	6.0 m
from Reginald Street	4.5 m
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2. THAT the Site Plan Approval Officer **BE DIRECTED** to incorporate the following into site plan approval of the required site plan control agreement:
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 - b) Requirements of the City of Windsor – Transportation Planning in Appendix G to Report S 96/2023, subject to the approval of the City Engineer;

and to review and consider the comments from municipal departments and external agencies in Appendix G to Report S 96/2023.

Executive Summary:

N/A

Background:

Application Information:

Location: 1646 Alexis Road (Reginald Street / Alexis Road / Alice Street)
Roll No.: 010-290-02610

Ward: 5 **Planning District:** East Windsor **Zoning District Map:** 7 & 11

Applicant: Meo & Associates Inc. (Raffaele Meo)

Agent: Lassaline Planning Consultants (Jackie Lassaline)

Owner: Parway Inc. (Dr. Ishtiaq Rao)

Proposal: The applicant is requesting an amendment to Zoning By-law 8600 by adding a site specific exception to allow a multiple dwelling development consisting of two multiple dwellings with a building height of 18.3 m with a total of 92 dwelling units (46 per building) over 6 storeys. A total of 123 parking spaces including 6 accessible spaces, 10 bicycle spaces, and 2 loading spaces are proposed. Vehicular access to the parking area is from Alexis Road and Alice Street. No changes to the existing brick building are proposed beyond reconfigured parking areas consisting of 49 parking spaces. All plans are subject to change. A Plan of Condominium application may be submitted in the future.

Submitted Material:

Attached to this report as an Appendix:

Planning Rationale Report Revised (PRR) – See Appendix A
Conceptual Site Plan 2023 May 12 – See Appendix B
Renderings – See Appendices C, D & E
Severance Plan (Severance Sketch) – See Appendix F

Not attached to this report but available [online](#) or via email:

Appendices E, F, G & H to Planning Rationale Report Revised (PRR)
Elevations; Topographical Survey
Heritage Report (Heritage Impact Assessment - HIA) Revised 2023 August 7
Presentation (Open House)
Sanitary Sewer Capacity Check Revised; Storm Water Drainage and Management Plan
Zoning By-law Amendment Application

All documents are available online via the Current Development Applications [page](#) – click on [Z-043/22](#) or email at aszymczak@citywindsor.ca

Site Information:

OFFICIAL PLAN	ZONING	CURRENT USE	PREVIOUS USE
Residential	Institutional District 1.1 (ID1.1)	Vacant Land	School Field / Play Area / Parking
LOT FRONTAGE (REGINALD STREET)	LOT FRONTAGE (ALEXIS ROAD)	LOT AREA	LOT SHAPE
67.7 m	76.5 m	0.81 ha	Irregular
221.1 ft	250.9 ft	2.0 ac	
<i>All measurements are based on data provided by applicant and are approximate.</i>			

Neighbourhood Description and Amenities:

The PRR contains site images on pages 13 to 15 and 17 to 20 (see Appendix A).

Towards the north are low profile low density residential uses, Sts. Cyril and Methodius Church and St Cyril's Slovak Centre, Our Lady of the Lake Cemetery, Descent of the Holy Ghost Church, and a manufacturing facility of Ford Motor Company of Canada. To the east is the Ford Test Track Park, a 23 ha (59 ac) major recreational facility for local sports including 18 soccer fields, a walking / running track, off-leash dog parks, playground areas and parking areas.

To the south is the Windsor Islamic High School (former Gordon McGregor Public School), low profile low density residential uses, Fire Station #2 (3121 Milloy), St. Teresa of Calcutta Catholic Elementary School, and several places of worship. To the west are low profile low density residential uses, and a mix of uses along Drouillard Road, a major north-south road in the area.

Numerous schools, places of worship and municipal parks are located within 800 m of the subject parcel. The City of Windsor Constable John Atkinson Memorial Community Centre is just over 1 km to the east at Alice Street and Bernard Road. The Stellantis automotive assembly plant is located just over 1 km to the south.

Reginald Street, Alexis Road, and Alice Street are classified as Local Roads with sidewalks and curbs. Seminole Street, 250 m to the north and Drouillard Road, 160 m to the west, are Class I Collector Roads. Tecumseh Road East, about 750 m to the south is a Class II Arterial Road. On-street bike lanes are located on Seminole Street.

Public transit is available via the Central 3 bus at Drouillard and Reginald (160 to the west), the Ottawa 4 bus at Seminole and Chandler (250 m to the north), and the Transway 1C bus to the south at Tecumseh Road East and Chandler. Similar service is maintained in the Transit Master Plan.

Existing water mains, storm sewers, and sanitary sewers are available.

Figure 1: Key Map

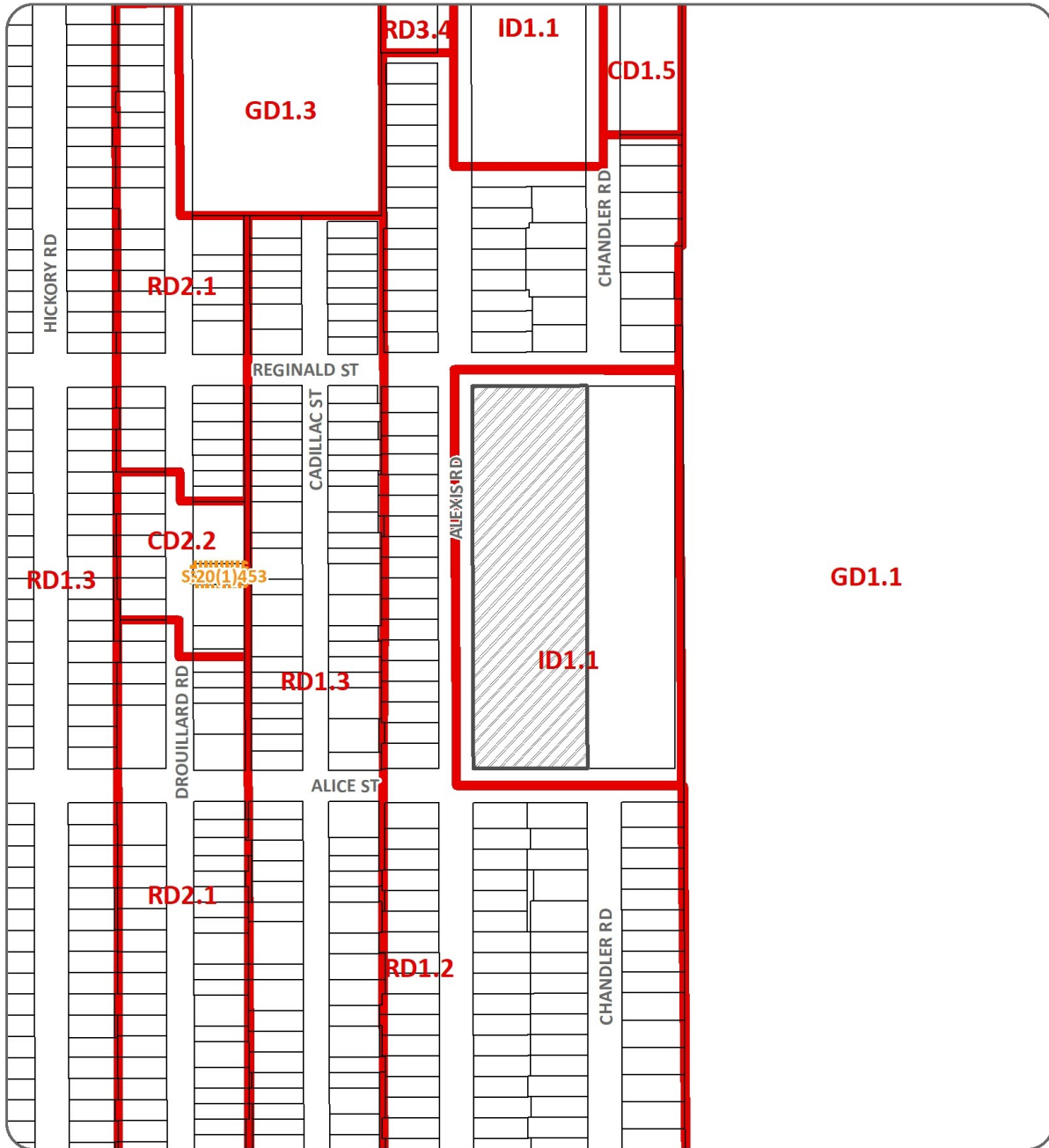


KEY MAP - Z-043-22, ZNG-6940



● SUBJECT LANDS

Figure 2: Subject Parcel - Rezoning



PART OF ZONING DISTRICT MAPS 7 & 11

N.T.S.

REZONING

Applicant: Meo & Associates Inc.



SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT



DATE : JUNE 2023
FILE NO. : Z-043/22, ZNG/6940

Figure 3: Neighborhood Map



NEIGHBOURHOOD MAP - Z-043/22, ZNG-6940



SUBJECT LANDS

Discussion:

Planning Rationale Report Revised (PRR) - Lassaline Planning Consultants, Jackie Lassaline, MCIP, RPP - 24 May 2023)

The PRR provides a description of the site, surrounding land uses, proposed development and amendment. A planning analysis of the Provincial Policy Statement 2020, the City of Windsor Official Plan and Zoning By-law 8600 are provided. The PRR notes that the proposed amendment *“provides a good solution for the preservation of the heritage while providing for needed residential accommodation and supporting a diversity of housing tenures and styles within the municipality.”*

It is the professional opinion of Ms. Lassaline that the proposed amendment:

- “1) is consistent with the policies of the 2020 Provincial Policy Statements;*
- 2) conforms with the intent and the relevant policies of the City of Windsor Official Plan;*
- 3) maintains the intent of City of Windsor CZB 8600 and when the ZBA is passed, it will establish the regulatory framework required for the development to comply with the CZB;*
- 4) will support complimentary development that will conserve and preserve existing built heritage; and*
- 5) makes sound planning.”*

The Planning Department generally concurs with the planning commentary in the PRR.

Heritage Impact Assessment (HIA) - Lassaline Planning Consultants, Jackie Lassaline, MCIP, RPP – Revised 9 August 2023)

The HIA notes that the *“there are no threats to the heritage building through the proposed development of the vacant portion of the site. All efforts have been made to preserve and conserve the heritage building”*. The report further states that *“the new buildings will be sympathetic and complimentary to the existing heritage of the Gordon McGregor school. Respect and regard for the heritage of the McGregor School will continue during the final design and subsequent development of the site”*.

The report recommends that the Gordon McGregor Public School be *“formally designated under Part IV of the Heritage Act based on O. Reg 9/06 Section 1(2) and identified as:*

- i) a building with design value as an Art Deco institutional building;*
- ii) a building designed by significant architects to the City of Windsor; and*
- iii) a building of importance for the education of family members of the residents of historical Ford City; and*
- iv) a building with historical significance named after the founding member of Ford Motor”*

The City of Windsor Heritage Planner has no concerns with the HIA and notes that the subject property *“has cultural heritage value and interest, and meets the O.Reg. 9/06 criteria for Designation. Therefore, City Administration has brought forward report S 89/2023 to Council recommending designation of the subject property”*. DHSC recommended approval of report S 89/2023 on August 8, 2023.

Sanitary Sewer Capacity Check

(Meo & Associates Inc. – Raffaele Meo, P.Eng., P.E. – 14 December 2022)

The study states that the “existing sewers have capacity to serve the proposed 92-unit apartment building project”. The City of Windsor Engineering Department notes that a sanitary sampling manhole may be required on any new sanitary connection at the property line to the satisfaction of the City Engineer, if one does not already exist. Further, the applicant will be required to submit site servicing drawings prior to Site Plan Control.

Storm Water Drainage and Management Plan

(Meo & Associates Inc. – Raffaele Meo, P.Eng., P.E. – 13 October 2022)

The City of Windsor Engineering Department notes that the “storm water management plan can be finalized once the Site Plan is approved”. They noted that the development should be able to outlet into the 1500 mm sewer in the former Chandler right-of-way to the east. The Windsor Essex SWM 2019 manual should be followed.

A final storm sewer study will be reviewed during site plan control.

Provincial Policy Statement, 2020

The Provincial Policy Statement, 2020 (PPS 2020) provides direction on matters of provincial interest related to land use planning and development and sets the policy foundation for regulating the development and use of land in Ontario.

The vision of the PPS focuses growth and development within urban settlement areas, that land use must be carefully managed to accommodate appropriate development to meet the full range of current and future needs, while achieving efficient development patterns. Planning authorities are encouraged to permit and facilitate a range of housing options, including residential intensification, to respond to current and future needs. Land use patterns should promote a mix of housing, including affordable housing.

Section 6.0 in the Planning Rationale Report contains a list of relevant PPS polices and the agent’s analysis of those polices.

Regarding Policies 1.1.1, 1.1.2 & 1.1.3, the proposed multiple dwellings are an efficient development and promote a land use pattern that sustains the financial well being of the municipality and accommodates an appropriate market-based residential type that meets long-term needs. No environmental or public health concerns were noted.

The multiple dwellings are considered infill and intensification and the parcel is located within the settlement area and walking distance of a bus route, making it a transit-supportive development that optimizes transit investments and an appropriate location for intensification. The proposed development will make use of existing infrastructure such as roads, sewers and watermains to achieve a cost-effective development pattern and minimize land consumption and servicing costs.

No deficiencies in infrastructure and public service facilities have been identified. Elementary schools and municipal parks are located within the neighbourhood. The preliminary sanitary and storm sewer studies note no issues. A final storm water study will be reviewed during site plan control.

The proposed development represents an opportunity to incorporate climate change measures such as stormwater management to control the flow of rain water into the

stormwater system and the use of building materials and devices to mitigate heating, cooling and water use concerns.

The proposed development utilizes land within the settlement area through intensification & redevelopment, provides a density and a use that makes efficient use of land & resources and is appropriate for available infrastructure avoiding the need for any unjustified or uneconomical expansion. It minimizes negative impacts to air quality by allowing residents to use alternative transportations means such as walking, cycling or public transit, and allows for the inclusion of modern building materials & construction methods to promote energy efficiency and deal with climate change impacts.

The proposed zoning amendment is consistent with Policies 1.1.1, 1.1.2, and 1.1.3.

Regarding Policy 1.4, the proposed development allows the City to accommodate residential growth through residential intensification, and directs development to where appropriate levels of infrastructure and public service facilities exist.

The proposed amendment to Zoning By-law 8600 is consistent with Policy 1.4.

Policy 1.6 provides direction on infrastructure and public service facilities. Policy 1.6.3 a) states that *“the use of existing infrastructure and public service facilities should be optimized”* and Policy 1.6.6.2 states that for *“existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services”*. The proposed amendment promotes intensification and redevelopment that will optimize the use of existing infrastructure. Per Policy 1.6.6.7, stormwater management has been integrated into this process and will be further refined during the site plan control process.

Given the availability of existing roads, public transit, and cycling facilities nearby, the proposed multiple dwellings allow for the efficient use of existing transportation infrastructure, minimizes the number and length of vehicle trips, and supports the use of transit and active transportation. This is consistent with Policy 1.6.6.7.

The proposed amendment to Zoning By-law 8600 is consistent with Policy 1.6.

Policy 1.7 promotes long-term economic prosperity. The proposed development is responding to market-based needs and will provide a diverse housing supply, that optimizes the use of land, resources, infrastructure and public service facilities, and that, through modern construction and building materials, will promote energy conservation and minimize the impacts of climate change.

The proposed amendment to Zoning By-law 8600 is consistent with Policy 1.7.

Policy 1.8 provides direction on energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and preparing for the impacts of a changing climate, the proposed multiple dwellings represent a compact form, and promotes the use of active transportation and transit.

The proposed multiple dwellings are consistent with Policy 1.8.

The proposed multiple dwelling development and the amendment to Zoning By-law 8600 are consistent with the PPS.

City of Windsor Official Plan:

Section 7.0 in the PRR contains a list of relevant Official Plan (OP) polices and the agent's analysis of those polices. The parcel is located within the East Windsor Planning District and is designated Residential on Schedule D: Land Use.

Regarding the Safe, Caring and Diverse Community component (Section 3.2.1) of the Development Strategy in Chapter 3, the proposed multiple dwellings expand the variety of housing types and provides an opportunity for area residents to live in their neighbourhoods as they pass through the various stages of their lives.

The proposed multiple dwellings conform to the policy direction of Section 3.2.1.

Chapter 4 provides policy direction on creating a healthy and liveable city, a high quality of life, a strong sense of community and community empowerment. Section 4.2.1.5 encourages a mix of housing types and services to allow people to remain in their neighbourhoods as they age. The proposed development provides an opportunity for people to move from other dwellings but remain in the neighbourhood. The proposed development conforms to Section 4.2.3 - Quality of Life, in that it recognizes the shelter needs of the community and represents an appropriate range and mix of housing.

Through the applicant's open house, the upcoming public meeting at the Development & Heritage Standing Committee and future Council meeting, the public has had or will have the opportunity to be involved in this planning process. Notice has been provided in the Windsor Star newspaper and through the mail to tenants and property owners within 120 m of the subject lands. This conforms to Section 4.2.5.

The proposed development conforms to the policy direction of Chapter 4.

Chapter 6 – Land Use provides policy direction on the land use designations on Schedules D and E in the Official Plan. Applicable goals include 6.1.1 - Safe, caring and diverse neighbourhoods, 6.1.2 - Environmentally sustainable urban development and 6.1.3 - Housing suited to the needs of Windsor's residents. The proposed multiple dwellings introduce a housing type that creates a diverse neighbourhood, creates an environmentally sustainable development by redeveloping a serviced vacant parcel within the settlement area, and provides housing that is in demand.

The proposed development conforms to the Goals in Section 6.1.

Applicable objectives of the Residential land use designation include Section 6.3.1.1 - To support a complementary range of housing forms and tenures in all neighbourhoods, Section 6.3.1.2 - To promote compact neighbourhoods which encourage a balanced transportation system, and Section 6.3.1.3 - To promote selective residential redevelopment, infill and intensification initiatives.

The neighbourhood consists mostly of low density low profile dwellings. The proposed multiple dwellings are a complementary housing form and expand the range of housing types in the surrounding area and represents a redevelopment, infill and intensification initiative. The proposed development is a compact development that has access to alternative transportation modes such as walking, cycling and public transit.

The proposed development conforms to the Objectives in Section 6.3.1.

Section 6.3.2 lists policies of the Residential land use designation. Low Profile and Medium Profile dwelling units are permitted in the Residential land use. The proposed

multiple dwellings are considered Medium Profile dwelling units (i.e. between 14 and 26 metres in height) and are a permitted use. Locational criteria in Section 6.3.2.4 include access to a collector or arterial road, provision of full municipal physical services, provision of adequate community services and open spaces are provided or planned, and the provision of public transit.

The parcel has access to collector and arterial roads. No deficiencies in physical municipal services have been identified. Several schools, municipal parks and public transit are located within walking distance of the parcel.

Section 6.3.2.5 lists evaluation criteria for a Neighbourhood development pattern. The subject parcel is not within or adjacent to any area identified on Schedule C: Development Constraint Areas and described in the Environment chapter of the Official Plan and is not within a site of potential or known contamination.

At-grade and balconies provide amenity areas. Residents have access to nearby parks and trails for additional amenity area.

The proposed multiple dwellings meet or exceed the requirements of Zoning By-law 8600 regarding parking spaces, accessible parking spaces, bicycle parking spaces, and loading spaces. 15 percent of provided parking spaces must be designated as visitor parking. No deficiencies in municipal services have been identified.

Compatible does not mean the proposed development needs to be identical to or even similar to existing development in an area. A development should be able to coexist with existing land uses. The proposed development is compatible with existing land uses. The proposed multiple dwellings are able to coexist with existing land uses and are compatible in terms of scale, massing, height, siting, orientation, setbacks, parking and amenity areas.

The proposed multiple dwelling development conforms to the Locational Criteria in Section 6.3.2.4 and the Evaluation Criteria in Section 6.3.2.5.

The proposed development and amendment to the Zoning By-law conform to the policies in Chapter 6 – Land Use.

Chapter 7 provides policy direction on Infrastructure which includes transportation systems such as pedestrians, transit and roads, and physical services such as sewers.

Applicable goals in Section 7.1 include safe, sustainable, effective and efficient infrastructure (7.1.1), optimal use of infrastructure (7.1.2), and accessible, affordable and available transportation system (7.1.3).

Applicable objectives in Section 7.2.1 include making efficient use of existing transportation infrastructure (7.2.1.2), promoting a land use pattern, density and mix of uses that reduces vehicle trips and supports alternative transportation modes including public transit (7.2.1.5), and providing for adequate off-street parking facilities (7.2.1.9).

Section 7.2.2 provide general policy direction on Infrastructure. Applicable policies include promoting development patterns that support an increase in walking, cycling and public transportation (7.2.2.5), providing for a more compact urban form to reduce the growth in home based trip making (7.2.2.6 (b)), requiring adequate off-street parking and loading facilities as a condition of development approval (7.2.2.12), and requiring bicycle spaces (7.2.2.17).

The proposed development uses existing streets and public transit and represents a density that reduces vehicle trips and supports alternative transportation modes. No issues with municipal sanitary or storm sewers have been identified. Off-street parking meets or exceeds zoning requirements.

The proposed development conforms to the Goals in Section 7.1, the Objectives in Section 7.2.1, and the General Policies in Section 7.2.2.

The proposed multiple dwellings conform to the policies of Section 7 – Infrastructure.

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

The proposed zoning amendment conforms to the policy direction of the Official Plan.

Zoning By-Law:

Conceptual plans, renderings, and a proposed severance plan are attached as Appendices B to F to this report. They are subject to change.

The subject lands are zoned Institutional District 1.1 (ID1.1) which permits a Business Office of a non-profit or charitable organization, Child Care Centre, Place of Worship, School. The applicant is requesting an amendment to change the zoning of from ID1.1 to RD3.2 and by adding a site specific exception to allow the proposed development.

The RD3.2 zone permits a Lodging House, Multiple Dwelling, Religious Residence, and Residential Care Facility on a lot having a minimum frontage of 30.0 m, maximum lot coverage of 35.0%, a maximum main building height of 24.0 m, a minimum landscaped open space yard of 35.0% and a maximum dwelling unit density of 188 units per hectare. Based on 92 dwelling units, the minimum lot area is 4,805 m² and the minimum number of parking spaces is 115. A total of 8 bicycle parking spaces, 5 accessible parking spaces, and 2 loading spaces (one per building) are required.

The subject parcel has an area of 8,100 m², a lot frontage of 67.67 m along Reginald and a lot frontage of 76.5 m along Alexis, a lot coverage of 26.5%, a building height of 18.3 m, a landscaped open space yard of 28% and a dwelling unit density of 114 units per hectare. A total of 123 parking spaces including 6 accessible parking spaces, 10 bicycle parking spaces, and 2 loading spaces are proposed. The zoning by-law requires that 15% of the parking spaces be marked as a visitor parking space.

The proposed development is mostly in compliance with the provisions of Zoning By-law 8600. The reduction in landscaped open space yard will have no adverse impact on the use and enjoyment of the subject lands or surrounding parcels. The building setbacks align the proposed building in line with the existing school building. The deeming of the lands as a corner lot clarifies which provisions in RD3.2 shall apply.

The agent notes that the existing school site will comply with the provisions of the ID1.1 zone and parking area requirements when the school site is severed.

As discussed in the Official Plan section, the proposed building is compatible in terms of scale, massing, siting, height, orientation, setbacks, and parking. The proposed zoning provisions achieve that compatibility.

Site Plan Control:

Site plan control will apply to the proposed development. Design issues will be considered during site plan review. Recommendation 2 provides direction to the Site Plan Approval Officer.

Risk Analysis:

N/A

Climate Change Risks**Climate Change Mitigation:**

In general, infill intensification will minimize the impacts on community greenhouse gas emissions as these developments create complete communities and neighbourhoods while using currently available infrastructure such as parks, sewers, sidewalks, streets, schools and public transit.

Climate Change Adaptation:

The proposed development will provide many opportunities to increase resiliency for the development and surrounding area, including improved stormwater management.

Financial Matters:

N/A

Consultations:

Public Open House: The applicant held an informal public open house at the Windsor Islamic High School on February 22, 2023 from 5 to 7 pm. A total of 300 flyers were mailed area residents and property owners. In addition to the Ward Councillor, municipal staff from the Planning Department and Transportation Planning, the Planning Consultant (Agent), Applicant, and Architect, a total of 21 people attended the open house. Section 3.5 in the PRR provides a summary of the comments received and responses made at the open house.

Circulation to Municipal Departments and External Agencies: Comments are attached as Appendix G. Recommendation 2 directs the Site Plan Approval Officer to include and/or consider the comments from municipal departments and external agencies.

Public Notice: Statutory notice will be advertised in the Windsor Star, a local daily newspaper. A courtesy notice will be mailed to property owners and residents within 120m of the subject parcel. The Development & Heritage Standing Committee is the public meeting as required by the Planning Act.

Planner's Opinion:

The *Planning Act* requires that a decision of Council in respect of the exercise of any authority that affects a planning matter, "*shall be consistent with*" Provincial Policy Statement. The amendment has been evaluated for consistency with the PPS 2020 and conformity with the policies of the OP.

Based on the documents submitted by the applicant, the comments received from municipal departments and external agencies, and the analysis presented in this report, it is my opinion that the requested amendment to Zoning By-law 8600 is consistent with the PPS 2020 and is in conformity with the OP. The staff recommendation will permit a multiple dwelling development that will coexist with existing land uses in the surrounding area. The Windsor Islamic High School parcel remains viable.

The proposed development is an appropriate form of intensification and expands the range of dwelling types in an area dominated by single unit dwellings. It provides an opportunity for residents to age in place and allowing new residents to locate within an established area. It allows for future residents to use alternative and active transportation modes such as walking, cycling and public transit.

Modern construction methods and building materials will allow the development to mitigate stormwater and climate change concerns. Existing infrastructure, such as roads, sidewalks, watermains, sewers and public transit, is being utilized, avoiding the need for any unjustified or uneconomical expansion of that infrastructure. Site plan control is the appropriate tool to incorporate the requirements, and consider the concerns, of municipal departments and external agencies.

It is my opinion that the proposed multiple dwelling development is compatible with existing land uses and that the recommendation to amend Zoning By-law 8600 constitutes good planning.

Conclusion:

Staff recommend approval of the requested amendment to Zoning By-law 8600 to change the zoning of the subject land from ID1.1 to RD3.2 and adding a site specific exception and providing direction to the Site Plan Approval Officer.

Planning Act Matters:

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

Greg Atkinson, MCIP, RPP

Neil Robertson, MCIP, RPP

Deputy City Planner /Manager of Development

Acting City Planner

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

JP

JM

Approvals:

Name	Title
Greg Atkinson	Manager of Development / Deputy City Planner
Neil Robertson	Acting City Planner / Manager of Growth
Wira Vendrasco	Deputy City Solicitor, Legal Services & Real Estate
Jelena Payne	Commissioner, Economic Development & Innovation
Joe Mancina	Chief Administration Officer

Notifications:

Name	Address	Email
Raffaele Meo Meo & Associates Inc.	Suite 200 3600 Seven Lakes Drive LaSalle ON N9H 0E5	meo@meoassociates.com
Lassaline Planning Consultants (Jackie Lassaline)	PO Box 52 1632 County Road 31 St. Joachim ON N0R 1S0	jackie@lassalineplan.ca
Parway Inc. (Dr. Ishtiaq Rao)		ishtiaq@cropdefenders.com
Councillor Sleiman (Ward 5)		
Property owners and residents within 120 m of the subject lands		

Appendices:

- 1 Appendix A - Planning Rationale Report Revised 2023 May 24
- 2 Appendix B - Conceptual Site Revised
- 3 Appendix C - Rendering Looking East
- 4 Appendix D - Rendering Looking South
- 5 Appendix E - Rendering Looking Northwest
- 6 Appendix F - Severance Plan
- 7 Appendix G - Comments



LASSALINE

PLANNING CONSULTANTS INC.

REPORT: **PLANNING RATIONALE REPORT (PRR)**

MUNICIPALITY: **CITY OF WINDSOR**

MUNICIPAL ADDRESS: 1646 ALEXIS RD WINDSOR

DEVELOPMENT: ZONING BYLAW AMENDMENT (ZBA)

DATE: MAY 24, 2023

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APPENDIX F – SITE PLAN DRAWING

APPENDIX G – BUILDING RENDERINGS

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1.0 INTRODUCTION

Lassaline Planning Consultants (LPC) has been retained to undertake a Planning Rationale Report (PRR) regarding the feasibility of a site-specific Zoning By-law Amendment (ZBA) to support an infill development of the subject site. Proposed is the addition of 2 buildings, each 6 storeys (18.3 m) in height with 92 residential apartment units within a multiple dwelling and 123 associated car parking spaces proposed for the vacant portion of the subject lands.

The subject property comprises two components: a vacant area of the subject lot at the north portion; and the south portion that is the location of the Gordon McGregor Public School building. The Gordon McGregor Public School has existed on the site since 1924 when it was constructed as a public school. In 2020 the Gordon McGregor Public School was adapted to another school, namely the Windsor Islamic High School.

FIGURE 1 – LOCATIONAL MAP

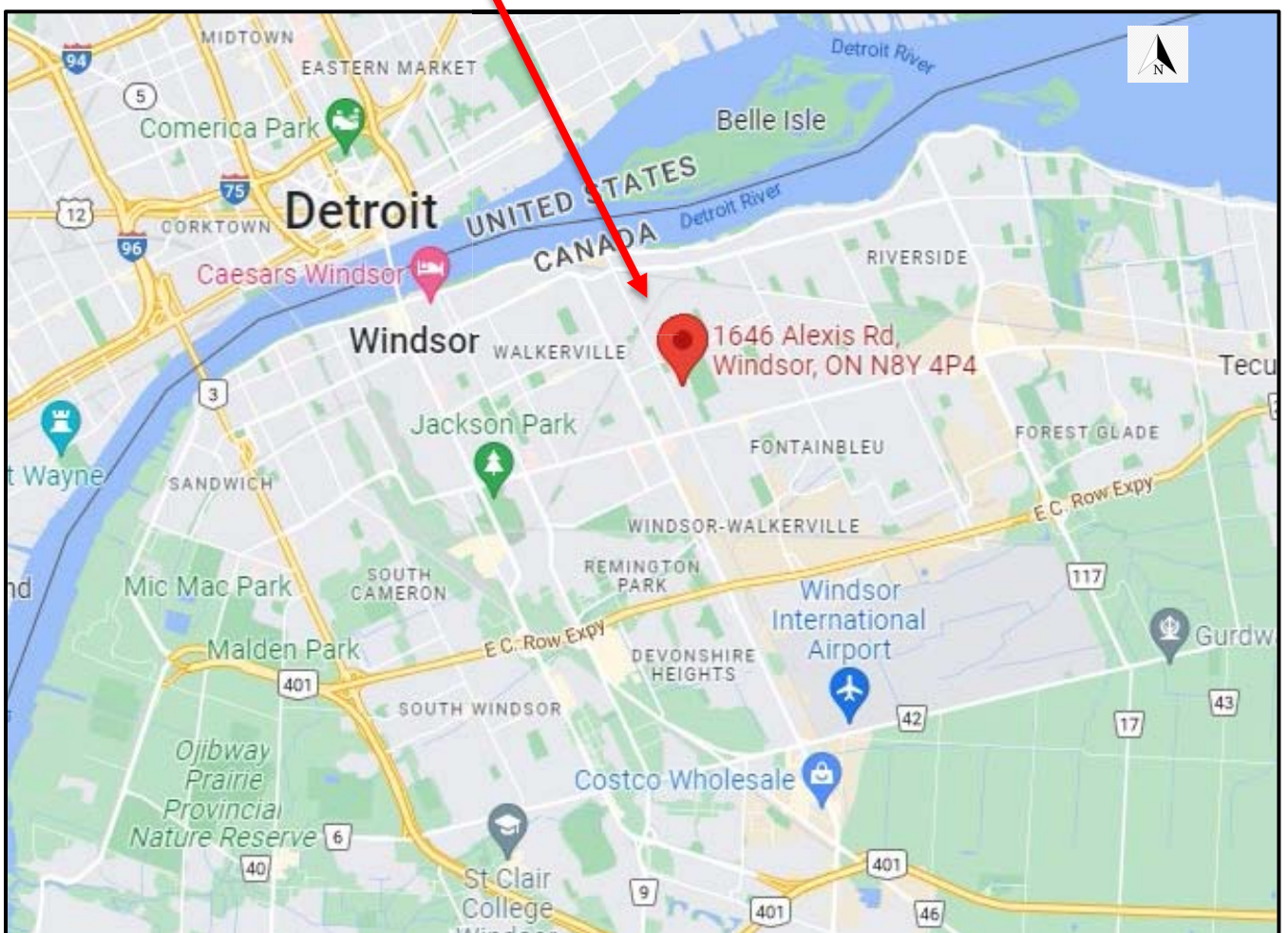
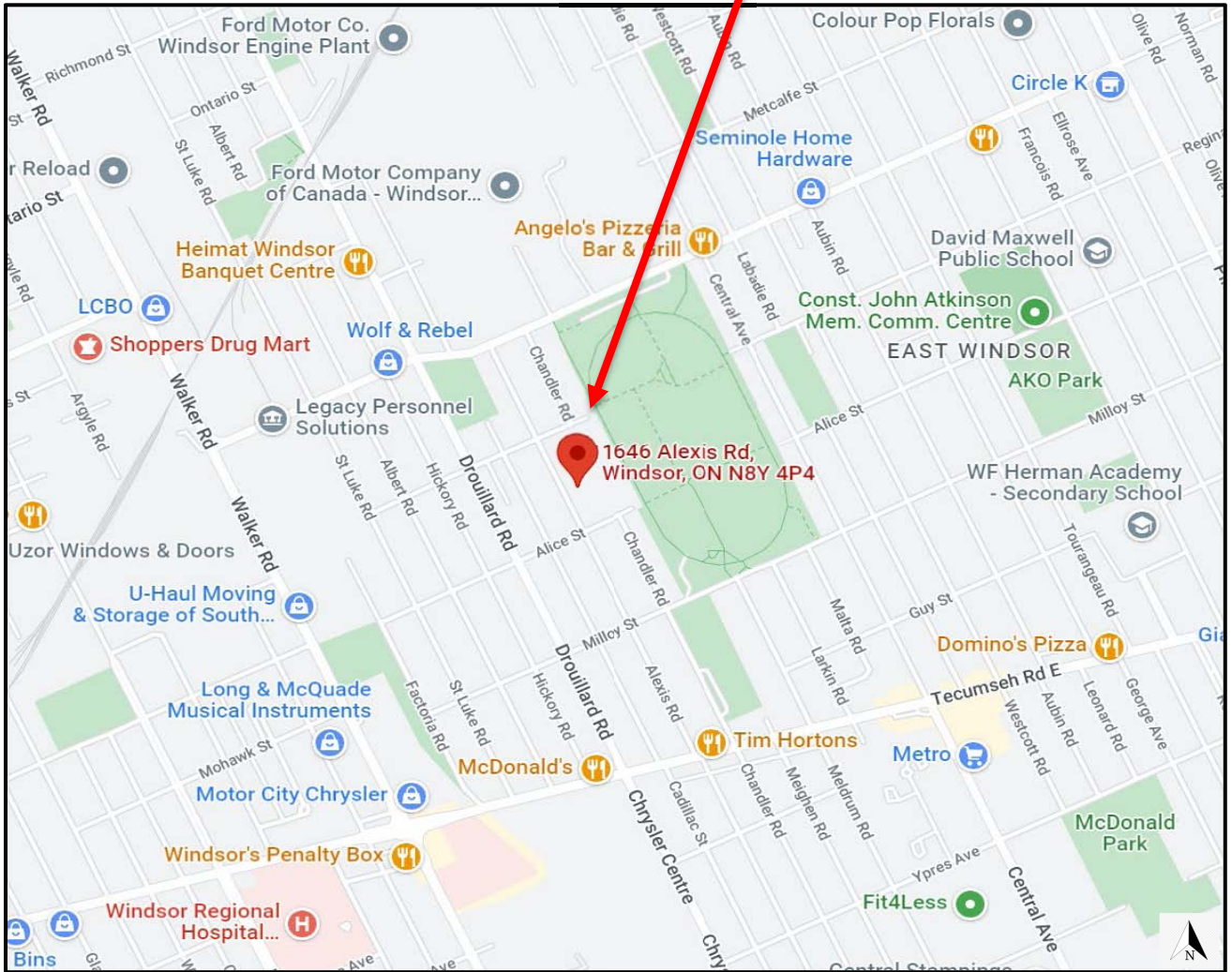


FIGURE 2 – NEIGHBOURHOOD LOCATION MAP



The subject lands are designated 'Residential' in the City of Windsor Official Plan and zoned as 'Institutional District 1.1 (ID1.1) in the City of Windsor Zoning By-law 8600. A site-specific Zoning By-Law Amendment (ZBA) is being requested that will rezone the vacant portion of the subject property to a 'Residential District (RD3.2-#). The site specific zoning provision will provide for 28% landscaped open space.

A pre-consultation file was submitted for the proposal and was evaluated by Planning, City of Windsor with a letter provided: PS041-22

Jackie Lassaline, BA MCIP RPP, Lassaline Planning Consultants has prepared this planning rationale report to support, explain and justify the proposed development.

2.0 SITE AND SURROUNDING LAND USES

The subject lands are located in Windsor Ward 5, in East Windsor and known as Ford City. The municipal address of the site is 1646 Alexis Road, City of Windsor.

The subject lands known as 1646 Alexis, was developed in 1924 with the Gordon McGregor Public School. The school fronted on Alexis Street with parking and athletic fields behind the school.

The Ford Test Track had existed for a number of years associated with Ford Motor Company. In 2016 the City acquired 1646 Alexis from the Essex District School Board. The eastern half of 1646 Alexis was severed by the City and an additional parkland was merged with the Ford Test Track Park as a dog park to create a significant parkland adjacent to the proposed development.

FIGURE 3 – 1646 ALEXIS RD (2016)

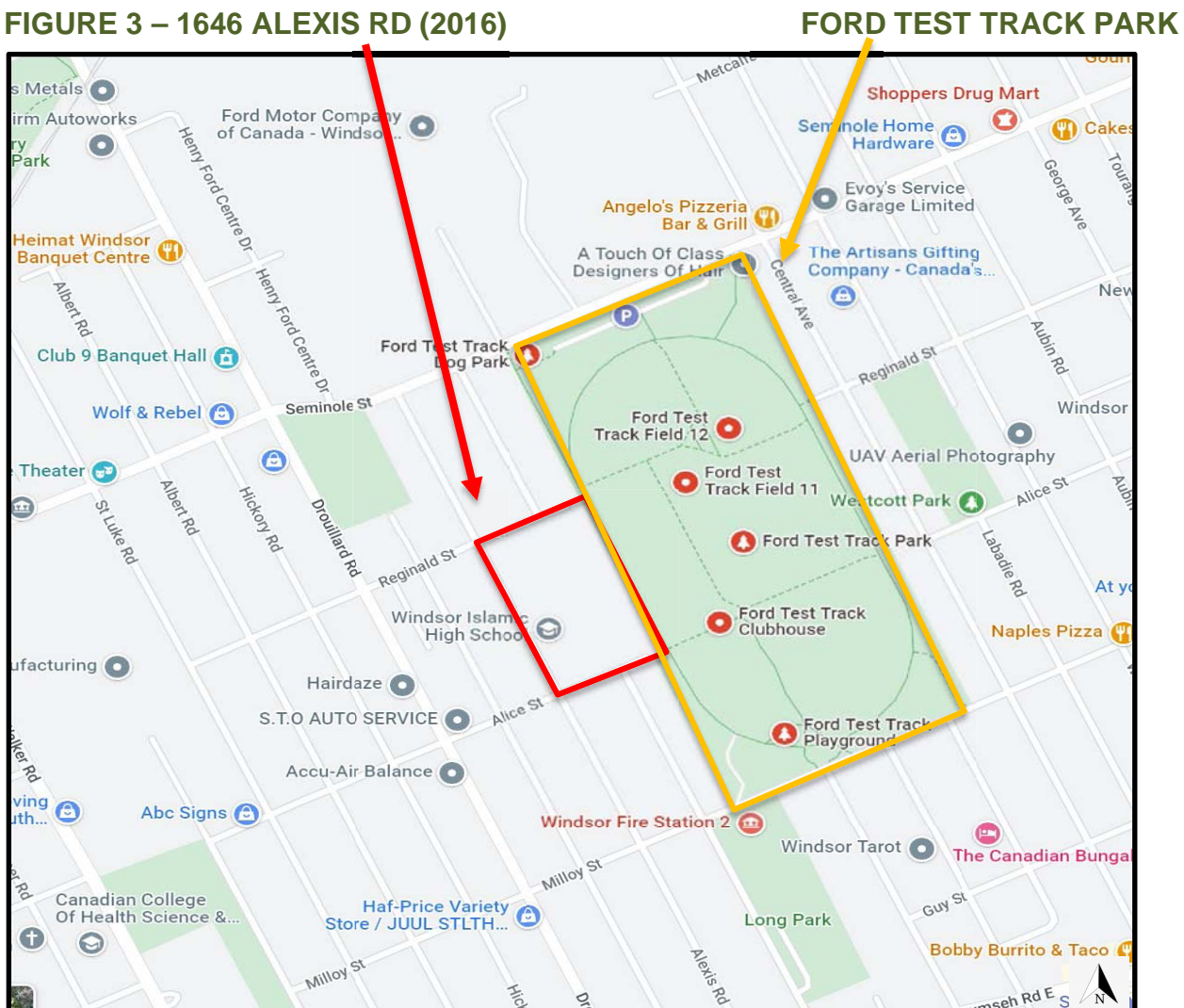


FIGURE 4 – AERIAL 1646 ALEXIS RD (2019)

FORD TEST TRACK PARK



The subject lands are the site of the former Gordon McGregor Elementary School that was constructed in 1924, 98 years ago, to accommodate the residential use of the neighbourhood of Ford City. This 2 storey brown brick building with a partial basement was designed by the architectural firm Sheppard and Masson.

The Gordon McGregor Elementary School building is listed on the City of Windsor Municipal Heritage Register but is not designated under Part IV of the Heritage Act through bylaw as a Heritage Building. Please refer to attached

Please refer to Heritage Impact Assessment Report that discusses the heritage impact associated with the consent and the proposed development.

FIGURE 5 - GORDON MCGREGOR ELEMENTARY SCHOOL, 2009



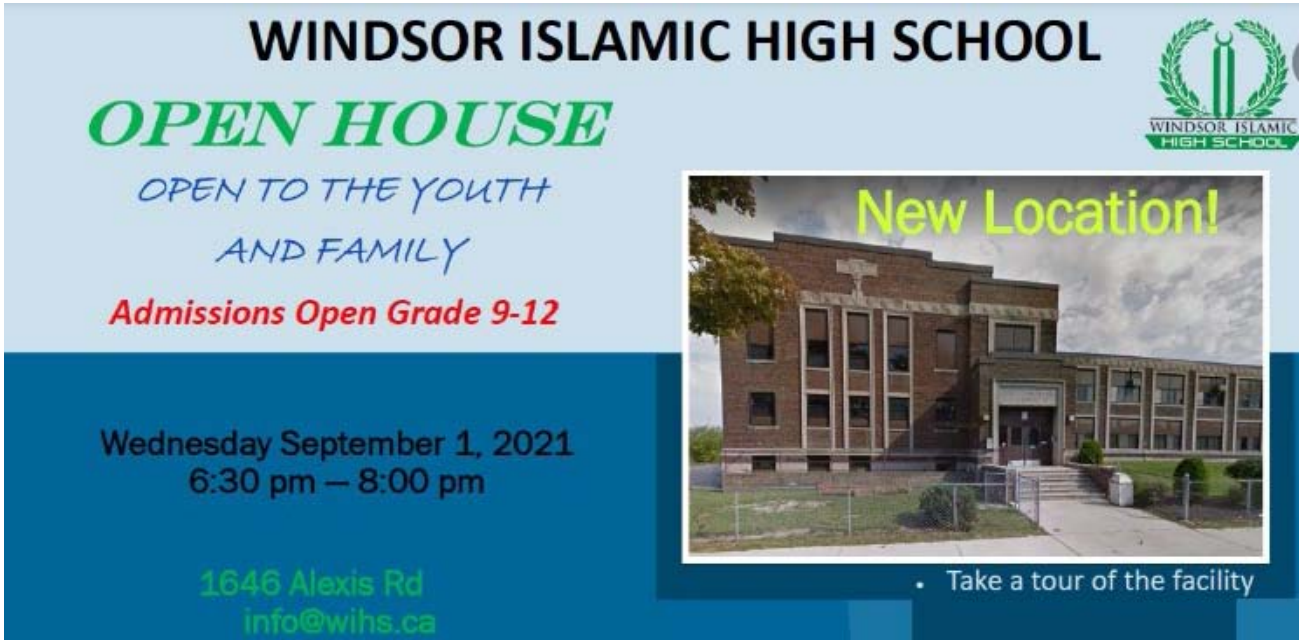
The Gordon McGregor Public School was closed in 2016 after 92 years of operation and the building and property was sold to the City of Windsor. The building sat vacant for the next several years. In 2019 the former school building was sold for potential redevelopment.

In the fall of 2021, the Windsor Islamic High School relocated to the subject building at 1646 Alexis Road, once again resuming the use of the building as an educational institution.

FIGURE 6 – FORMER GORDON MCGREGOR ELEMENTARY SCHOOL, 2021



FIGURE 7 – WINDSOR ISLAMIC HIGH SCHOOL



The poster for Windsor Islamic High School's Open House features a light blue background with a dark blue footer. At the top, the school's name is written in bold black letters. Below it, 'OPEN HOUSE' is written in large green letters. The text 'OPEN TO THE YOUTH AND FAMILY' is in a blue script font, and 'Admissions Open Grade 9-12' is in red. The event details are listed in white on the dark blue background: 'Wednesday September 1, 2021' and '6:30 pm – 8:00 pm'. The address '1646 Alexis Rd' and email 'info@wihs.ca' are in green. On the right, there is a photograph of the school building with the text 'New Location!' in yellow. A small circular icon with a crescent and star is in the top right corner. A bullet point at the bottom right of the photo says 'Take a tour of the facility'.

2.1 LEGAL DESCRIPTION, INFORMATION AND OWNERSHIP

Legal description: Part of Lot 100, Con 1 (McNiff's Sandwich East in FC5865; Windsor.

PIN number: 01122-0505.

Roll Number: 010-290-02610

The subject lands are owned by **Parway Inc.**

Parcel 0505 are the lands subject to the ZBA being purported for the inclusion of residential use. The southern portion (**Part 1** on Reference Plan) will continue to contain Gordon McGregor building and continue with the present (ID.1) zone.

Part 2 on Reference Plan, the northern portion of the subject lands, is to be severed and the area of proposed development with the two new residential apartment buildings (multiple dwellings) to be rezoned to (RD3.2-#).

Parcels 01122 (Ford Test Track Park) and 0481 & 0511 (Dog Park) are parcels owned by the City of Windsor. Refer below to **FIGURE 6 – PROPERTY INDEX MAP.**

FIGURE 8 – PROPERTY INDEX MAP



2.2 SIZE AND SITE DIMENSION

The subject site is rectangular and presently has a lot area of approximately 15,402 m² (1.54 ha) and a perimeter of approximately 589 m. The site has three road frontages with a frontage of approximately 226 m along Alexis Road and frontage of approximately 67.7 m along Alice Street and 67.67 m along Reginald Street.

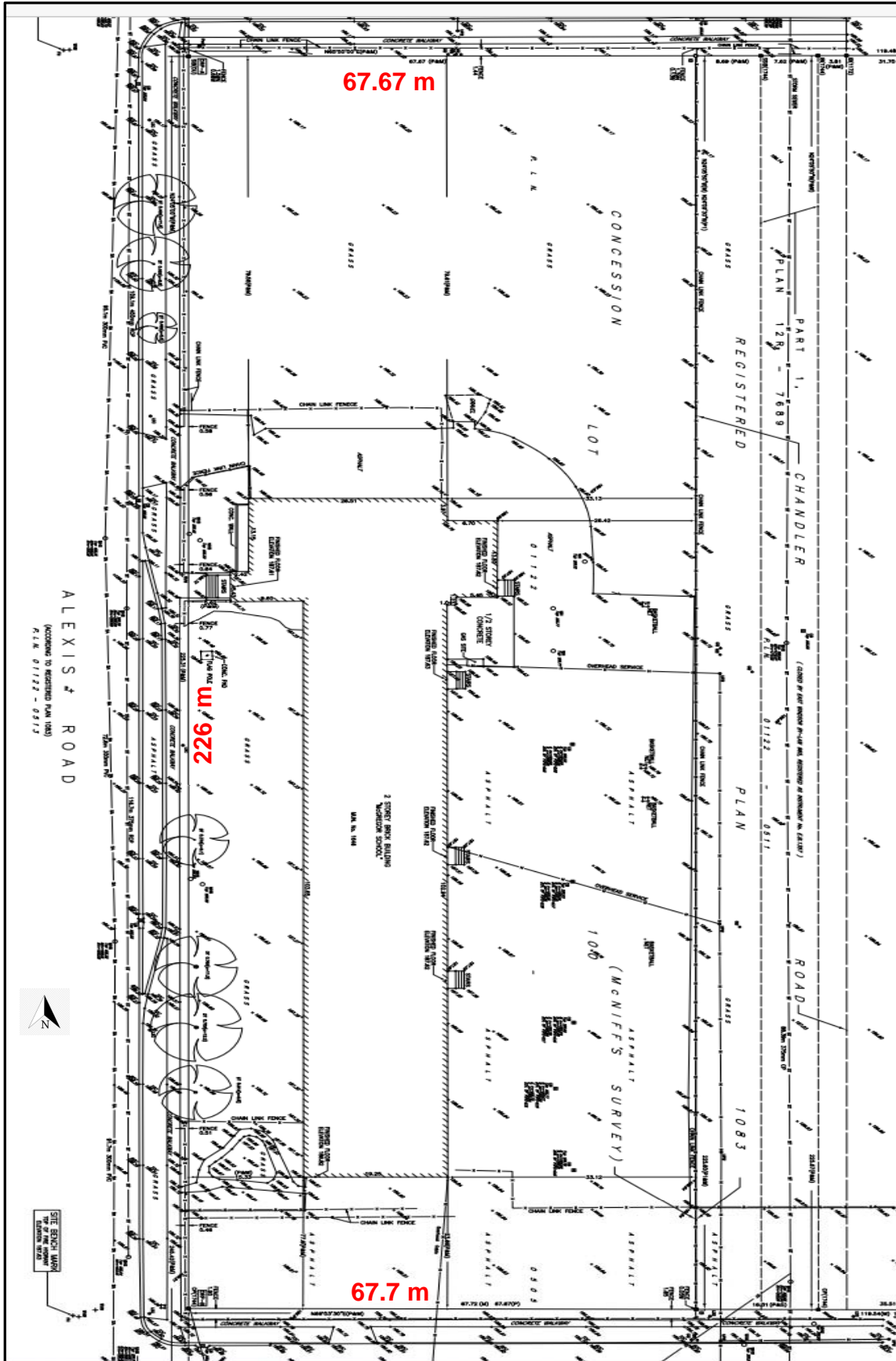
Part 2 - the area proposed for the proposed residential development is approximately 8,100 m² area with 67.67 m frontage along Reginald Street; and

Part 1 - the school site is proposed with 7,100 m² area and 46.4 m frontage on Alice Street.

This Planning Rationale report has been prepared with the perspective that the residential use and the institutional use will be separated by consent but will be adjacent uses to each other. The existing institutional school use and the proposed residential use in my professional opinion can be considered as compatible neighbours.

Draft bylaw regulations have been written for the residential parcel that will support the future separation of the uses without the need for additional zoning amendments.

FIGURE 9 – SITE DIMENSIONS



2.3 TOPOGRAPHY, VEGETATION, AND PHYSICAL FEATURES OF THE SITE

The subject lands are flat, with no ditches, berms, or swales. There are no watercourses, natural or human made hazards on the site. Most of the site is covered by either manicured lawn grass, or an asphalt parking area. There is no habitat suitable for Species At Risk of flora or fauna on the site.

There are three mature deciduous trees at the front of the site along Alexis Road which will be retained according to the site plans. There are two medium sized deciduous shrubs on the subject site that will be removed. Existing mature deciduous trees and landscaping at the front of the existing building will be retained. Refer below to **FIGURE 10 – TREES**.

FIGURE 10 – TREES



2.4 EXISTING STRUCTURES

The former Gordon MacGregor Elementary School is the only building located on the site to the south of the proposed new buildings. This heritage building is a 2 storey brown brick building with a partial basement built in 1924 and currently home to the Windsor Islamic High School. This building and its particular heritage features will be discussed in detail in the Heritage Impact Assessment discussing the proposed development and the impact on the high school.

FIGURE 11: FRONT OF SCHOOL NORTH HALF



FIGURE 12: FRONT OF SCHOOL SOUTH HALF



Other structures on the site include a chain link fence and basketball nets that will be removed according to the site plan. The flagpole at the front of the school will be retained.

2.5 MUNICIPAL SERVICES

The subject lands have access to separated municipal sanitary and storm sewers along Alexis Road, Alice Road, along Reginald Street, and along the boundary with the Ford Test Track Park. The subject lands have additional access to a storm sewer running from south to north on the abutting lot.

FIGURE 13 - SEWERS



The subject lands have access to municipal sidewalks along one side of Reginald Street, both sides of Alexis Road, and one side of Alice Street. A multi-use pedestrian and cycling pathway runs to the east of subject lands along Ford City Test Track Park.

2.6 SURROUNDING LAND USES

The subject lands are located in a predominately residential neighbourhood interspersed with small commercial and major park/institutional uses adjacent. The subject lands are accessible by active transportation and public transit.

The subject lands are adjacent to the large Ford Test Track Park, an adaptive re-use of the original Ford Test Track, now utilized as a large municipal park. This major park area has 59 acres of public open space, which includes 18 soccer fields, a children’s climbing structure, running track, off leash dog parks, walking and cycling trails, and public washroom facilities. Recently, additional lands were added to the Ford Test Track Park that was the east side of the subject lands.

FIGURE 14 – NEIGHBOURHOOD AERIAL



FIGURE 15: BACK OF SCHOOL: DOG PARK



FIGURE 16: PARKING LOT FOR PARK



To the south, west and north of the subject lands are a neighbourhood of low density, residential modest housing of one and two storeys. The neighbourhood homes were built between 1890-1950's comprised predominately of Ontario Cottage style housing with 1 and 2 storeys with brown or red brick veneer or vinyl/aluminium siding. There are a mix of Art Deco, Arts and Crafts, modest Regency Homes, and Victorian Cottages. These homes were originally built for workers from Ford Motor Company (north of Seminole St) living close enough to be able to walk or bike to work. They have been well preserved and maintained. The neighbourhood is comprised of predominantly older residents.

FIGURE 17 - NEIGHBOURHOOD HOMES ACROSS ALEXIS RD



FIGURE 18: HOUSING ACROSS ALEXIS RD



FIGURE 19 - NEIGHBOURHOOD HOMES ACROSS ALEXIS



FIGURE 20: HOUSING ACROSS ALICE



FIGURE 21: HOUSING ACROSS REGINALD STREET

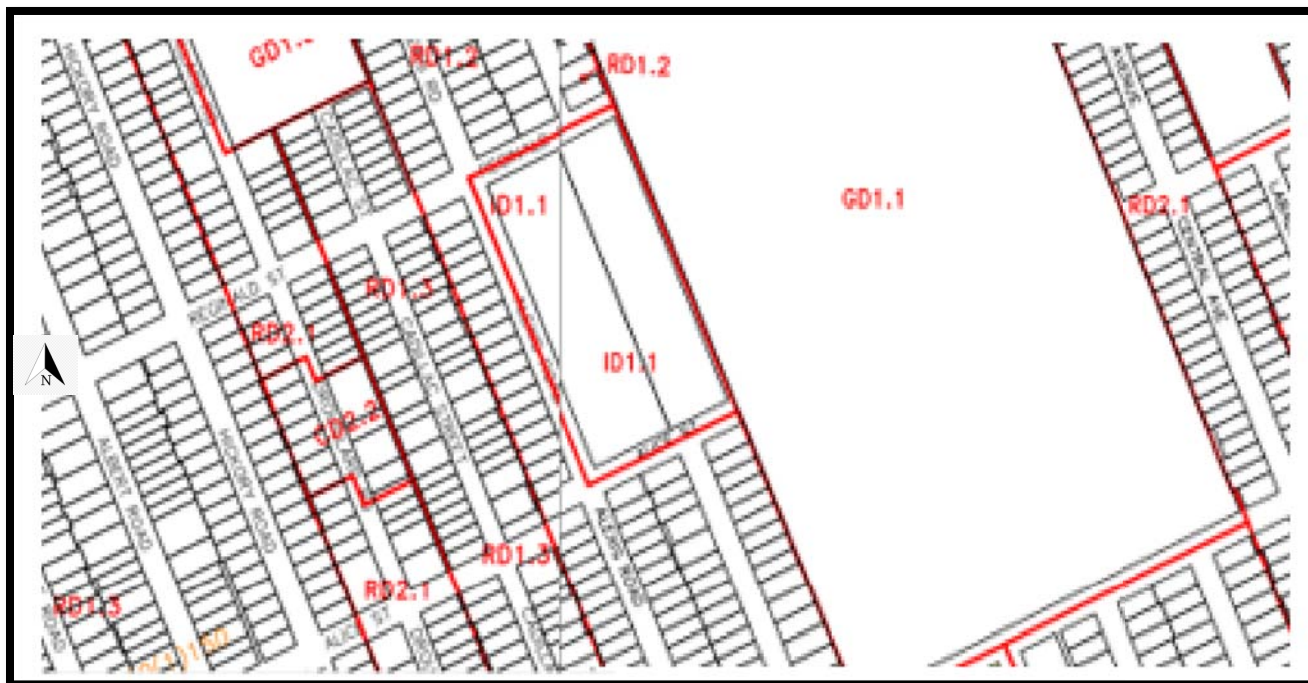


FIGURE 22: HOUSING ACROSS REGINALD STREET



The subject lands are presently zoned 'Institutional (ID1.1). The adjacent Ford Test Track Park is zoned 'Green District 1.1 (GD1.1)'. The residential neighbourhood is comprised of a mix of residential zone categories with the predominate zones of: 'RD1.2', 'RD2.1', 'RD1.3'.

FIGURE 23 – ZONING MAP

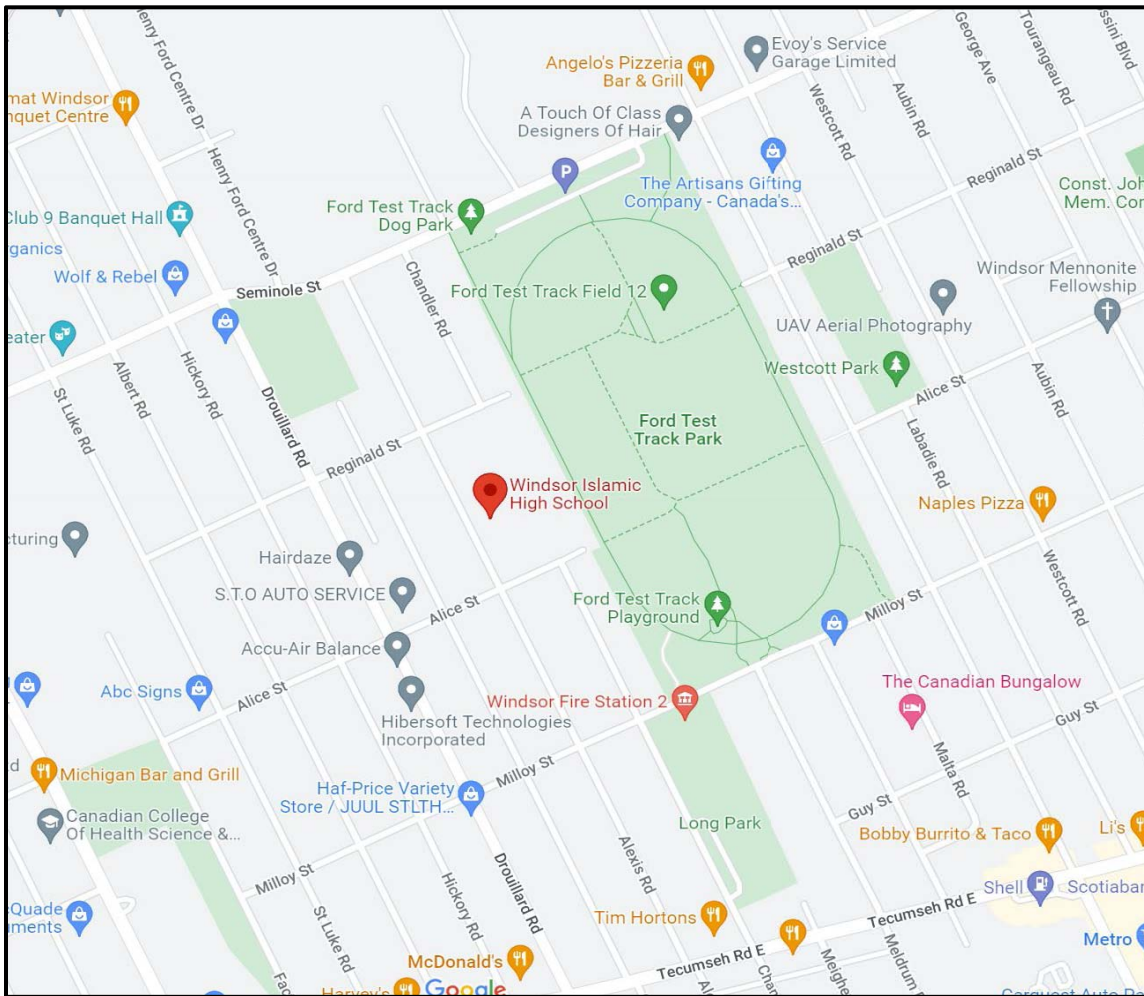


- a) **North** – low density residential housing
- b) **East** – Ford Test Track Park
- c) **South** – Windsor Islamic High School, fronting on Alice – low density residential housing
- d) **West** – low and medium density residential housing, commercial businesses

2.7 NEIGHBORHOOD AMENITIES

The proposed development is located in a residential neighbourhood with commercial amenities located adjacent to the residential neighbourhood. Adjacent to the subject is a large areas of greenspace including the 59 acre Ford City Test Track Park, featuring 2 dog parks, a children’s climbing structure, 18 soccer fields, walking trails, and public washrooms.

FIGURE 24 – NEIGHBOURHOOD LAND USE



Nearby commercial amenities include:

Restaurants

- The Times Café and Bake Shoppe (4 minute walk)
- Tim Horton's (10 minute walk)
- McDonald's (10 minute walk)
- Angelo's Pizzeria Bar and Grill (11 minute walk)
- Naples Pizza (13 minute walk)
- Bobby Burrito and Taco (14 minute walk)
- Windsor's Penalty Box Restaurant (17 minute walk)
- Michigan Bar and Grill (20 minute walk)

Healthcare

- Shopper's Drug Mart (16 minute walk)
- Essex County Nurse Practitioner Led Clinic (17 minute walk)
- Windsor Regional Hospital (20 minute walk)

Groceries and Banking

- Brander Farm Organics (18 minute walk)
- LCBO (18 minute walk)
- Metro Groceries (18 minute walk)
- Scotiabank (18 minute walk)

Recreation, Culture, and Religion

- First Romanian Baptist Church (2 minute walk)
- Ford City Test Track Park (5 minute walk)
- Long Park (8 minute walk)
- Ford Test Track Playground (8 minute walk)
- Korda Zone Theatre (10 minute walk)
- Wescot Park (15 minute walk)
- Gino A Marcus Pool (16 minute walk)
- Ford City Public School (18 minute walk)
- Windsor Mennonite Fellowship (18 minute walk)
- Boarder City Boxing Club (19 minute walk)
- Long & McQuade Musical Instruments and music lessons (19 minute walk)
- Croatian St. Francis of Assisi Church (21 minute walk)
- Christ Embassy Church (23 minute walk)

Major Employment Opportunity

- Ford Motor Company Engine Plant (12 minute walk)

Education

- Windsor Islamic Association (1 minute walk)
- St. Teresa of Calcutta Elementary School (9 minute walk)
- Drouillard Place Early Years Centre (18 minute walk)
- Canadian College of Health Science and Technology (20 minute walk)
- W. F. Herman Academy Secondary School (22 minute walk)

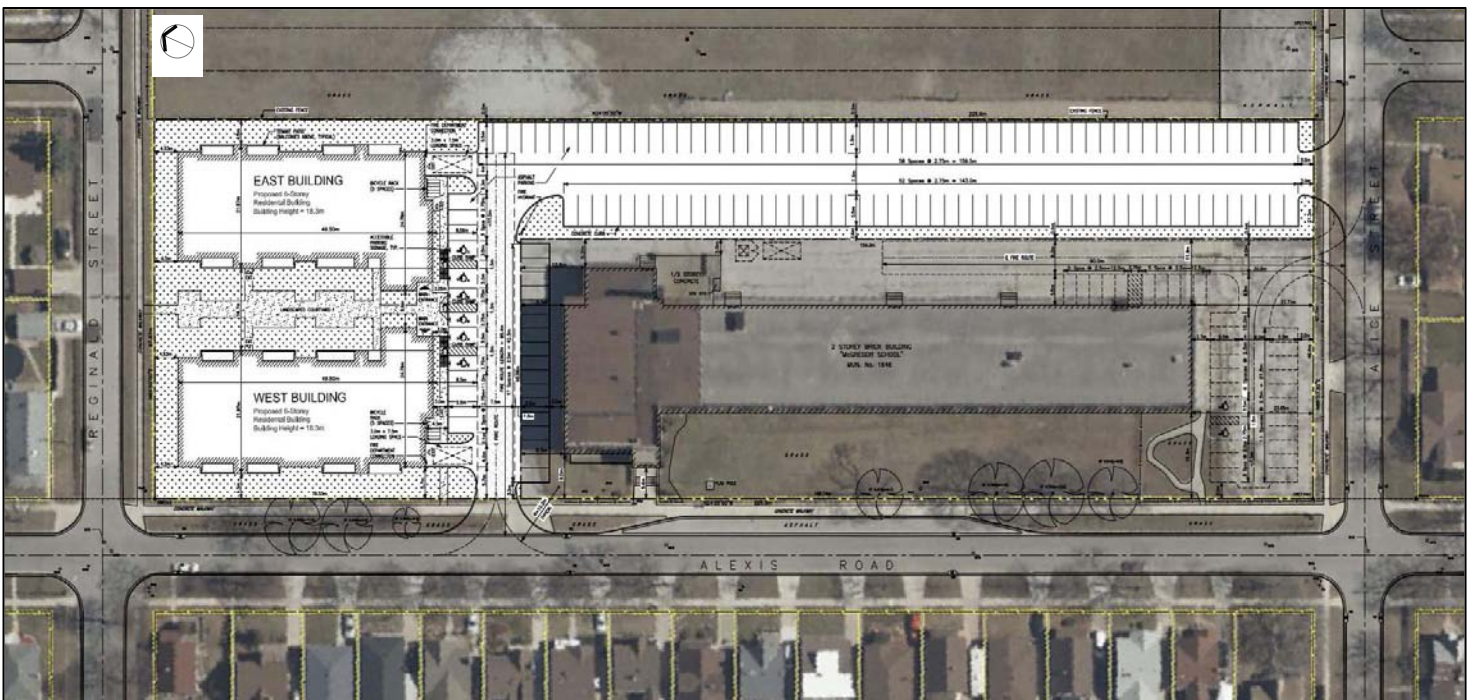
3.0 DEVELOPMENT PROPOSAL

The existing Gordon McGregor School is presently used for the Windsor Islamic High School. A consent is proposed with the school remaining on and 49 parking spaces on Part 1 of the Draft Reference Plan.

The owners propose to develop Part 2 on the Draft Plan, the vacant portion of the subject lands, with two apartment buildings (multiple dwellings) consisting of 46 units in each building for a total of 92 dwelling units. Both buildings will have a height of 18.3m tall resulting 6 storeys each. Parking will include 123 regular parking spaces and will include 6 accessible spaces, 10 bicycle parking spaces, and 2 loading spaces.

The north part of the subject lot is presently vacant and consists of manicured lawn grass. With the new buildings, a moderate intensification will facilitate the utilization of the vacant portion of the parcel. The development will support an efficient and effective use of the vacant portion of the lands.

FIGURE 25 – SITE CONCEPT PLAN



The existing building will not be negatively impacted by the addition of the new buildings as the new buildings are distance separated. As well, the orientation of the new buildings have been designed to not shadow the existing school building and the end of the building (non-living space) is oriented toward the end of the existing school that includes the gymnasium without windows on the north side of the building.

FIGURE 26 – LOOKING EAST



The new buildings have been oriented to minimize impact on the existing residential neighbourhood. As shown on the attached Shadow Study, APPENDIX E SHADOW STUDY, there is only a couple of hours mid morning during winter solstice where there is shadowing on two houses across Reginald because of the orientation.

One ‘non-balcony’ side of the building is oriented towards the school; one ‘non-balcony’ side is oriented to the backyards of the houses on Reginald; and one side of the building with balconies is oriented toward the parkland, providing for privacy. The one side of one building is fronting on Alexis Rd. and not overlooking the backyard living space of the existing residences. This orientation of both of these building’s will allow for privacy for the existing residences within the neighbourhood.

FIGURE 27 – LOOKING EAST AERIAL



FIGURE 28 – LOOKING SOUTH FROM REGINALD – NON-BALCONY SIDE



FIGURE 28 – LOOKING SOUTH WEST FROM REGINALD



The students at the existing high school will be able to use the abutting Ford Test Track Park for recreation and athletic activities. The proposed development will facilitate pedestrian and cycling access between the park, the school, and the surrounding neighbourhood by building pedestrian connections to both Alexis Road and Reginald Street through an open courtyard between the two new buildings. The high school will retain parking dedicated to the high school at the south and east side of the parcel, separated from the residential land use.

The mature trees along Alexis Road will be preserved to enhance the visual amenity of the site and retain the ambiance of the mature neighbourhood. The landscaped area in front of the school building, including its mature trees and flagpole, will be retained. The area around the two new buildings and the courtyard will be landscaped with a high standard of design, further enhancing the area. Tenants will have access to ground level patios on the main floor and balconies above to enjoy the outdoor space.

Each of the two new buildings will have one loading space allocated to each building for use by tenants moving in or out of the structure. A fire route with appropriate signage will allow access for emergency vehicles in the area between the apartment buildings and the school building. The existing parking lot for the school is proposed to be reconfigured to accommodate the development, school parking available on the school's south side. The new parking lot will accommodate 129 car parking spaces including 6 accessible spaces. Each of the new buildings will have 5 spaces of bicycle parking and one loading space, for a total of 10 spaces of bicycle parking and two loading spaces.

FIGURE 29 – LOOKING NORTH

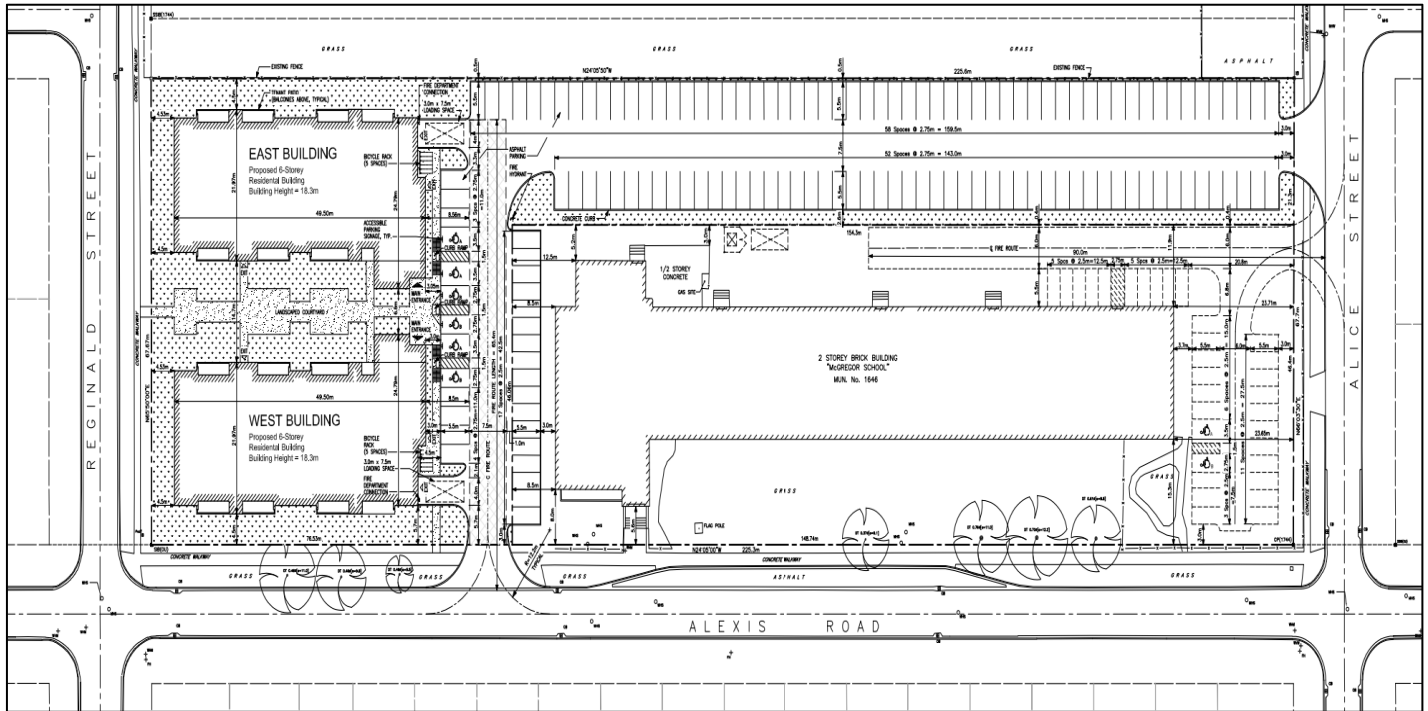


The new buildings will have 46 units in each building for a total of 92 residential units. The units will be rental apartments, providing needed alternative style and tenure of housing for the City. The residential apartments will support the ‘aging in place’ of some of the older residents within the neighbourhood. The proposed development will add 92 residential units to the available housing stock in the City of Windsor.

By efficiently utilizing land and energy resources, these units will be both more affordable than traditional detached single detached houses and will help reduce the impact of climate change. The compact nature of the proposed development will make highly efficient use of existing municipal services, while also promoting active transportation and the use of public transit to reduce the number of vehicle trips, thereby improving air quality in the City.

The adaptive re-use of the existing building for the high school conserving and preserving important heritage and the addition of the two residential apartment buildings (multiple dwellings) providing needed residential rental apartments is an efficient and effective utilization of the property. In conclusion, it is my professional opinion that the apartment buildings (multiple dwellings) will provide for an alternative housing style while supporting a diversification of housing style and tenures within the City.

FIGURE 30 - SITE PLAN



The medium profile and density can be considered compatible with the existing neighbourhood. The proposed landscaping and amenity areas will provide for a welcoming and friendly environment for the new residential buildings.

3.1 CONSENT PROPOSED

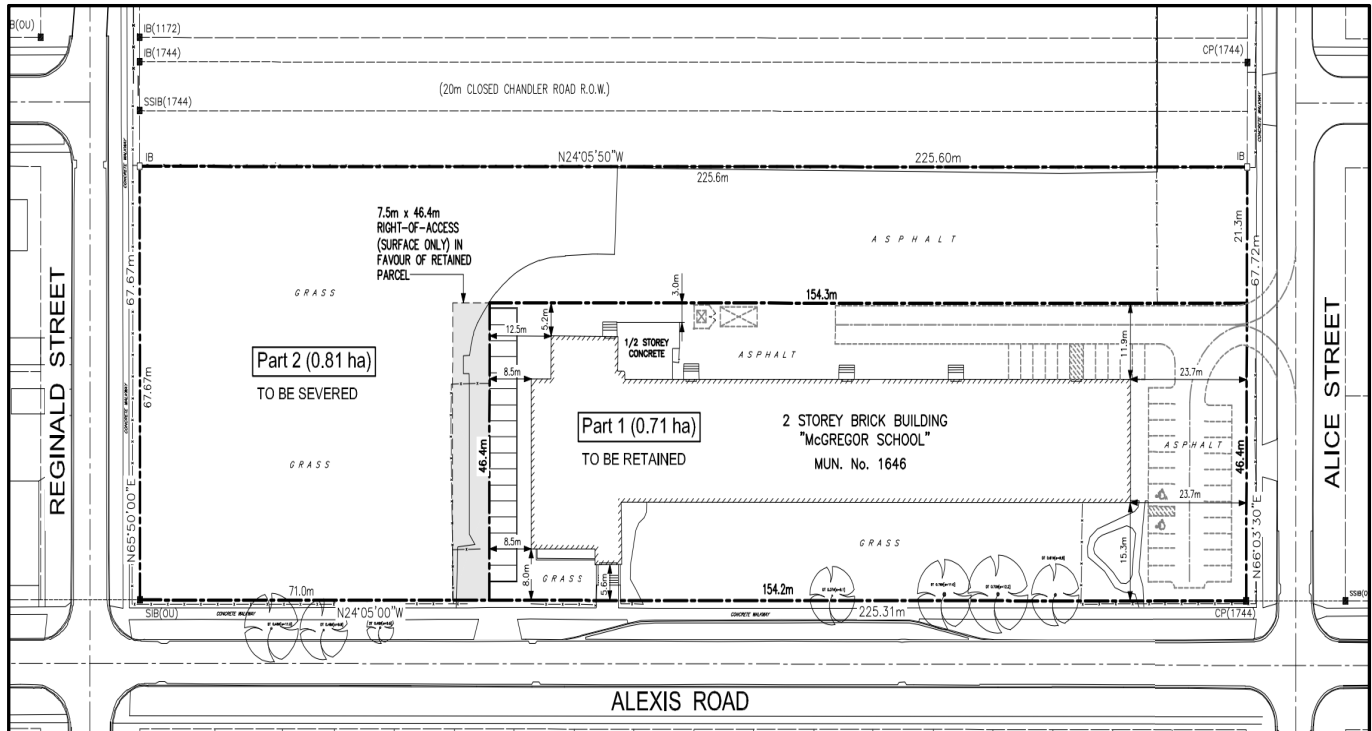
The owner is proposing to sever the present property into two parcels:

- Part 1 School Lot – is proposed with 0.71 ha area and 46.4 m frontage on Alice Street;
- Part 2 Vacant Lot – is proposed with 0.81 ha area and 67.67 m frontage on Reginald Street.

Part 1 will contain the existing Windsor Islamic High School. The subject lands are zoned ‘Institutional District 1 (ID.1)’ in the CZB 8600 for the City of Windsor. Please refer to Section 8.0 below reviewing the applicable zoning as it relates to the retained land characteristics. It is my professional opinion that Part 1, retained lands, complies with the (ID.1) bylaw provisions.

Part 2 is presently vacant but is proposed for residential apartment buildings (multiple dwellings). The residential block is zoned 'Institutional District 1 (ID.1)' in the CZB 8600 for the City of Windsor. A Zoning Bylaw Amendment (ZBA) is required to 'Residential District (RD3.2-#)' to allow for the proposed residential use and to recognize the site specific landscape open space of 28%.

FIGURE 31 – CONSENT DRAFT REFERENCE PLAN



3.2 SEWER STUDY

Raffaele Meo, Meo and Associates Inc., Architectural and Engineering Consultants, Project Managers, 3600 Seven Lakes Drive, Suite 200, Lasalle ON N9H OE5

“The proposed 92 new apartment units will serve 230 people. The buildings will connect to the existing 300 mm sanitary sewer on Reginald Street, between Alexis Road and Chandler Road (Section 1 above). The detailed calculations are summarized in the attached Table 1. Even after the new 92 apartment units are taken into consideration, and generating wastewater, the three sections studied will still have sufficient capacity to carry all flows, as follows: Section 1, 49% of its capacity is used; Section 2, 79% of its capacity is used; Section 3, 43% of its capacity is used.”

Conclusion:

The existing sanitary sewers have sufficient capacity to serve the proposed 92-unit apartment building project.”

3.3 STORM WATER MANAGEMENT STUDY

Raffaele Meo, Meo and Associates Inc., Architectural and Engineering Consultants, Project Managers, 3600 Seven Lakes Drive, Suite 200, Lasalle ON N9H OE5

“Conclusion

There is sufficient existing infrastructure to provide storm water drainage for the proposed apartment project. The Storm Water Management Plan will be developed and submitted for the City’s review once the Site Plan has been approved. To ensure compliance, this requirement can be made part of and a condition of any rezoning/site plan approval.”

3.4 SHADOW STUDY

Michael Piskovic Architect, Meo and Associates Inc., Architectural and Engineering Consultants, 825 Kingsway Dr., Burlington ON L7T 3H8

Please refer to attached Appendix E with all four seasons shadow studies completed: winter solstice, summer solstice, autumnal equinox and spring equinox. The shadow study shows very effectively that the orientation of the two buildings results in very little/no shadows on the neighbouring residences.

The orientation of the two apartment buildings (multiple dwellings) will not be negatively impacting the heritage building as shown on the shadow images.

3.5 OPEN HOUSE

APPENDIX H – OPEN HOUSE INFORMATION

A successful Open House to acquire neighbourhood opinion regarding the proposed development.

The **Open House** was held on **February 22, 2023** between 5:00 pm to 7:00 pm in the gymnasium of the Windsor Islamic High School.

300 flyers (please refer to Appendix H – Open House Information) were mailed to the neighbourhood via Canada Post from a mailing list provided by the City of Windsor.

Attendance at the Open House was 21 residents. 11 of the attendees provided their comments and addresses on the sign in sheet: 7 from Alexis Road, 3 from Chandler Street, and 1 from Cadillac Street.

Please refer to attached Appendix H – Open House Information to read comments received by the neighbours.

On the notice was the email and phone number of the agent on the file, Raffaele Meo, and he received two phone calls before the Open House, seeking information, with both callers then attending the Open House. He also received one email after the Open House, asking if there would be future public meeting.

Adam Szymczak, Senior Planner with the City of Windsor was in attendance for the Open House.

Transportation Planner with the City of Windsor was in attendance for the Open House.

Ward Councilor Ed Sleeman was also in attendance.

4.0 HERITAGE IMPACT ASSESSMENT CONCLUSION

The existing building identified as the Gordon McGregor building was built in 1924 and can be considered to be an example of Art Deco style architecture.

Please refer to the **Heritage Impact Assessment** prepared as a detailed analysis of the impact from the proposed development of the site.

FIGURE 32: 1924 PICTURE OF GORDON MCGREGOR SCHOOL



FIGURE 33: 2022 PICTURE OF GORDON MCGREGOR SCHOOL NORTH HALF



FIGURE 34: 2022 PICTURE OF GORDON MCGREGOR SCHOOL SOUTH HALF



The Gordon McGregor building is a building identified as having heritage interest and is therefore listed on the Heritage Registry of Windsor as defined under section 27(3) of the Heritage Act, RSO 1990, c.O 18 (the Act).

The building is of cultural heritage value for multiple reasons:

- 1) the front façade has been well preserved and shows a classic example of the Art Deco architectural design period;
- 2) the building is in situ and the view from Alexis Street has not changed;
- 3) the architects Sheppard and Masson are significant in their design works in Windsor and Michigan;
- 4) the school is of cultural significance as the foundation school within the Ford City Neighbourhood;
- 5) Gordon McGregor was a significant historical figure in Ford City, Windsor.

FIGURE 35: FRONT FAÇADE KEYSTONE



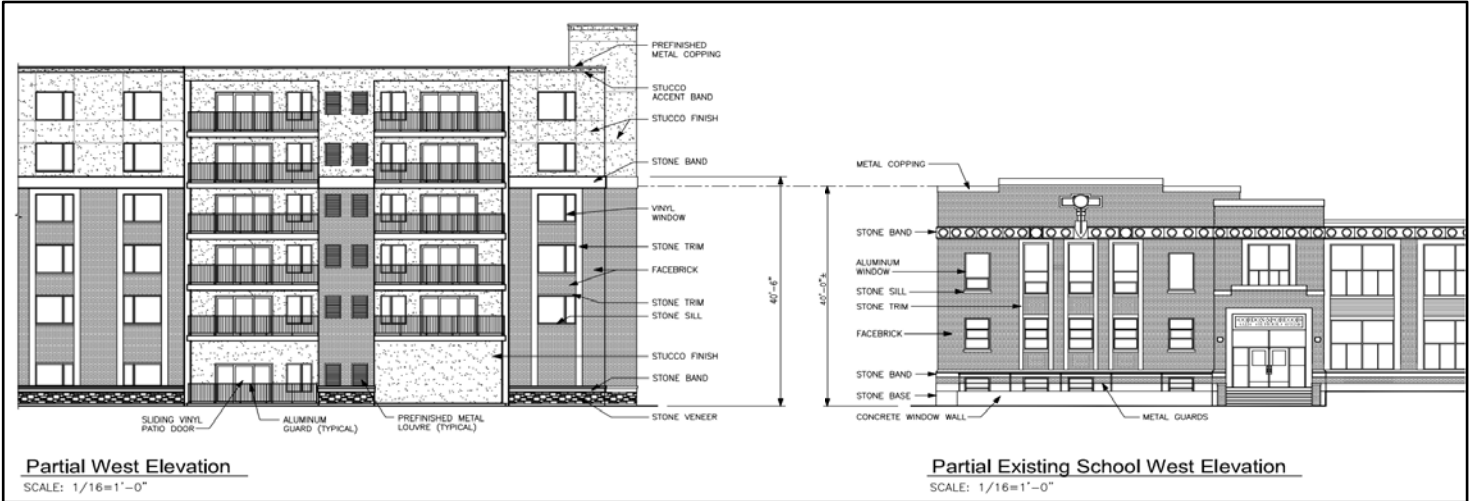
The owners have been successful in finding an appropriate adaptive re-use of the building for the Islamic High School and a Day care facility. The exterior of the building has not been changed or modified and will remain untouched. The Islamic High School sign is a temporary sign that does not have an impact on the 'Gordon McGregor School 1924 AD' keystone. The heritage keystone feature will remain under the temporary sign.

The new buildings have been distance separated from the existing heritage building to lessen the impact visually of the new structures on the existing Gordon McGregor building. Within this distance separation will be landscaping, parking, driveway and other visually softening features. The proposed buildings will also to be brought forward on the lot to be consistent with the existing McGregor School for setback from Alexis and Reginald to respect the established setback line and streetscape view.

The proposed buildings will be constructed with high quality materials and designed with attention to detail in a manner that compliments the character of the surrounding mature neighbourhood and the heritage building on the property. The first four storeys of the new buildings will be sided with brown brick and the upper two storeys will be sided with light coloured stucco reflected in similar colours and designs used in the construction of the older residential homes in the neighbourhood.

The brown brick will also compliment the brown brick exterior of the school nearby. The balconies will be constructed with black aluminium guards to enhance the view for residents and add to the visual appeal of the buildings. Decorative panels will enhance the sides of the buildings without balconies.

FIGURE 36 – BUILDING HEIGHT COMPARISON



It is my professional opinion that the designer has had regard for the existing heritage building and the new development will showcase the Gordon McGregor building and minimize any visual impact on the viewscape and streetscape by the new buildings.

In my professional opinion, there are no threats to the heritage building through the proposed development of the vacant portion of the site. All efforts have been made to preserve and conserve the heritage building.

In my professional opinion, all aspects of the preservation and conservation of the McGregor building has been regarded in the conceptualization of the proposed development for the site. The new development can be considered compatible with the existing heritage building.

In my professional opinion, the new buildings will be sympathetic and complimentary to the existing heritage of the Gordon McGregor school. Respect and regard for the heritage of the McGregor School will continue during the final design and subsequent development of the site.

In my professional opinion that the use of the existing building for a high school and a day care will help to maintain the building as a viable, active building.

It is also my professional opinion that the development will compliment the heritage building and will assist in preserving and conserving the Gordon McGregor heritage building.

5.0 ELEVATIONS AND RENDERINGS

FIGURE 37 – RENDERING VIEW LOOKING EAST



FIGURE 38 – LOOKING EAST AERIAL



FIGURE 39: VIEW LOOKING NORTH EAST



FIGURE 40: LOOKING NORTH-EAST AERIAL VIEW



FIGURE 41 – LOOKING SOUTH WEST FROM REGINALD



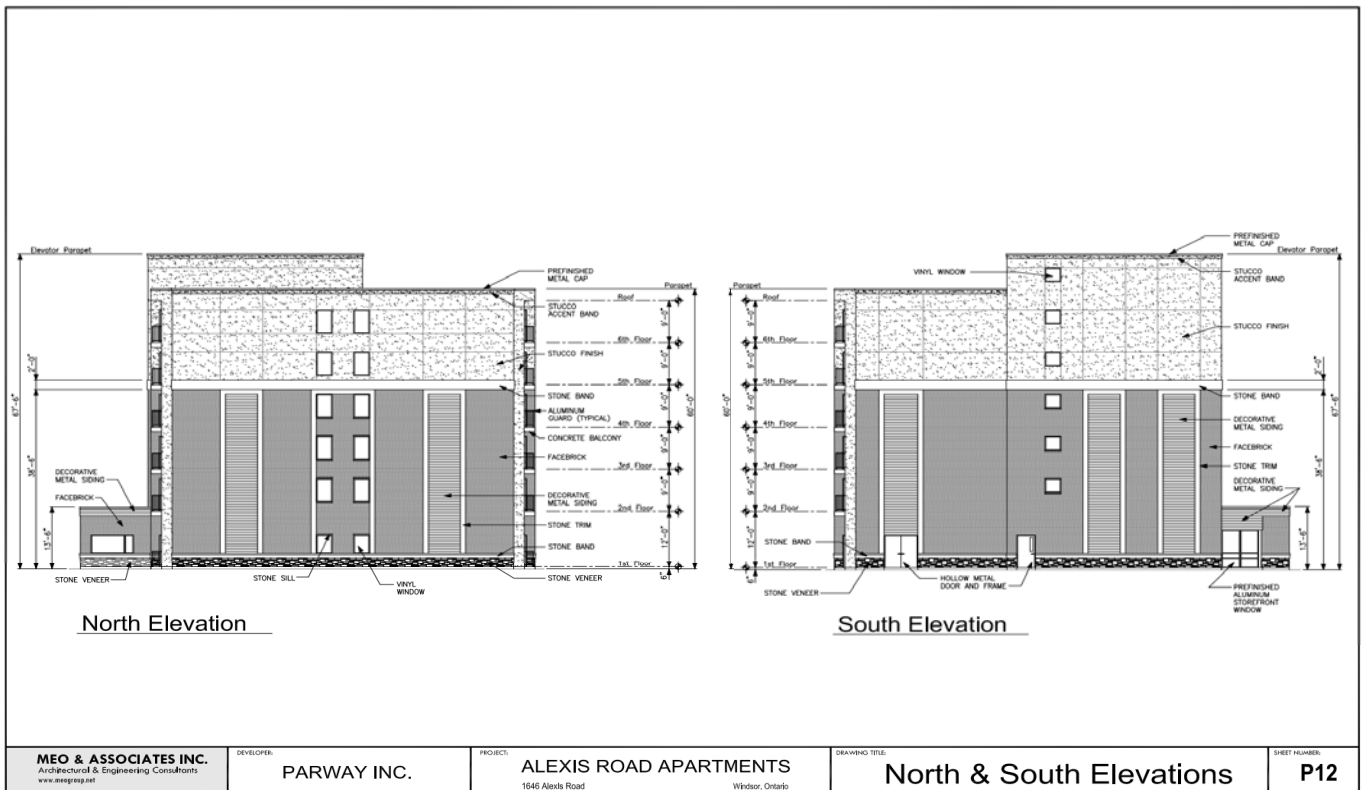
FIGURE 42 – LOOKING WEST



FIGURE 43 - ELEVATIONS WEST AND EAST



FIGURE 44 - ELEVATIONS NORTH AND SOUTH



6.0 PROVINCIAL POLICY STATEMENT (PPS)

The *Planning Act, R.S.O. 1990, c.P. 13*, as amended, requires that the Council of a local Municipality shall make decisions on development applications which are consistent with the Provincial Policy Statement (PPS), 2020.

The PPS was issued by the Ministry of Municipal Affairs and Housing under the *Planning Act* and provides direction on matters of provincial interest primarily related to land use planning and development. The policies within the PPS apply province-wide and are an integral part of the Ontario's policy led planning system.

The PPS generally aims to encourage the wise use and management of land and other resources, promote the development of healthy and prosperous communities, protect public health and safety, and protect the natural environment. Specifically, the primary directives of the PPS include:

“Section 1.1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns

1.1.1 Healthy, liveable and safe communities are sustained by:

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

- f) *improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;*
- g) *ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;*
- h) *promoting development and land use patterns that conserve biodiversity; and*
- i) *preparing for the regional and local impacts of a changing climate.”*

COMMENT:

- a) In my professional opinion, the proposed ZBA will support the establishment of new residential buildings and will create an efficient and effective use of the existing property while supporting the conservation and preservation of the existing heritage building;
- b) The new residential apartment buildings (multiple dwellings) will provide for an alternative style and tenure of housing than the standard housing in Windsor. The ZBA will facilitate the provision of a variety and diversity of housing needed within a community to support a healthy community. The residential buildings will be rental apartment units providing for an alternative housing style and tenure while providing for the existing residents to age in place;
- c) The proposal is for two new 6 storey residential buildings located on a vacant portion of lands within a residential neighbourhood. In my professional opinion, the proposed development will not cause environmental or public health and safety concerns.
- d) The subject lands are located within the urban area of the settlement area within the City of Windsor. The adaptive re-use of the existing building and the additional building creates an infilling residential development within an established residential neighbourhood; the buildings are distance separated, provide a neighbourhood buffer between existing low and medium density residential, low profile, medium density residences that in my opinion, provide a housing tenure and style diversification that is compatible with the neighbourhood. The property is located within a residential area peripheral to the downtown core and will not result in the unnecessary expansion of the urban settlement area.

COMMENT:

- e) The utilization of the existing heritage building for a high school and a day care results in with an appropriate re-use of the existing heritage building. In my professional opinion, the addition of two new medium profile, 6 storey buildings will provide for a moderate intensification of the existing property for residential use, compatible with the existing residential neighbourhood.
- f) Building accessibility will be provided in compliance with the OBC for the building and residential units. This includes providing elevators, accessible features of the rental apartment units, and barrier free parking spaces.
- g) Site services are available to the site. The location will allow for an efficient and effective development while providing for a cost effective and efficient utilization of existing municipal infra-structure. As noted in the Engineering reports, there is municipal capacity to accommodate the proposed land use and the development will not result in an expansion of municipal infrastructure.
- h) The proposed development will be utilizing an under utilized area of manicured lawn. With the introduction of the two buildings, the lands around the buildings will be extensively landscaped providing for areas of flora diversity and areas of habitat and hibernaculum for urban fauna species.
- i) The proposed development is located adjacent to a bus route, utilizing municipal transit and located with access to municipal bike trail system. Walking to amenities supports the less use of the car. As an apartment building (multiple dwelling), the compact housing will result in lower energy usage.

In my professional opinion, the adaptive re-use of the existing building and the new residential apartment buildings (multiple dwellings) combined with the location within the urban area of the City supports the cost effective utilization of municipal services such as the transit system, walking trail and bike trail infrastructure. Proposed ZBA will recognize site specific regulations and support the establishment of the residential development.

“Section 1.1.3.2 Settlement Areas

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

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

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

COMMENT:

In my professional opinion, the proposed adaptive re-use of an existing school for the continuation of the high school and day care and the further development of vacant portion of lands as infilling residential development as noted above, is an efficient use of the land.

The proposed development is an efficient use of the existing municipal services and can be considered an appropriate use of the subject lands. There is no need to expand municipal services to accommodate the proposed development.

The moderate intensification of residential development will be located within a residential area where transit is available. In addition, there is supportive amenities within walking distance. In my professional opinion, the proposal supports active transportation, municipal transit and encourages the alternative transportation to the car.

In my professional opinion, the proposed residential development is an efficient, effective development for the site and supportive of the PPS policies ensuring compatible new development with the existing neighbourhood.

“Section 1.1.3.3 Settlement Areas

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

COMMENT:

The development of the subject lands supports, promotes and facilitates an appropriate land use for the neighbourhood while allowing for an intensification of land use and providing needed residential apartment units as alternative tenure and style of housing. The development of the vacant portion of lands, in my professional opinion, is an appropriate, compatible development. There are no public health issues or risks associated with the proposed development.

“Section 1.4.3 Housing

Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:

- a) *establishing and implementing minimum targets for the provision of housing which is affordable to low and moderate income households and which aligns with applicable housing and homelessness plans. However, where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with the lower-tier municipalities may identify a higher target(s) which shall represent the minimum target(s) for these lower-tier municipalities;*

- b) *permitting and facilitating:*
 - 1. *all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities; and*

2. *all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3;*
- c) *directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;*
 - d) *promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed;*
 - e) *requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations; and*
 - f) *establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.*

COMMENT:

The proposed development will consist of medium profile residential buildings that will be distance separated and oriented to minimize impact on the existing residential neighbourhood. In my professional opinion, the proposal will support the establishment of appropriate alternative residential development on an under utilized parcel.

The residential development will provide for alternative rental housing, a needed housing style and tenure in the city.

The ZBA will support moderate intensification that in my professional opinion is an effective and efficient utilization of existing residential lands on municipal services.

The development is located within a neighbourhood supported by municipal transit and within walking distance to commercial amenities and Ford Test Track, a significant recreational amenity.

In my professional opinion, the proposed ZBA will support moderate and appropriate intensification while providing for appropriate and compatible alternative style and tenure residential apartments.

“Section 1.6.6.2 Sewage, Water and Stormwater

Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. Within settlement areas with existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services.”

COMMENT:

As noted in the Meo Engineering site servicing report, the infill development will be utilizing existing municipal services. Meo Engineering has shown that there is sufficient capacity in the municipal system to accommodate the proposed development.

“Section 1.6.7.4 Transportation Systems

A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation.”

COMMENT:

The subject lands are located within a neighbourhood supported by transit. Within a short walking distance are commercial and recreational amenities. In my professional opinion, the municipal transit will support the moderate intensification proposed.

“Section 2.6.3 Cultural Heritage and Archaeology

Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.

COMMENT:

As discussed above, in my professional opinion, the proposed development will result in a positive, compatible development that will support and promote the conservation and preservation of existing built heritage.

COMMENT:

In my professional opinion, the requested ZBA is consistent with the 2020 PPS by supporting the sound and efficient managed intensification and growth associated with the inclusion of residential land use within the bylaw for the subject site. Providing for a site specific ZBA regulation that supports the inclusion of two residential buildings providing for alternative residential development that, in my professional opinion, supports the Healthy Community initiatives and is therefore consistent with the Provincial Policy Statements.

7.0 CITY OF WINDSOR OFFICIAL PLAN

The subject lands are designated 'Residential' in the City of Windsor Official Plan and are zoned 'Institutional District 1.1 (ID1.1)' in the City of Windsor Zoning By-law 8600. Refer to **APPENDIX D – SCHEDULE 'D' LAND USE**.

The owners are requesting a site-specific ZBA to facilitate the intensification of the subject lands as a high-density apartment buildings complex of two multiple unit dwelling buildings of 6 storeys with 92 residential units (46 units per building), 10 bike parking spaces, and 129 associated car parking spaces. The following policies relate to the proposed development:

“3.2.1 Safe, Caring and Diverse Community

3.2.1.1 Windsorites want to be a part of neighbourhoods that meet their needs as places to live, shop and play. Each neighbourhood will have a central area that provides a focus for activities and is within a convenient walking distance. Here, people will find shops, jobs, neighbourhood based services, public places that are safe and inviting, and a place to meet with neighbours and join in community life. The neighbourhood centre will provide a variety of housing types for all ages and incomes.

COMMENT:

The subject site proposed for the ZBA that will allow for the location of new residential apartment buildings (multiple dwellings) is located within a residential neighbourhood but within walking distance to commercial and recreational amenities. There will be extensive landscaping and a courtyard, both for visual amenities and for a gathering space on the site. In my professional opinion, the proposal conforms with the relevant policy of the Official Plan.

3.2.1.2 *Encouraging a range of housing types will ensure that people have an opportunity to live in their neighbourhoods as they pass through the various stages of their lives. Residents will have a voice in how this new housing fits within their neighbourhood. As the city grows, more housing opportunities will mean less sprawl onto agricultural and natural lands.*

COMMENT:

The proposed ZBA will establish a regulatory framework for the establishment of new residential apartments, a modest intensification of residential use within a residential neighbourhood, located within the urban settlement area of the City. In my professional opinion, the proposed development conforms with policy.

3.2.1.3 *Windsor will keep much of what gives its existing neighbourhoods their character – trees and greenery, heritage structures and spaces, distinctive area identities, parks, and generally low profile development outside the City Centre. Around the neighbourhood centres, the existing character of the neighbourhood will be retained and enhanced. Newly developing areas will be planned to foster their own unique neighbourhood identities with a mixture of homes, amenities and services.*

COMMENT:

The proposed ZBA will establish a regulatory framework for the establishment of new residential apartments, a modest intensification of residential use within a residential neighbourhood, located within the urban settlement area of the City.

3.2.1.4 *The design of buildings and spaces will respect and enhance the character of their surroundings, incorporating natural features and creating interesting and comfortable places. Streets, open spaces and the greenway system will serve as public amenities connecting and defining neighbourhoods and contributing to Windsor’s image. New development in Windsor will accommodate the needs of pedestrians, cyclists and other recreational activities.”*

COMMENT:

The new residential buildings have been designed with public space and pedestrian movement as a significant design component: the courtyard and walkways are a positive feature incorporated into the design of the new buildings.

Materials to be used of the new buildings will compliment the existing building as well as the existing neighbourhood.

Extensive landscaping will assist in softening of the visual change and provide buffering for the residential use and the existing building.

In my professional opinion, the design, orientation and amenities of the proposed buildings will provide a positive addition for the neighbourhood and conforms with the relevant policy of the OP.

“3.3.2.3 Vibrant Economy

Revitalizing areas in need of improvement will improve Windsor, while protecting the community’s investment in infrastructure and other services. Community improvement initiatives will strengthen neighbourhoods by providing new businesses, homes and public spaces and by creating unique opportunities for reinvestment in the community.”

COMMENT:

The new residential buildings will assist in rejuvenating the neighbourhood with the introduction of modest intensification. The residential apartments will provide, in my professional opinion, alternative housing style and tenure as a positive and complimentary addition to the neighbourhood.

“3.2.3.5 Sustainable, Healthy Environment

Windsor will encourage the design and construction of energy efficient buildings and landscapes to reduce air, water and land pollution and environmental impacts of energy production and consumption.”

“3.3.3 Neighbourhoods

Neighbourhoods are the most basic component of Windsor’s urban structure and occupy the greatest proportion of the City. Neighbourhoods are stable, low-to-medium-density residential areas and are comprised of local streets, parks, open spaces, schools, minor institutions and neighbourhood and convenience scale retail services. The three dominant types of dwellings in Windsor’s neighbourhoods are single detached, semi-detached and townhouses. The density range for Windsor’s neighbourhoods is between 20 to 35 units per net hectare. This density range provides for low and some medium-density intensification to occur in existing neighbourhoods. Multiple dwelling buildings with medium and high-densities are encouraged at nodes identified in the Urban Structure Plan.”

COMMENT:

The proposed buildings at 18.3 m height are considered medium profile and medium density with a count of 92 units on 1.5 ha land area results in a density of 60 units/ha for the gross property and 113 units/ha for the severed parcel. maintaining the intent of the goal to provide for medium or moderate intensification. The buildings are proposed on a corner and adjacent to institutional uses, not in the middle of a residential street with existing residences located across the street.

The buildings are distance separated and landscaped and will provide for a complimentary and compatible development within the neighbourhood. The development will provide for alternative housing tenure and style that will support a rejuvenation of the neighbourhood and a vibrant and healthy community. The new apartment buildings will support the ability for existing residents to ‘age in place’ in their neighbourhood.

“4.2.1 Objectives: Healthy and Liveable City

4.2.1.1 To consider community health in the planning and design of Windsor and its neighbourhoods.

- 4.2.1.2 *To provide for activities and facilities which will foster an active lifestyle to improve community health.*
- 4.2.1.4 *To protect against climate change and its possible adverse effects on human health, the physical environment, economy and quality of life.*
- 4.2.1.5 *To encourage a mix of housing types and services to allow people to remain in their neighbourhoods as they age.*
- 4.2.1.6 *To provide for pedestrian scale neighbourhood centres that serve the day-to-day needs of the local residents.”*

COMMENT:

As discussed above, the site is located within a residential neighbourhood located within a short walking distance to commercial amenities. The Ford Test Track Field with extensive recreational amenities is located adjacent to the property. The building will be provided with bike parking spaces, pedestrian walkway and connection to municipal walkways. The new residential apartments, in my professional opinion, will provide for an alternative housing style and tenure to the predominate single detached residential use.

“6.1 Land Use: Goals

- 6.1.1 *Safe, caring and diverse neighbourhoods.*
- 6.1.2 *Environmentally sustainable urban development.*
- 6.1.3 *Housing suited to the needs of Windsor’s residents.*
- 6.1.6 *An integration of institutions within Windsor’s neighbourhoods.*
- 6.1.10 *Pedestrian oriented clusters of residential, commercial, employment and institutional uses.*

6.1.13 *The provision of sufficient land in appropriate locations to accommodate future population and employment growth in Windsor.”*

COMMENT:

As discussed above, it is my professional opinion that the proposed development will provide for an appropriate, moderate intensification of alternative housing well suited for this site and neighbourhood. The requested ZBA conforms with the Goals and Objective policies of the OP.

“6.2.1.2 Land Use: General Policies

For the purpose of this Plan, Development Profile refers to the height of a building or structure. Accordingly, the following Development Profiles apply to all land use designations on Schedule D: Land Use unless specifically provided elsewhere in this Plan:

- (a) Low Profile developments are buildings or structures generally no greater than three (3) storeys in height;*
- (b) Medium Profile developments are buildings or structures generally no greater than six (6) storeys in height; and*
- (c) High Profile developments are buildings or structures generally no greater than fourteen (14) storeys in height.”*

COMMENT:

The proposed building will have a height of 18.3 m and 6 storeys and can be considered, in my professional opinion, a medium profile building.

“6.3 Residential

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

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

COMMENT:

The proposed development will consist of the inclusion of residential development in a Residential designation in conformity, in my professional opinion, with the permitted uses policy.

6.3.1 Objectives

6.3.1.1 *To support a complementary range of housing forms and tenures in all neighbourhoods.*

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

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

6.3.1.5 *To provide for complementary services and amenities which enhance the quality of residential areas.*

6.3.1.6 *To accommodate home based occupations.*

6.3.1.7 *To ensure that a sufficient land supply for residential and ancillary land uses is available to accommodate market demands over the 20 year period of this Plan.”*

COMMENT:

In my professional opinion and as discussed above, the proposed development conforms with the Objectives of the Residential designation.

“6.3.2 Policies

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

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

6.3.2.4 *Residential development shall be located where:*

- (a) there is access to a collector or arterial road;*
- (b) full municipal physical services can be provided;*
- (c) adequate community services and open spaces are available or are planned; and*
- (d) public transportation service can be provided.*

COMMENT:

The requested ZBA purports to include residential development within a residential neighbourhood. The residential development, in my professional opinion, conforms with relevant policies of the Official Plan and will provide for a compatible residential development, alternative housing style and tenure that will accommodate the potential of the residential neighbours aging in place, and is located on municipal services.

6.3.2.5 *At the time of submission, the proponent shall demonstrate to the satisfaction of the Municipality that a proposed residential development within an area having a Neighbourhood development pattern is:*

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

- (c) *compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and amenity areas;*
- (d) *provided with adequate off street parking;*
- (e) *capable of being provided with full municipal physical services and emergency services; and*
- (f) *facilitating a gradual transition from Low Profile residential development to Medium and/or High profile development and vice versa, where appropriate.”*

COMMENT:

- a) The new buildings are located adjacent to a heritage buildings and has been appropriately distance separated, buffered and will not have a negative impact, in my professional opinion, on the existing Gordon McGregor building;
- a) The residential development conforms, in my professional opinion, with the goals and objectives of the Residential designation;
- b) The proposed buildings are compatible with the residential neighbourhood;
- c) The proposed development has been designed with off-street parking consistent with the requirement of 1.25 spaces/unit for 92 units, 123 parking spaces are provided;
- d) The site is located with access to connection to all municipal services;
- e) The buildings are distance separated and the site will be landscaped to support the buffering of the building from the existing residential neighbourhood.

For all discussions noted above, it is my professional opinion that the proposal conforms with this policy of the OP and makes sound planning.

6.3.2.15 *Council shall encourage the provision of a variety of housing tenures which recognize the diverse needs of Windsor’s residents.*

COMMENT:

The ZBA will support the alternative housing providing for a different style and tenure found within the neighbourhood and therefore, in my professional opinion, conforms with the policy of the Official Plan.

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

COMMENT:

The ZBA will support the establishment of the complimentary residential use on a property containing a heritage building. The heritage building, in my professional opinion, will be retained and continue without change or impact from the residential development. The ZBA conforms with this policy of the Official Plan.

7.2.1 *Infrastructure: Objectives*

7.2.1.2 *To make efficient use of existing and planned transportation infrastructure.*

7.2.1.5 *To promote a land use pattern, density and mix of uses that reduces vehicle trips and supports alternative transportation modes including public transit.*

7.2.1.6 *To integrate land use and transportation considerations at all stages of the planning process.*

7.2.1.9 *To provide for adequate off-street parking facilities and restrict on-street parking to appropriate areas.*

7.2.1.12 *To restrict driveway access based on road classification and minimize the number of driveway access points.*

7.2.1.13 *To establish and maintain a city-wide walking and cycling network.*

7.2.1.16 *To maintain an efficient transit network.”*

COMMENT:

As demonstrated in the MEO Engineering reports, the proposed development will be serviced by municipal services. In my professional opinion, the requested ZBA conforms with this policy of the OP.

COMMENT:

The requested ZBA, in my professional opinion, conforms with the relevant policies of the Official Plan. The ZBA, in my professional opinion: will support the addition of 2 buildings that are compatible with the neighbourhood; will provide for alternative housing and allow for the residents within the neighbourhood to age in place; will support the continuation of the heritage building Gordon McGregor building; and will provide for sound planning.

8.0 CITY OF WINDSOR ZONING BYLAW

The subject lands are zoned 'Institutional District (ID1.1)' in the Comprehensive Zoning By-law (CZB) 8600 for the City of Windsor.

The establishment of two residential apartment buildings (multiple dwellings) does not presently comply with the existing (I1.1) institutional regulatory framework. A Zoning By-law Amendment (ZBA) has been requested that will create a site specific (RD3.2-#) to allow for the multiple dwellings and to recognize the 28% landscaped open space.

PROVISION	INSITUTIONAL (ID1.1)	PROPOSED INSTITUTIONAL	RESIDENTIAL (RD3.2)	PROPOSED RESIDENTIAL
LOT FRONTAGE	20 m	46.4 m	30 m	67.67 m
LOT AREA MINIMUM	700 m ²	7,100 m ²	4,805 m ²	8,100 m ²
LOT COVERAGE (MAX)	50 %	37.5 %	35 %	26.5 %
BUILDING HEIGHT	14 m	12.2 m	24 m	18.3 m
LANDSCAPED OPEN SPACE (MIN)	20%	24.9 %	35%	28 %
UNIT DENSITY	n/a	n/a	150 units/ha	114 units/ha
FRONT YARD DEPTH	6 m	23.7 m	n/a	4.5m
SIDE YARD WIDTH	3 m	3.0 m	n/a	4.5m
		5.6 m		
REAR YARD DEPTH	7.5 m	8.5 m	n/a	17 m
REQUIRED PARKING	1.5/class = 48	49 spaces	1.25 sp/unit = 115 sp	123 spaces
ACCESSIBLE PARKING SPACES	Type A – 1 req'd Type B – 1 req'd	Type A – 1 Type B - 1	Type A - 2 req'd Type B - 3 req'd	Type A - 3 Type B - 3
BICYCLE PARKING			9 required	10 provided
LOADING SPACES	1 required	1 provided	2 required	2 provided

COMMENT:

The proposed severed parcel, Part 2, needs to be rezoned to a site specific (RD3.2-#) to include residential regulations for the proposed development of the vacant parcel. A site specific regulation to reduce the amount of landscaped open space is required to recognize a proposed landscaped open space of 28%. There will be significant landscaping and an interior courtyard provided on site that will support the site development. The reduction can be supported with the close proximity to the significant parkland known as Ford Test Track with approximately 22 ha parkland on the adjacent lands.

The ZBA is not required to address the retained lands of the existing school presently zoned 'Institutional District (ID1.1)' zone and as shown as Part 1 on the Draft Reference Plan. Retained lands are best suited and comply with the 'Institutional District (ID1.1)' and the existing Gordon McGregor building complies with the (ID1.1) zone provisions as outlined above in the table.

In my professional opinion, the requested ZBA will support the appropriate development of the site for a mixed use development comprising the existing institutional use and the new residential use.

9.0 SUMMARY

In my professional opinion, the requested Zoning Bylaw Amendment (ZBA) purports to apply a new site specific 'Residential 3.2 District (RD3.2) regulatory framework to Part 2 lands as shown on the Draft Reference Plan. The 'Institutional (I1.1) zone will remain on Part 1 (retained lands) to allow for continuation of the existing high school institutional use.

The adaptive re-use of the existing heritage building for a high school and day care institutional uses is a sound use of the ZBA to support the proposed residential apartment buildings (multiple dwellings) use can be considered compatible, in my professional opinion, with the neighbourhood. Further, the new residential buildings will provide for moderate intensification of residential use within a residential neighbourhood.

The ZBA will support residential development that creates a vibrancy and rejuvenation of the site while supporting the continuation of the significant heritage building. With the inclusion of residential apartment buildings (multiple dwellings) on site, the property will be economically viable and will support the complimentary institutional use while preserving and conserving the heritage building on site.

As well, the ZBA will support the preservation of the heritage building by allowing for an additional use for efficiencies of the site while site specific bylaw regulations will ensure the respect and sympathy of the new buildings to the existing heritage building.

The distance separation and orientation of the new residential buildings will be buffered from the existing heritage building and the existing neighbourhood residences in this older established neighbourhood.

The proposed inclusion of residential development will provide for needed alternative housing while supporting diversity in housing in the city and providing for residents within the neighbourhood to age in place. The ZBA will support the City's residential policy initiatives to supply alternative housing style and tenure while conserving and preserving a heritage building. The ZBA also supports the municipality's initiative to provide for a healthy, walkable community.

The proposed ZBA that will zone Part 2 for residential use will support the rejuvenation of the existing site; will support the preservation of a heritage building; will provide for a compatible development and infilling residential use in an existing residential neighbourhood; will provide an aesthetically pleasing development; will assist with rejuvenating the neighbourhood; and will provide for needed alternative residential

housing tenure supporting the diversification of housing accommodation in the City of Windsor.

In my professional opinion, the requested ZBA makes sound planning and the necessary ZBA can be considered supportable.

10.0 CONCLUSIONS

Given the foregoing assessment and my evaluation of the proposal in relation to the PPS 2020, the City of Windsor Official Plan and the Comprehensive Zoning By-law 8600, in my professional opinion the proposed Zoning By-law Amendment (ZBA) is consistent with policies of the PPS, OP, and regulations found in the Zoning By-law.

In addition, it is my opinion that the proposed Zoning By-law Amendment (ZBA) is appropriate and desirable within this policy framework as it will facilitate development of site while also implementing the proposals included in this Planning Justification Report dated May 24, 2023.

In summation, the proposal complies with the Zoning Bylaw Amendment (ZBA) that will appropriately zone Part 2 as a site specific 'Residential District (RD3.2-#). The ZBA provides a good solution for the preservation of the heritage while providing for needed residential accommodation and supporting a diversity of housing tenures and styles within the municipality.

In my professional opinion the requested ZBA:

- 1) is consistent with the policies of the 2020 Provincial Policy Statements;
- 2) conforms with the intent and the relevant policies of the City of Windsor Official Plan;
- 3) maintains the intent of City of Windsor CZB 8600 and when the ZBA is passed, it will establish the regulatory framework required for the development to comply with the CZB;
- 4) will support complimentary development that will conserve and preserve existing built heritage; and
- 5) makes sound planning.

I hereby certify that this report was prepared by Jackie Lassaline RPP MCIP, a Registered Professional Planner within the meaning of the Ontario Professional Planners Institute Act, 1994.

Lassaline Planning Consultants Inc.

Jacqueline Lassaline

Jackie Lassaline BA MCIP RPP

Principal Planner

APPENDIX A – INSTITUTIONAL DISTRICT ZONING

SECTION 13 - INSTITUTIONAL DISTRICTS 1. (ID1.)

(B/L 9465 OMB Order R890032 Sep 28/1989; B/L 209-1998 Aug 11/1998;
B/L 33-2001 Oct 23/2001, OMB Decision/Order No. 1716 Case No. PL010233; B/L 363-2002 Dec 31/2002;
B/L 110-2009 OMB Order PL090722, Nov 20/2009 amended by Order PL090722, Dec 4/2009; B/L 126-2011 Jul 21/2011;
B/L 114-2016 Sep 19/2016; B/L 129-2016 Sep 19/2016) [ZNG/4628; ZNG5270] B/L 164-2017, Dec. 7, 2017

13.1 INSTITUTIONAL DISTRICT 1.1 (ID1.1)

13.1.1 PERMITTED USES

Business Office of a non-profit or charitable organization

Child Care Centre *Place of Worship* *School*

Any one or more of the following uses within an existing *building* which is owned and maintained by a *Public Authority*: *Business Office*; *Professional Studio*

Any use accessory to the above uses

13.1.5 PROVISIONS

.1	Lot Frontage – minimum	20.0 m
.2	Lot Area – minimum	700.0 m ²
.3	Lot Coverage – maximum	50.0%
.4	Main Building Height – maximum	14.0 m
.5	Front Yard Depth – minimum	6.0 m
.6	Rear Yard Depth – minimum	7.50 m
.7	Side Yard Width – minimum	3.00 m
.8	Landscaped Open Space Yard – minimum	20.0% of <i>lot area</i>

APPENDIX B – BY-LAW 103-2020

Minutes
City Council
Monday, June 13, 2022

Page 30 of 40

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

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

APPENDIX C – RESIDENTIAL DISTRICT ZONING

12.2 RESIDENTIAL DISTRICT 3.2 (RD3.2)

12.2.1 PERMITTED USES

Lodging House

Multiple Dwelling

Religious Residence

Residential Care Facility

Any of the following existing dwellings:

Double Duplex Dwelling

Duplex Dwelling

Semi-Detached Dwelling

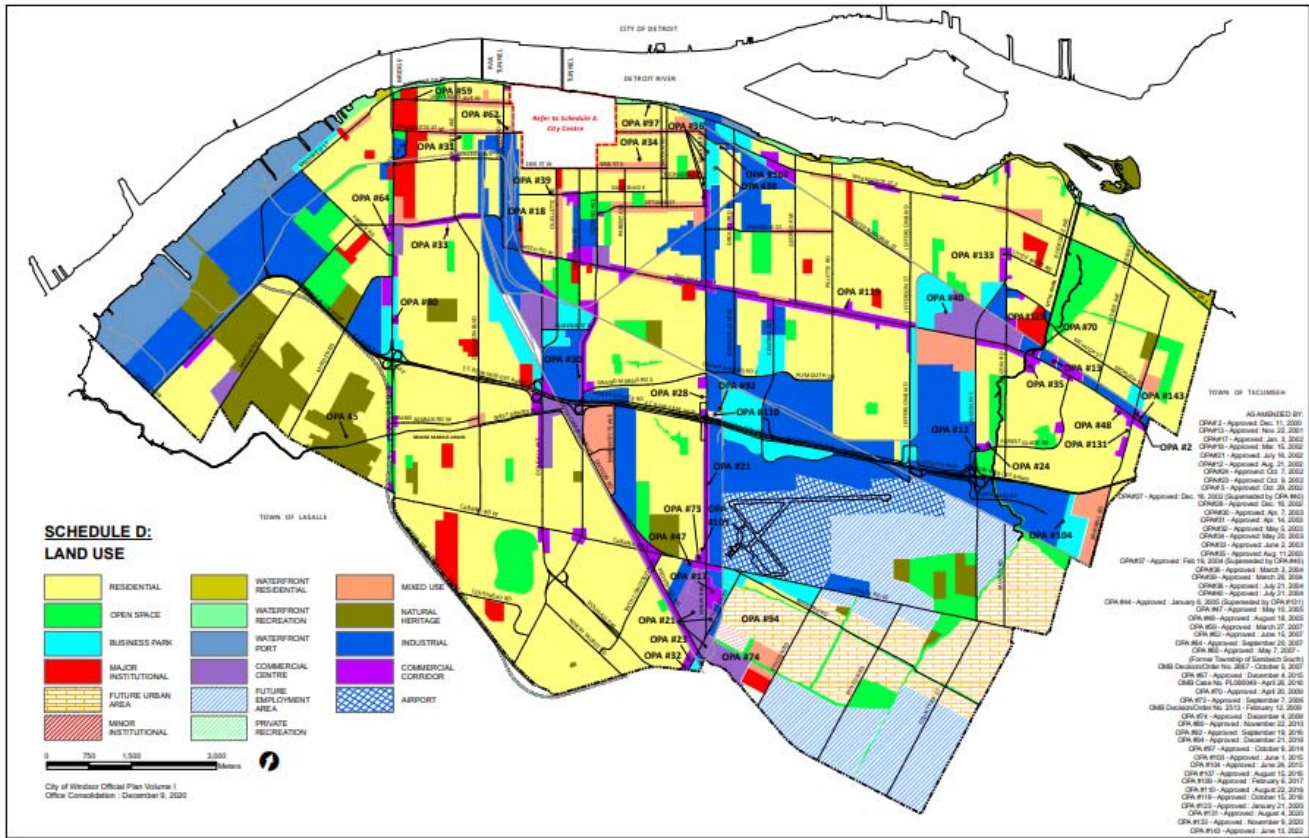
Single Unit Dwelling

Any use accessory to any of the preceding uses

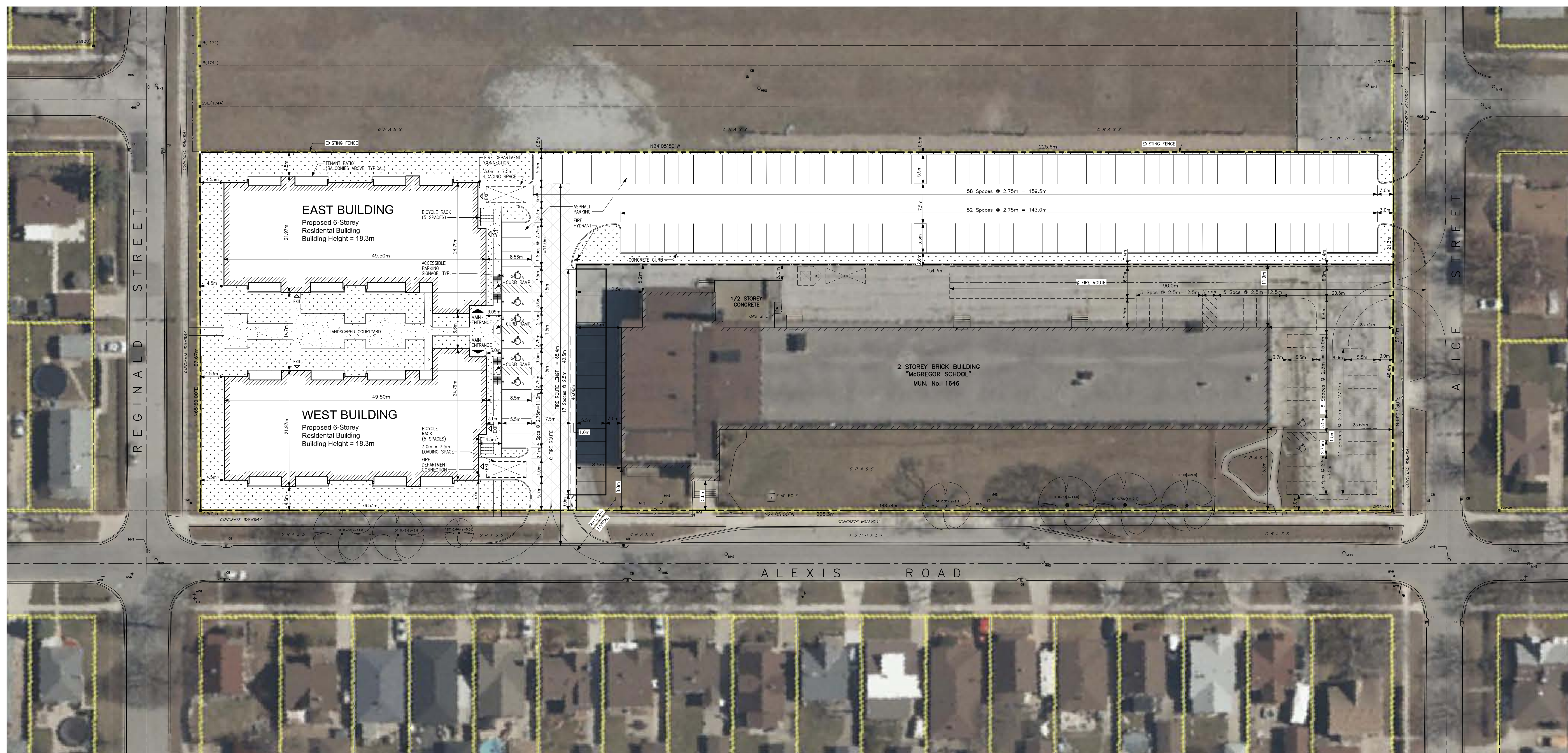
12.2.5 PROVISIONS

- | | | |
|-----|---|------------------------------|
| .1 | Lot Frontage – minimum | 30.0 m |
| .2 | Lot Area – minimum | |
| | For a <i>corner lot</i> having a minimum frontage of 30.0 m on each of the <i>exterior lot lines</i> : | |
| | a) For the first 5 <i>dwelling units</i> | 540.0 m ² |
| | b) For the next 19 <i>dwelling units</i> | 67.0 m ² per unit |
| | c) For each additional <i>dwelling unit</i> | 44.0 m ² per unit |
| | For any other <i>lot</i> : | |
| | d) For the first 4 <i>dwelling units</i> | 540.0 m ² |
| | e) For the next 15 <i>dwelling units</i> | 85.0 m ² per unit |
| | f) For each additional <i>dwelling unit</i> | 55.0 m ² per unit |
| .3 | Lot Coverage – maximum | 35.0% |
| .4 | Main Building Height – maximum | |
| | <i>Corner Lot</i> | 24.0 m |
| | <i>Interior Lot</i> | 18.0 m |
| .8 | Landscaped Open Space Yard – minimum | 35.0% of <i>lot area</i> |
| .13 | Dwelling Unit Density – <i>dwelling units</i> per hectare – maximum | |
| | For a <i>corner lot</i> having a minimum frontage of 30.0 m on each of the <i>exterior lot lines</i> | 188 units per ha |
| | For any other <i>lot</i> | 150 units per ha |
| .50 | A <i>Lodging House</i> for the accommodation of 10 persons or less, and any use accessory thereto, shall comply with the <i>Single Unit Dwelling</i> provisions of Section 10.1.5 and further, the whole of the <i>building</i> shall be used for a <i>Lodging House</i> , including any <i>accessory use</i> .
[ZNG/5630] | |
| | (AMENDED by B/L 95-2019, Sept. 27/2019) | |
| .55 | A addition to an existing <i>Double Duplex Dwelling</i> , existing <i>Duplex Dwelling</i> , existing <i>Semi-Detached Dwelling</i> or an existing <i>Single Unit Dwelling</i> and any use accessory to the preceding uses, shall comply with the provisions of Section 11.2.5. | |

APPENDIX D – SCHEDULE ‘D’ LAND USE

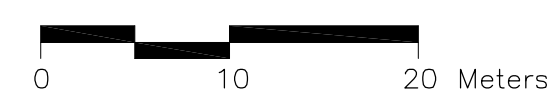
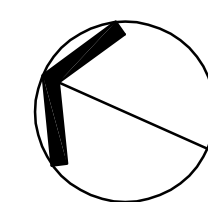


APPENDIX E – SHADOW STUDY



SITE PLAN

SCALE: 1:400
(METRIC DIMENSIONS UNLESS NOTED OTHERWISE)



LEGEND:

	LANDSCAPED AREA
	CONCRETE WALKS

DETAILS OF DEVELOPMENT			DETAILS OF DEVELOPMENT		
ZONING -- TO BE DETERMINED	REQUIRED	PROVIDED	ZONING -- TO BE DETERMINED	REQUIRED	PROVIDED
LOT AREA -- MINIMUM		0.81 HECTARES (8,093 m ²) (2.00 Acres)	ACCESSIBLE PARKING: TYPE 'A' -- 1.5% TYPE 'B' -- 0.5 SPACES + 1.5%	2 3	3 3
LOT FRONTAGE -- MINIMUM		67.67m	LOADING SPACES	2	2
LOT COVERAGE -- MAXIMUM		2,156 m ² (26.5%)	BICYCLE PARKING	9	10
LANDSCAPED OPEN SPACE -- MINIMUM		2,263 m ² (28.0%)	BUILDING AREA: EAST BUILDING WEST BUILDING		1,078 m ² 1,078 m ²
FRONT YARD SETBACK (MINIMUM)		4.5m	MAIN BUILDING HEIGHT		18.3m
SIDE YARD SETBACK (MINIMUM)		4.5m	NUMBER OF RESIDENTIAL UNITS		92
REAR YARD SETBACK (MINIMUM)		17.0m ±	DENSITY		114 UNITS / HECTARE 46 UNITS / ACRE
PARKING -- 1.25 SPACES/UNIT	92x1.25=115	123			
PARKING -- VISITOR -- 15%	115 x 15%	17			
LOADING SPACES	1	1			

ISSUED FOR: DATE:

A B	A. DETAIL NO.
	B. DETAILED ON

CLIENT:

PROJECT:
**ALEXIS ROAD
APARTMENTS**

1646 ALEXIS ROAD WINDSOR, ONTARIO

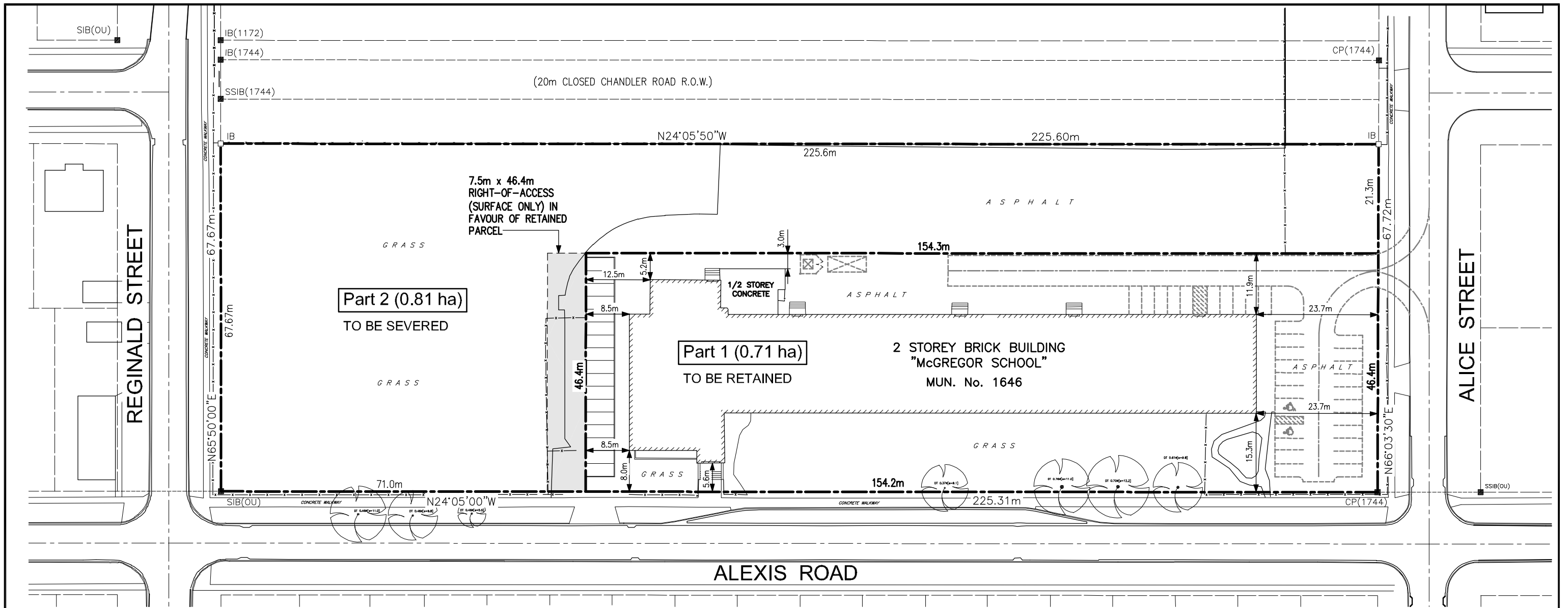
DRAWING TITLE:
SITE PLAN - Option 2

DESIGNED BY: MJP	DRAWN BY: LAZ.
CHECKED BY: MJP	SCALE: 1:400
ACAD REFERENCE: 4746 -A1-1- Site Plan - Opt 2	DATE: MARCH 24, 2023
PROJECT NUMBER: 4746	SHEET NUMBER: A1.1 OF









Site Plan

SCALE: 1:750



SITE STATISTICS (PART 1)

ZONING: INSTITUTIONAL DISTRICT 1 (1D1.1)	REQUIRED	PROVIDED
LOT FRONTAGE – MINIMUM	20.0m	46.4m
LOT AREA – MINIMUM	700.0 m ²	7,162.2 m ² (0.72 HECTARES) (1.77 Acres)
LOT COVERAGE – MAXIMUM	50.0%	37.6%
MAIN BUILDING HEIGHT – MAXIMUM	14.0m	12.2m
FRONT YARD DEPTH – MINIMUM	6.0m	23.7m
REAR YARD DEPTH – MINIMUM	7.50m	8.5m
SIDE YARD DEPTH – MINIMUM	3.00m	3.0m & 5.6m
LANDSCAPED OPEN SPACE YARD – MINIMUM	20% OF LOT AREA	24.9%
PARKING – 1.5 SPACES / CLASSROOM	32 x 15 = 48	49 (2 ACCESSIBLE)
LOADING SPACES	1	1

MEO & ASSOCIATES INC.
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3600 Seven Lakes Dr., Suite 200, LaSalle, Ontario, Canada, N9H 0E5
Tel. 519-250-8088; Fax 519-250-8070; rmeo@meoassociates.com

CLIENT:

PROJECT:

EXISTING SCHOOL SITE

DRAWING TITLE:

SEVERANCE PLAN

DATE:

March 24, 2023

PROJECT NUMBER:

4746

SHEET NUMBER:

1

SCALE:

1:750

ACAD REFERENCE:

4746 - Severance Plan - Ex School Site Plan

DRAWN BY:

I.A.Z.

1646 Alexis Road, Windsor, Ontario
City Council Agenda - Monday, October 16, 2023

APPENDIX G – COMMENTS

CANADA POST – BRUNO DESANDO

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

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

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

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

If you have any questions or concerns regarding these conditions, please contact me. I appreciate the opportunity to comment on this project.

Lock-Box Assembly Requirements

The complete Canada Post Standards Manual for Builders & Developers can be downloaded at: https://www.canadapost.ca/cpo/mc/assets/pdf/business/standardsmanual_en.pdf

Compartments Size

- Horizontal lock-box models used in mailrooms must have the following minimums:
 - o Residential compartments must be at least 12.5 x 13.5 cm
 - o Commercial compartments at least 13.5 x 30.5 cm
 - o Parcel compartments at least 30.5 x 30.5 cm
- Vertical lock-box models must have min comp size of 25 x 12.5 cm. (Most models are 40 x 12.7 cm)

Heights

- All lock-box assemblies must be installed in a manner that will not require the delivery employee to reach higher than 170cm or lower than 45cm when delivering to the equipment. With respect to horizontal lock-boxes, the limits above will likely mean that maximum number of compartments that can be included in each column of residential compartments would be eight

Rear-loading Lock-boxes

- Projects with more than 100 units are required to be serviced via a rear-loading lock-box assembly.
- There must be a width of at least 100cm of working space from the back of the boxes to the wall.
- A ledge under the bottom row of boxes is also recommended in rear-loading designs. This ledge is to be directly under the bottom row of boxes (no space between ledge and bottom of boxes) and must stick out at least 20cm from the back of the boxes.
- Mailroom door is required to provide a minimum 81cm opening
- Lighting should be at least 100 lux (measured 75 cm from floor)

Access

- All buildings where the lock-boxes are required to be serviced from inside the building are required to install a Canada Post Crown lock in the building intercom. The intercom is pre-fabricated with an internal housing for the lock. The lock can be obtained from the local deliver supervisor.

APPENDIX G – COMMENTS

- If the building has more than 100 units, a rear-loading lock-box assembly will be installed. The door to the Canada Post delivery area must be fitted with a specific model of deadbolt. This is because Canada Post will supply a key cylinder made specifically for the Canada Post key that will fit inside the deadbolt purchased by the developer.

Numbering

- Compartments should be numbered vertically and left to right on the delivery side of the boxes

Grade-level Components

- If the development includes grade level retail or residential units, please take note that door-to-door delivery will not be provided to these units. Canada Post is happy to install a Community Mailbox to provide service to these units. Please coordinate a location with the Canada Post Delivery Planner for the area. If there is no room on the property for the Community Mailbox, service can be provided via another Community Mailbox in the area. Options to service the units from the tower (lobby) lock-boxes or via a front-loading lock box erected on the outside of the building can also be discussed with the Delivery Planner.

CITY OF WINDSOR - BUILDING DEPARTMENT – BARBARA RUSAN

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

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

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

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

CITY OF WINDSOR - ENGINEERING DEPARTMENT – ROB PERISSINOTTI

Sewers - The site may be serviced by a 300mm PVC sanitary sewer on Alexis Road, a 300mm vitrified clay sanitary sewer on Reginald Street, a 450mm storm sewer located within on Alexis Road or a 525mm storm sewer locate within the Reginald Street right-of-way. If possible existing connections should be utilized and any redundant connections shall be abandoned in accordance with the City of Windsor Engineering Best Practice B.P 1.3.3.

The Sanitary Sewer Memo submitted with this application confirms that the proposed medium-density residential development sewage flow rates will not have a negative impact to the existing sanitary sewer system. A sanitary sampling manhole may be required on any new sanitary connection at the property line to the satisfaction of the City Engineer, if one does not already exist.

The applicant will be required to submit site servicing drawings and storm detention calculations restricting storm water runoff to pre-development levels, as per the Windsor Essex Regional Stormwater Management Standards Manual:

<https://essexregionconservation.ca/wp-content/uploads/2018/12/WE-Region-SWM-Standards-Manual.pdf>

Included with the stormwater management submission, one of the checklists found in the link below must be completed by the engineering consultant on behalf of the developer:

APPENDIX G – COMMENTS

<https://www.citywindsor.ca/business/buildersanddevelopers/Pages/Stormwater-Management-Requirements.aspx>

Right-of-Way - Reginald Street, Alexis Road and Alice Street are all classified as Local Roads according to the Official Plan with a required right-of-way width of 20.1m. The current widths are sufficient; therefore, no conveyance is required at this time. Driveway approaches shall be constructed of concrete as per AS-204, complete with straight flares and no raised curbs within the right-of-way.

Any redundant approaches or curb cuts shall be removed and restored to city standards and a Street Opening permit obtained prior to completing any work in the right-of-way.

The site appears to have an existing fence and bumper blocks encroaching within the Reginald Street and Alice Street right-of-ways. The applicant will be required to remove or enter into an Encroachment Agreement for any items remaining in the right-of-way. If the property will be severed and shared services or access is proposed, a proper agreement between the two properties is required.

In summary we have no objection to the proposed development, subject to the following requirements:

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

Encroachment – The owner agrees to submit application for and execute an agreement with the Corporation for any proposed encroachments into the right-of-way to the satisfaction of the City Engineer.

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

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

If you have any further questions or concerns, please contact Amy Olsen, of this department at aolsen@citywindsor.ca

CITY OF WINDSOR - ENVIROMENTAL SERVICES – ANNE MARIE ALBIDONE

No concerns from Environmental Services for the rezoning. However, the applicant should be aware that as a multi-residential property with more than 6 units, they are not entitled to City provided waste collection services. They should seek input from a private collection company for comments on the location of the waste bins.

If they intend on seeking condominium status, they would be entitled to City of Windsor waste collection services. The conceptual drawing does not make it clear where the waste bins would be located. They are encouraged to consult with us before finalizing design.

APPENDIX G – COMMENTS

CITY OF WINDSOR – FORESTRY - SHERIF BARSOM

No comments from Natural Areas and Parks D&D. Forestry Comments:

There are 2 Honey Locust trees and 1 Linden tree in close proximity to the development area. The total DBH of these trees is 155cm. To avoid damage to these trees, tree protection zones should be made.

The developer should be notified, in advance, of the City's tree replacement procedure: City Forestry follows the 'equivalent diameter' replacement methodology - for every unit diameter of tree removed (e.g. due to damages), a similar amount of new trees must be planted. This will apply if there is any damage to these trees.

CITY OF WINDSOR – FORESTRY - SUPERVISOR PARKS - ADAM KIRCHHOEFER

Additional comments regarding trees along Alexis adjacent to school.

I had a look at the Norway Maple trees at 1646 Alexis. We have a history of trimming these trees in the past and we even did some removals on this property as well. The trees on the west side look to be in fair condition with the exception of the one second one from the south. This tree is not in great shape and should be removed to eliminate any health and safety issues. It has a significant amount of deadwood and decay.

The boulevard trees, 2 Honey Locust and a Little Leaf Linden will be added to the Trimming list.

If you would like, I will have work orders created to have the second one from the south removed and can have the other 3 trimmed and have the guys do a health assessment of them to ensure they are also safe and healthy.

CITY OF WINDSOR – PLANNING DEPARTMENT – HERITAGE PLANNER – KRISTINA TANG

The property is listed on the Windsor Municipal Heritage Register as the following:

R 1646 Alexis Rd Gordon McGregor School 1924 Arch. Sheppard & Masson
 Ford City

A Heritage Impact Assessment (HIA), prepared by Lassaline Planning Consultants Inc. with the advice of Don Loucks, Metropolitan Design (CAHP designation), dated Aug 7, 2023 (revised from earlier versions) was submitted.

Overall, the HIA recommends the former Gordon McGregor School to be designated under Part IV of the Ontario Heritage Act. This is in line with changes to the Ontario Heritage Act through Bill 23, which would require non-designated properties currently included on the municipal register to be removed if Council does not issue a notice of intention to designate within two years of the amendments to the Act coming into force. The Ontario Heritage Act also establishes a 90-day timeline for issuing a notice of intention to designate when the listed (non-designated) property is subject to a Planning Act application, unless the owner and Council of a municipality agree that the 90-day restriction does not apply.

The subject property has cultural heritage value and interest, and meets the O.Reg. 9/06 criteria for Designation. Therefore, City Administration has brought forward report S89/2023 to Council recommending designation of the subject property. The recommendations of the report are:

- I. THAT the City Clerk BE AUTHORIZED to publish a Notice of Intention to Designate the Gordon McGregor, at 1646 Alexis Road, in accordance with Part IV of the Ontario Heritage Act according to the Statement of Cultural Heritage Value or Interest attached in Appendix 'A'; and,

APPENDIX G – COMMENTS

- II. THAT the City Solicitor prepare the By-law for Council to designate the property after receipt of the legal description of the property from the Property Owner; and,
- III. THAT Council agree with Parway Inc, Property Owner of 1646 Alexis Road, that the restrictions set out in paragraph 2 of subsection 29(1.2), and paragraph 1 of subsection 29 (8) of Ontario Heritage Act for Designation by municipal bylaw do not apply in respect of the Property at 1646 Alexis Road, to allow time for the designation process.

The Owner is agreeable to the designation and has setback the proposed buildings to be more in line with the setback of the historic structure to maintain sight lines of the historic structure from Alexis Road.

It is recommended that the following matters BE ADDRESSED though Site Plan Control:

1. That the owner submits product information on the materials of the proposed building, to demonstrate compatibility to the heritage resource
2. That the designation bylaw be registered as a pre-permit condition in Site Plan Control

CITY OF WINDSOR – PLANNING DEPARTMENT - LANDSCAPE & URBAN DESIGN – STEFAN FEDIUK

Pursuant to the application for a zoning amendment (Z 043/22/00) to permit a multiple dwelling development consisting of two multiple dwellings and associated parking on the subject, please note no objections. Please also note the following comments:

Zoning Provisions for Parking Setback: The major character of the neighborhood is single to one and half storey residences. The proposed development is much taller than those residences and the existing school. It is strongly recommended that the development be setback in line with the gymnasium to preserve the dominance of the heritage building (school) on the severed portion of the site, and to not be as imposing on the residences on the west side of Alexis. This can be accomplished by moving the entire footprint of the development including the parking to the east property line, where the land is currently City owned.

Climate Change & Tree Preservation: There are 3 mature trees in the City right-of-way, ranging from 45 to 55 years in age. In addition, there are 4 trees on the retained school property of the same age in close proximity to the municipal right-of-way. These 4 trees are considered as shared trees and would need to be protected along with the 3 on the municipal right-of-way as part of any construction on the subject property.

Outdoor amenity areas on-site will be required given the proposed residential use. All conditions of development, including but not limited to the foregoing, would be provided at the time a Site Plan application is received.

Urban Design: The proposed development has provided an Urban Design Brief which demonstrates that the character of the heritage artifact found in the school will be incorporated into the facade of the proposed residential towers. This will help to satisfy the need to preserve the School's unique architecture. Detailed heritage comments are provided by the City's Heritage Planner and are supported by the Sr Urban Designer.

In addition, a shadow study has been provided and demonstrates minimal impact to the adjacent residences. It is also recognized that by moving the entire development eastward to align the front setback with the gymnasium of the school and not the portico entrance, as proposed, it would further reduce impacts to the properties north of Reginald Street.

The development is subject to Site Plan Review at which time, detailed comments will be made to address site specific issues and details related to health and safety, environmental sustainability and accessibility as the design is further fleshed out. Landscaping will play an

APPENDIX G – COMMENTS

important role in providing buffers from the existing neighborhood impacts to climate change concerns.

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

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

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

CITY OF WINDSOR - TRANSPORTATION PLANNING – CLARE AMICARELLI

- The Official Plan classifies Alexis Rd as a Local Road with a required right-of-way width of 20 m. The current right-of-way width is sufficient; therefore, a land conveyance is not required.
- The Official Plan classifies Alice St as a Local Road with a required right-of-way width of 20 m. The current right-of-way width is sufficient; therefore, a land conveyance is not required.
- The Official Plan classifies Reginald St as a Local Road with a required right-of-way width of 20 m. The current right-of-way width is sufficient; therefore, a land conveyance is not required.
- A reciprocal access agreement is required in order for both the retained and severed parcel to use the proposed driveway access off of Alexis Rd.
- All exterior paths of travel must meet the requirements of the Accessibility for Ontarians with Disabilities Act (AODA).
- All accesses shall conform to the TAC Geometric Design Guide for Canadian Roads and the City of Windsor Standard Engineering Drawings.
 - Curved flares not permitted within right-of-way
 - Raised curbs not permitted within right-of-way
 - If a driveway access is being proposed from the retained parcel onto Alice St, then the existing driveway access onto Alice St must be removed and the boulevard restored.
 - All driveway widths must be 7-9 metres total at the property line (minimum 3.5m/lane, maximum 4.5m/lane) and maximum 1 metre straight flare. Based on the site plan provided, the driveway proposed from the retained parcel onto Alice St has a width of 6 metres at the property line.
 - Easternmost driveway access proposed onto Alice St must be a minimum of 15 metres away from the intersection of Alice St and Chandler Rd based on TAC Guidelines, unless proper justification can be provided.

ENBRIDGE

After reviewing the provided drawing at 1646 Alexis Rd. and consulting our mapping system, please note that Enbridge Gas has active infrastructure in the proposed area. A PDF drawing has been attached for reference.

Please Note:

APPENDIX G – COMMENTS

ENWIN – PALINA PACHECO

Hydro Engineering:

No Objection. Please be advised of the overhead 27.6kV power lines on the eastern limit of the property

Please be advised of the overhead 347/600V secondary service conductor connected to the eastern limit of the existing building. Please have this service disconnected and removed prior to any construction.

Prior to working in these areas, we suggest notifying your contractor and referring to the Occupational Health and Safety Act and Regulations for Construction Projects to confirm clearance requirements during construction. Also, we suggest referring to the Ontario Building Code for required clearances for New Building Construction.

Water Engineering:

Water Engineering has no objections to the rezoning.

TRANSIT WINDSOR – JASON SCOTT

Transit Windsor has no objections to this development. The closest existing transit route to this property is with the Central 3. The closest existing bus stop to this property is located on Drouillard at Alice Southeast Corner. This bus stop is approximately 250 metres from this property falling within our 400 metre walking distance guideline to a bus stop. This will be maintained with our City Council approved Transit Master Plan.

September 11, 2023
Development & Heritage Standing Committee
Item 7.3 – Written Submission

From: Brad Brandt

Sent: August 21, 2023 3:04 PM

To: clerks <clerks@citywindsor.ca>; Szymczak, Adam <aszymczak@citywindsor.ca>; Atkinson, Greg (He/Him) <gatkinson@citywindsor.ca>

Subject: Urgent Concerns Regarding Proposed Apartment Structure by MEO and Associates Inc. File ZNG/6940 Z-043/22

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Standing Committee Members, Mr Adam Szymczak, and Me Greg Atkinson,

I hope this email finds you well. I am writing to express my deep concerns regarding the proposed apartment structure by MEO and Associates Inc., which is planned to be built down the block from my residence. While I understand the importance of development, I believe it is crucial to address the potential negative impacts this project may have on the neighborhood and its residents.

1. **Pre-Construction Noise Pollution:** The construction process is likely to involve heavy machinery, drilling, and other activities that generate significant noise levels. This pre-construction noise could have a detrimental effect on the tranquility of our community, disrupting our daily lives and affecting our overall well-being.
2. **Post-Construction Noise Pollution:** Once the apartment structure is complete and occupied, there are concerns that the increased population density could lead to higher levels of noise from everyday activities. This includes the movement of residents, potential gatherings, and an overall increase in urban sounds that are not currently characteristic of our neighborhood.
3. **Air and Environmental Pollution:** Construction activities can release dust, pollutants, and emissions into the air, potentially affecting the air quality in our neighborhood. Furthermore, increased vehicular traffic associated with the apartment structure may contribute to higher levels of air pollution.
4. **Increased Traffic Congestion:** The addition of an apartment structure will inevitably lead to more vehicles in the area, exacerbating traffic congestion on our already busy streets and potentially causing safety concerns for pedestrians and cyclists.
5. **Strain on Local Resources:** The introduction of a larger population through the new apartment structure may place a strain on local resources, including water, sewage, waste management, and public services.
6. **Aesthetic Impact:** The proposed apartment structure should be designed to harmonize and elevate with the existing architecture and aesthetics of our neighborhood. It is essential that the

developers consider the visual impact the structure will have on the community's character and charm.

7. Low Quality of Build: We are particularly concerned that the apartment structure may be developed as low-quality housing or as fixed-income housing. Our community values the quality of life, and it's imperative that any construction adheres to high standards of construction quality and maintenance, and aesthetic appeal.

8. Heritage Designation: Additionally, we would prefer if the land in question could be designated as a heritage site, as it holds historical and cultural significance to our neighborhood.

9. Community Engagement: It is important that residents are adequately informed and engaged in the decision-making process for such a significant development project that will directly affect their quality of life for years to come.

I kindly request that you provide additional information regarding the project, including the specifics of the proposed construction timeline, mitigation measures for noise and pollution, traffic management plans, steps taken to address the concerns of the community, and details about the quality assurance processes for the construction itself.

Transparency, clear communication, and a commitment to maintaining and elevating the aesthetic integrity of the neighborhood are essential in ensuring that the voices of the residents are heard and that their concerns are taken into account.

I urge you to thoroughly evaluate the potential negative impacts of this project on the neighborhood and its residents. It is vital that any development aligns with the best interests of the community and contributes positively to the overall well-being of its residents.

Thank you for your attention to this matter. I look forward to receiving additional information and assurance that our concerns will be taken seriously and addressed appropriately.

Sincerely,

Brad Brandt
Resident for nearly 40 years on the Alexis block.

Development & Heritage Standing Committee
September 11, 2023
Item 7.3 – Written Submission

From: Robert Aiello
Sent: August 30, 2023 5:38 PM
To: clerks <clerks@citywindsor.ca>
Subject: FileNO,:Z-043/22, ZNG/6940

Hello,

I have received your "Notice of Public Meeting To Consider Amendment To Zoning By-Law 8600 and would like to submit written comments.

As a homeowner nearby I am opposed to the project. It would create traffic and environmental issues. As well it would decrease the values of the existing properties in the area, destabilizing people's life savings.

There are studies and newspaper articles that show that increased problem interaction with police is inevitable with such a project. There are children living in this neighborhood that would be put at risk if this moves forward.

The space would be better suited to serve the neighborhood in the form of a park with open space. There are plenty of options to add and improve this site location.

Yours truly,
Robert Aiello

Development & Heritage Standing Committee
September 11, 2023
Item 7.3 – Written Submission

Zoning By-Law 8600 Amendment

File Number ZNG/6940 Z-043/22

4 September 2023

Mayor & City Council,

Thank you for the opportunity to address the council regarding the proposed Amendment to Zoning By-Law 8600 for MEO & Associates Inc. at 1646 Alexis Road.

I am opposed to the requested amendment for the following reasons.

- 1) **Building Height:** I have lived on Alexis for over 33 years and a building of 6+ storeys will mean even in the summer months the front of our houses will receive no more than a couple of hours of sunlight. During the winter months when the sun does not rise above the Gorden McGregor School building, which is only 2.5 storeys, until after 11:00am. A 6+ story building will leave us with virtually no frontal sunlight before the sun passes past the building and our fronts are in the shadow of our own houses. Also, this is an unrepresented request as there are currently no buildings taller than 3 storeys in any residential area covering the Windsor area from Wyandotte to Tecumseh Rd. from Howard Ave. to Lauzon Road.



- 2) **Parking:** 123 parking spaces are not adequate for the proposed 92 dwelling units. Realistically every household has two cars. Unless both partners living in an apartment work at the same place and share the same hours of work. Or maybe developers don't expect to rent out more than 75% of the apartments at any one time. This parking proposal also does not consider that these 92 units have friends and family that will visit. Where is all this overflow parking expected to take place? We all know the answer is the adjacent streets. Which brings us to the current parking scenario on Chandler, Alexis and Cadillac. This is an older area where numerous houses were built without off road parking and with the alleys being closed this leaves these homeowners with no option but street parking. Then there is the Ford Test Track which for the most part has been made into soccer fields and rightfully so. On some nights the aforementioned streets are literally filled with overflow parked cars from parents and spectators at these games.
- 3) **Traffic:** The City of Windsor has refused to make the corner of Alexis and Reginald a four way stop, it is already perilous for the children, bicyclers and dog walkers going to and from the

park. Adding a couple of hundred cars daily going to and from this proposed tenement along with the current non-residential traffic who like to use Alexis to go south from Seminole because they don't want to wait at for the light at Douillard is irresponsible. There is also the increase of large truck traffic, as proposed tenants rent moving trucks to move in and out the rental units.

- 4) Rental Units: I am not opposed to rental units being included in a new subdivision's proposed planning, but to impose one on an established community of single and semi-detached housing with as much historical value as the Gordon McGregor School itself is ridiculous. How can you claim a school, which has 2/3 of it boarded up and only a couple of dozen students when it can house 800 has historical value but not the surrounding neighbourhood! Also, there is the future value of the surrounding neighbourhood. Everyone may think that initially apartments may not affect the value of surrounding properties and that maybe true. But not over time. Two or three-bedroom condominiums may increase the value of a neighbourhood as was proven with the conversion of St. Geniveve School on Irvine Avenue. Rental units are for the most part filled with transient tenants, who are living there until something better comes along with absolutely no investment or care within the community. As of June 2023, the current average single bedroom apartment price in Windsor is \$1350.00/month, no single person making \$15.00 an hour can afford this, unless the don't want to eat. If they are making \$25.00 or more an hour, why would they settle on a single, when as of June 2022 the average two-bedroom apartment is going for \$1200.00 per month.

With the City and Province claiming a housing shortage, I cannot believe the City of Windsor planning did not put conditions in the purchasing agreement. How short sighted can it be not to put any effort into proposing a piece of land as large as this school sits on without a little effort into future use by developers.

How about the City extend Chandler from Reginald to Alice, it already owns the property. The developer tear down Gordon McGregor and build semi-detached houses like those just built on the 1400 block of Drouillard. They recently completed the first one and both units are already occupied. If the City pushed through Chandler at least 20 of these double units could be built on both streets. That would be 80 brand new houses with off street parking. This would have to be a much bigger profit to the developer than trying to maintain an apartment building, constantly trying to rent units and collect rents. It would also be an investment for the City of Windsor with an increased tax revenue of at least \$150,000.00/year. Which would pay back the expansion of Chandler Road.



In conclusion, I wish to thank the Mayor and City Council for the opportunity to address them and voice my opinion on the proposed zoning change.

William K. Linton
1603 Alexis Road
Windsor, ON
N8Y 4P3



Subject: Official Plan Amendment and Zoning Bylaw Amendment Site specific regulations for Multiple Dwelling – Z 001-22 [ZNG-6653] Riverside Horizons 3251 Riverside Dr. E & 222 Belleview Ave - Ward 5

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 546**

THAT the City of Windsor Official Plan, Volume II, Part 1 – Special Policy Areas, **BE AMENDED** by adding site specific policies as follows:

1.# South Side of Riverside Drive, between Belleview Avenue and Pratt Street

1.#.1 The property described as of Lots 56 & 57, Plan 597; Lots 1 & 2 Plan 1563; and Part of Lot 101, Concession 1, in the City of Windsor, known municipally as 3251 Riverside Drive E & 222 Belleview Avenue, is designated a special policy area on Schedule A: Planning Districts and Policy Areas in Volume I – The Primary Plan.

1.#.2 Notwithstanding Section 6.3.2.1 of the Official Plan, Volume I, a High Profile Residential Building shall be permitted on the subject property.

THAT an amendment to City of Windsor Zoning By-law 8600 **BE APPROVED** changing the zoning of Lots 56 & 57, Plan 597; Lots 1 & 2 Plan 1563; and Part of Lot 101, Concession 1, in the City of Windsor, known municipally as 3251 Riverside Drive E & 222 Belleview Avenue, from Commercial District CD1.7 and Residential District RD2.2 to Residential District (RD) 3.3; and,

THAT subsection 1 of Section 20 of the City of Windsor Zoning By-law 8600 **BE AMENDED** for Lots 56 & 57, Plan 597; Lots 1 & 2 Plan 1563; and Part of Lot 101, Concession 1, in the City of Windsor, known municipally as 3251 Riverside Drive E & 222 Belleview Avenue by adding site specific regulations as follows:

483. South Side of Riverside Drive, between Belleview Avenue and Pratt Street

For the lands described as for Lots 56 & 57, Plan 597; Lots 1 & 2 Plan 1563; and Part of Lot 101, Concession 1, in the City of Windsor, known municipally as 3251 Riverside Drive E & 222 Belleview Avenue, the following regulations shall apply:

Building setback from an exterior lot line abutting Riverside Drive - 3m

Building setback from an exterior lot line abutting Riverside Drive or Pratt Place for that part of the building having a height of more than 12.5m - 7.5 m

Building setback from a lot line for that part of the building having a height of more than 12.5 m abutting any zone that permits single detached dwellings – 7.5 m

Parking spaces shall be prohibited on the first and second floor of any structure within 7.5 m of an exterior building wall adjacent to Riverside Drive;

Parking spaces shall be prohibited on the first floor of any structure within 7.5 m of an exterior building wall adjacent to Pratt Place

Amenity Area – Minimum - 420 m²;

Lot Area - Minimum - 3,500 m²;

Lot Coverage - Maximum - 66%;

Building Height – Maximum - 45.0m;

Landscaped Open Space - minimum - 20%;

Number of Dwelling units – maximum - 84

(ZDM 6; ZNG/6053)

THAT Lots 56 & 57, Plan 597; Lots 1 & 2 Plan 1563; and Part of Lot 101, Concession 1, in the City of Windsor, known municipally as 3251 Riverside Drive E & 222 Belleview Avenue, **BE CLASSIFIED** as a Class 4 area pursuant to Publication NPC-300 (MOECP Environmental Noise Guideline – Stationary and Transportation Sources – Approval and Planning); and,

THAT the City Planner or their designate **BE DIRECTED** to provide a copy of the Council Resolution approving the Class 4 area classification and a copy of any development agreement or site plan agreement for the subject lands that incorporates noise mitigation measures to East Windsor Cogeneration Plant, Ford Motor Company Windsor Engine Plant, and Greco Aluminum Railings”; and,

THAT the Site Plan Approval Officer **CONSIDER** the following matters in an approved site plan and/or executed and registered site plan agreement:

Incorporating additional, or modify existing, mitigation measures including warning clauses required for a Class 4 designation pursuant to Publication NPC-300 in any future Site Plan Control agreement.

Carried.

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

Report Number: S 93/2023
Clerk's File: Z/14347 & Z/14639

Clerk's Note:

1. The recommendation of the Development & Heritage Standing Committee and Administration are the same.
2. Please refer to Item 7.1 from the Community Services Standing Committee held on September 11, 2023.
3. To view the stream of this Standing Committee meeting, please refer to:
<http://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20230911/-1/9432>

**Subject: Official Plan Amendment and Zoning Bylaw Amendment Site specific regulations for Multiple Dwelling – Z 001-22 [ZNG-6653]
Riverside Horizons 3251 Riverside Dr. E & 222 Belleview Ave - Ward 5**

Reference:

Date to Council: September 11, 2023

Author: Jim Abbs,

Senior Planner

255-6543 x6317

jabbs@citywindsor.ca

Planning & Building Services

Report Date: July 13, 2023

Clerk's File #: Z/14347 & Z/14639

To: Mayor and Members of City Council

Recommendation:

THAT the City of Windsor Official Plan, Volume II, Part 1 – Special Policy Areas, **BE AMENDED** by adding site specific policies as follows:

1.# South Side of Riverside Drive, between Belleview Avenue and Pratt Street

1.#.1 The property described as of Lots 56 & 57, Plan 597; Lots 1 & 2 Plan 1563; and Part of Lot 101, Concession 1, in the City of Windsor, known municipally as 3251 Riverside Drive E & 222 Belleview Avenue, is designated a special policy area on Schedule A: Planning Districts and Policy Areas in Volume I – The Primary Plan.

1.#.2 Notwithstanding Section 6.3.2.1 of the Official Plan, Volume I, a High Profile Residential Building shall be permitted on the subject property.

THAT an amendment to City of Windsor Zoning By-law 8600 **BE APPROVED** changing the zoning of Lots 56 & 57, Plan 597; Lots 1 & 2 Plan 1563; and Part of Lot 101, Concession 1, in the City of Windsor, known municipally as 3251 Riverside Drive E & 222 Belleview Avenue, from Commercial District CD1.7 and Residential District RD2.2 to Residential District (RD) 3.3; and,

THAT subsection 1 of Section 20 of the City of Windsor Zoning By-law 8600 **BE AMENDED** for Lots 56 & 57, Plan 597; Lots 1 & 2 Plan 1563; and Part of Lot 101, Concession 1, in the City of Windsor, known municipally as 3251 Riverside Drive E & 222 Belleview Avenue by adding site specific regulations as follows:

483. South Side of Riverside Drive, between Belleview Avenue and Pratt Street

For the lands described as for Lots 56 & 57, Plan 597; Lots 1 & 2 Plan 1563; and Part of Lot 101, Concession 1, in the City of Windsor, known municipally as 3251 Riverside Drive E & 222 Belleview Avenue, the following regulations shall apply:

Building setback from an exterior lot line abutting Riverside Drive - 3m

Building setback from an exterior lot line abutting Riverside Drive or Pratt Place for that part of the building having a height of more than 12.5m - 7.5 m

Building setback from a lot line for that part of the building having a height of more than 12.5 m abutting any zone that permits single detached dwellings – 7.5 m

Parking spaces shall be prohibited on the first and second floor of any structure within 7.5 m of an exterior building wall adjacent to Riverside Drive;

Parking spaces shall be prohibited on the first floor of any structure within 7.5 m of an exterior building wall adjacent to Pratt Place

Amenity Area – Minimum - 420 m²;

Lot Area - Minimum - 3,500 m²;

Lot Coverage - Maximum - 66%;

Building Height – Maximum - 45.0m;

Landscaped Open Space - minimum - 20%;

Number of Dwelling units – maximum - 84

(ZDM 6; ZNG/6053)

THAT Lots 56 & 57, Plan 597; Lots 1 & 2 Plan 1563; and Part of Lot 101, Concession 1, in the City of Windsor, known municipally as 3251 Riverside Drive E & 222 Belleview Avenue, **BE CLASSIFIED** as a Class 4 area pursuant to Publication NPC-300 (MOECP Environmental Noise Guideline – Stationary and Transportation Sources – Approval and Planning); and,

THAT the City Planner or their designate **BE DIRECTED** to provide a copy of the Council Resolution approving the Class 4 area classification and a copy of any development agreement or site plan agreement for the subject lands that

incorporates noise mitigation measures to East Windsor Cogeneration Plant, Ford Motor Company Windsor Engine Plant, and Greco Aluminum Railings”; and,

THAT the Site Plan Approval Officer **CONSIDER** the following matters in an approved site plan and/or executed and registered site plan agreement:

Incorporating additional, or modify existing, mitigation measures including warning clauses required for a Class 4 designation pursuant to Publication NPC-300 in any future Site Plan Control agreement.

Executive Summary:

N/A

Background:

Application Information:

Location: 3251 Riverside Drive E & 222 Belleview Avenue Ward: 5

Planning District: 04 – East Windsor ZDM: 6

Owner: Riverside Horizons

Agent: Dillon Consulting (Melanie Muir)



KEY MAP - Z-001/22, ZNG-6653



● SUBJECT LANDS

Proposal:

The proposed development includes the construction of one, twelve (12) storey residential building, with 84 units and 135 parking spaces between the proposed parking garage and a surface parking lot on site. The proposed building consists of three (3) storeys of parking (Ground Level and Floors 2 and 3) with nine (9) storeys of residential above. The proposed development requires 1.25 parking spaces per dwelling unit, for a total of 105 spaces being required with 135 being provided.



Figure 3: East Elevation (Pratt Place)

SUBMISSIONS BY APPLICANT:

- Storm water Management Report (March 2023)
- Riverside Horizons Planning Justification Report (October 2021 – Revised March 2023)
- Urban Design Brief (October 2021 – Revised March 2023)
- Site Renderings
- Building Floor Plans and Elevations
- Noise Assessment 3251 Riverside Drive
- Shadow Study, March 2023
- Archaeological Assessment Report

The Applicant is requesting a site specific zone that would permit the construction of a Multiple Dwelling with the following site specific regulations:

- The minimum lot area to permit a site area of 3,500m²;
- The maximum lot coverage from 45% (RD2.2) to 66%;
- The maximum building height from 10.0m (RD2.2) to 45.0m;
- The minimum landscaped open space yard from 35% (RD3.1) to 20%;
- The maximum dwelling units per hectare from 225 to 240, and
- That the site be designated a Class 4 area for the purposes of noise mitigation

Site Information:

Official Plan	Zoning	Current Use	Previous Use
Residential	Commercial District CD1.7 and Residential District RD2.2	3251 Riverside Dr. E Vacant/Parking Lot 222 Belleview Ave Residential	3251 Riverside Dr. E Vacant/Parking Lot 222 Belleview Ave Residential
Lot Depth	Lot width	Area	Shape
varies	+/- 75 m (Riverside Drive)	3599 m ²	Irregular
All measurements are for the entire parcel and are approximate.			

Neighbourhood Characteristics:

The proposed development is located on Riverside Drive, Between Belleview Avenue and Pratt Place on an irregularly shaped site with frontage on Riverside Drive East, Belleview Avenue and Pratt Place. The current site is vacant, with a former parking lot on the eastern portion and a recently vacated and demolished single detached dwelling on the south-west side of the site. Several parcels to the east along Riverside Drive and south on Pratt Place are zoned Residential District 3.4 (RD3.4), which permits high rise, multi-unit dwellings similar to the one proposed on the subject site. There does not appear to be any significant natural features on the site.

Surrounding Land Uses:

- North** Riverside Drive East;
Industrial – Ford Motor Company Transportation Shipping (MD1.3)
Single Detached Residential Dwellings (RD1.1)
- East** vacant (former Single Detached Dwelling) (RD2.2)
Multiple Dwelling buildings (RD3.4), including:
- Pratt Place, Residential;
 - Lifetimes on Riverside (Retirement Residence);
 - Hazelview Properties;
 - Strabane Apartments.
- South** Single Detached, Semi-Detached and Duplex Dwellings (RD2.2)
Rivershore Tower Multiple Dwelling Building (RD3.4)
- West** Belleview Avenue

Multiple Dwelling buildings (ID1.2)
Single Detached Dwellings (RD2.2)
Ford Powerhouse and East Windsor Cogeneration Plants (CD4.5)



NEIGHBOURHOOD MAP - Z-001/22, ZNG/6653



SUBJECT LANDS

Discussion:

Provincial Policy Statement (PPS) 2020:

The Provincial Policy Statement, (PPS) 2020 provides direction on matters of provincial interest related to land use planning and development and sets the policy foundation for regulating the development and use of land in Ontario.

The zoning bylaw amendment would result in a development on a former Industrial site that was previously vacant and underutilized. This is consistent with the Provincial Policy Statement in that the development promotes the efficient use of existing land, promotes cost-effective development patterns and standards to minimize land consumption and servicing costs. Related to this direction, the PPS states:

“1.1.1(b) accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons), employment (including industrial commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs”

e) promoting cost-effective development patterns and standards to minimize land consumption and servicing costs;”

The requested Multiple Dwelling development promotes cost-effective development by redeveloping an under-utilized vacant site. Allowing the proposed zoning bylaw amendment in this location contributes to minimizing land consumption and servicing costs by using a site that already has available infrastructure in the immediate area.

The PPS also states:

“1.1.2 Sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of up to 20 years.”

The PPS requires that land be available to diversify developments to meet the future needs of the community. The zoning by-law amendment is consistent with that requirement by accommodating new residential construction on lands designated for that purpose.

The PPS also states:

“1.4.1 To provide for an appropriate range and mix of housing types and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall:

a. maintain at all times the ability to accommodate residential growth for a minimum of 10 years through residential intensification and redevelopment and, if necessary, lands which are designated and available for residential development; and

b. maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available

through lands suitably zoned to facilitate residential intensification and redevelopment, and land in draft approved and registered plans.”

The requested zoning bylaw amendment is consistent with the PPS in that intensification of the use of the site will provide additional “appropriate range and mix of housing types and densities”.

“1.4.3 Planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents of the regional market area by:

- a. permitting and facilitating:
 1. all forms of housing required to meet the social, health and well-being requirements of current and future residents, including special needs requirements; and
 2. all forms of residential intensification, including second units, and redevelopment in accordance with policy 1.1.3.3;
- b. directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;
- c. promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed;”

Approving the Official Plan and zoning by-law amendments would support residential development using the infrastructure that is already in place, instead of requiring more expenditure on new infrastructure in a greenfield setting. In terms of supporting active transportation and transit, the site of the proposed zoning amendment is served by Transit Windsor on Wyandotte Street E.

The proposed development is consistent with the PPS in that it promotes compact and transit supportive forms of development. As well, this development will help to support the provision of a range of housing types in this area.

The site is also very near to transit corridors, which provides a range of travel options for the residents. The density of the development may help support the transit options that currently exist in this area.

Official Plan:

Section 3.3.2.2 of the Urban Structure Plan contained in the City of Windsor Official Plan identifies Riverside Drive as a City Corridor. Residential development on a City Corridor may include high profile (26 to 58 metres in height), medium profile (14 to 26 metres in height) and residential over retail at street, as well as row housing and lofts. The proposed development conforms with this policy.

Additionally, the site is subject to the Residential designation of the Official Plan. The Residential designation in the City of Windsor Official Plan permits low and medium profile developments not greater than twenty-six (26) metres in height. The proposed development is 45m (12 storeys) in height which would not conform to Section 6.3.1.2 of the Official Plan.

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

High Profile Residential Buildings shall be directed to locate in the City Centre, Mixed Use Centres and Mixed Use Corridors.

This policy was implemented through OPA 159 and generally directs high profile development to the City Centre, Mixed Use Centres and Mixed Use Corridors.

To prevent any confusion between the two conflicting sections of the Official Plan, the Planning Department recommends that a Site Specific policy area be applied to the site that will confirm that a High Profile Building be permitted at this location

The applicant is requesting that a Site Specific policy area be applied to the site to permit a high profile building (45m) proposed

Other residential buildings of similar height and form currently exist further east of this site. This indicates that the proposed Multiple Dwelling is compatible within its context.

Discussions with applicant regarding original design resulted in a dramatically improved street presence and street scape by reducing the building footprint and increasing the building height. The revised plan includes townhome style units on the ground floor level that can be accessed from the street, giving the first 3 floors of the development a more pedestrian friendly and a more appropriate streetscape adjacent to Riverside Drive and Pratt Place.

The proposed development is consistent with the following goals and objectives of the City of Windsor Official Plan.

Goal 6.1.1 is to achieve safe, caring and diverse neighbourhoods. Goal 6.1.2 seeks environmentally sustainable urban development. Goal 6.1.3 promotes housing suited to the needs of Windsor's residents. Goal 6.1.10 is to achieve pedestrian oriented clusters of residential, commercial, employment and institutional uses.

Objective 6.3.1.1 supports a complementary range of housing forms and tenures in all neighbourhoods. Objective 6.3.1.2 seeks to promote compact neighbourhoods and balanced transportation systems. Objective 6.3.1.3 seeks to promote selective residential redevelopment, infill and intensification initiatives.

The proposed development will help to support a diverse neighbourhood that represents a sustainable community and will provide housing that is in demand. The proposed development will help to encourage a pedestrian orientated cluster of residential, commercial and employment uses. The proposed residential development represents a

complementary and compact form of housing and intensification that is near sources of transportation.

Zoning By-law

The site is zoned Commercial District CD1.7 and Residential District RD2.2. neither of these zone categories permit the proposed use. The applicant is proposing that the RD3.3 zone be applied, but specific regulations be applied to facilitate the proposed development.

To facilitate the proposed development, the following site-specific regulations are proposed by the applicant.

- Minimum Lot Area - 3,500m²
- The maximum lot coverage from 35% (RD3.3) to 66%;
- The maximum building height from 30.0m (RD3.3) to 45.0m;
- The minimum landscaped open space yard from 35% (RD3.3) to 20%;
- The maximum dwelling units per hectare from 225 to 240.

The RD 3.3 zone would permit the proposed Multiple Dwelling structure as a use, however a number of specific yard regulations will also be required. This site being unique ("L" shaped with Streets on 3 sides) will require its own set of regulations to facilitate the proposed development.

Lot Area

Administration recommends that the minimum lot area be set at the site's current size.

Lot coverage

The proposed increase in lot coverage supports the goal of providing residential units in developments that exhibit compact urban form. Increased lot coverage allows a development to provide more units, using existing infrastructure, on less land within an urban context.

Building height

The building height requested is partly as result of Administration's request to create a development that would address Riverside Drive and Pratt Place with residential units accessible at ground level rather than presenting the facade of a parking garage to those streets.

To ensure a transition in building height on the development site, any structure built on the site will be required to step up in height so as not to present the total height of 45 m immediately adjacent to the low profile development or to Riverside Drive. The Building Height will be stepped as described in the regulation required by Administration.

Landscaped open space yard

The proposed reduction in landscaped open space supports the goal of providing residential units in developments that exhibit compact urban form. The reduction is mitigated by the location of the development, surrounded on 3 sides by municipal roads and by the large amount of amenity area proposed in this development. Allowing the development to be close to Riverside Drive and Pratt Place ensures the development will address and be connected those streets at a pedestrian level, and will not isolate itself from its surroundings. As well, the large amount of amenity area proposed mitigates the need for landscaped open space to serve the residents of the building.

Dwelling units per hectare

While in some cases the practice is to express the lot area as a per unit per unit ratio (41.67 m²/unit) to ensure the maximum number of units does not exceed the applicant's current proposal should the applicant add additional lands to their holdings. Identifying the total number of units permitted on the site will provide better clarity and transparency describing the scope of the proposed development. (84 units)

Additional regulations required by Administration

Amenity Area

As a result of enhanced amenity area used as justification for reduced yards and increased lot coverage, the amenity space supplied in this development should be codified to ensure that the Amenity Area is provided to the extent proposed in the Concept Plan. This is reflected in the minimum Amenity area requirement in administration's recommendation.

Set back

To assist in mitigating the transition in development profile, the applicant's concept plan indicates a 3.0m setback from Riverside Drive and Pratt Place for the base section of the building and an additional setback of the tower section from Riverside and Pratt. Additionally, administration is requesting an additional step back of the tower section adjacent to low profile dwellings south of the development site.

Tower section setbacks

From Riverside Drive:

To ensure the development is constructed in a similar form as shown on the Concept Plan, and to prevent the building from overpowering Riverside Drive, Administration recommends that the tower section of the development be set back 7.5m (4.5m+3m) from Riverside Drive and Pratt Place.

From Low Profile residential

Section 3.4.1.4 (c) of the City of Windsor Intensification Guidelines (June 2022) states that where Medium and High Profile development abuts low profile properties, a

minimum 7.5 metre rear yard setback should be required. To assist the development in providing an appropriate transition from adjacent low profile development to the south, Administration recommends that the tower section of the development be set back the same 7.5m as from Riverside Drive and Pratt Place where the development is adjacent to a zone category where low profile development types are permitted. This will specifically impact the southern limit of the development site.

Parking Space Setback

To ensure the parking spaces in the podium portion of the building are located in accordance with the Concept Plan provided, and do not become the predominate feature of the development along the Riverside Drive and Pratt Place frontages, Administration recommends adding site specific requirements that would prohibit parking spaces located on the first and second floors of the podium within 7.5 m of an exterior building wall adjacent to Riverside Drive and prohibit parking spaces located on the first floor of the podium within 7.5 m of an exterior building wall of adjacent to Pratt Place.

Class 4 area

The applicant has requested that the site be designated a Class 4 area for the purposes of noise mitigation.

The Class 4 Area designation is an acoustical environment area where relaxed (higher) daytime and night time sound level limits from that otherwise permitted in an urban area, for both indoor and outdoor areas, may be considered.

NPC-300 identifies a number of considerations to apply to a proposed Class 4 area and associated new noise sensitive land uses, including, but not limited to:

- Submission of a satisfactory noise impact assessment which includes noise measures as required by NPC-300;
- Appropriate notification to prospective purchasers that the dwelling is located in a Class 4 area, which may include, but is not limited to, agreements for noise mitigation registered on title, and appropriate warning clauses in future agreements of purchase and sale;
- Providing a copy of the approved noise impact assessment and Class 4 area designation confirmation to surrounding owners of the stationary sources;

Once a site is designated a Class 4 area, it remains as such, subject to the continuing presence of the stationary sources.

Where a municipality designates a site a Class 4 area, the relaxed noise levels would apply to the Ministry's Environmental Compliance Approval of the stationary source.

In this case, the noise study submitted by the applicant identified existing stationary noise sources at the East Windsor Cogeneration Plant, Ford Motor Company Windsor Engine Plant, and Greco Aluminum Railings.

To utilize the Class 4 area noise levels, a municipality must provide formal confirmation of the Class 4 area designation, in this case through the approval of the recommendation contained in this report.

Risk Analysis:

N/A

Climate Change Risks

Climate Change Mitigation:

The additional increase in the density of development on the site with access to existing bus routes and being close to commercial and community facilities will encourage the use of transit, walking and cycling as modes of transportation, thereby helping to minimize the City's carbon footprint.

Climate Change Adaptation:

The site will be subject to site plan control and is part of a storm water detention system designed as part of this development.

Financial Matters:

N/A

Consultations:

Comments received from municipal departments and external agencies are attached as Appendix "A" to this report.

Public Notice:

The statutory notice required under the Planning Act was provided in the Windsor Star. In addition, all properties within 120m (400 feet) of the subject parcel received courtesy notice by mail prior to the Development & Heritage Standing Committee Meeting (DHSC) meeting

Conclusion:

Planner's Opinion and Conclusions:

The proposed use of this site as a development containing a Multiple Dwelling structure containing 84 units represents an efficient development that will have no adverse impact on the well-being of the City of Windsor. The proposed development represents an appropriate residential use, adds to the range and mix of uses and will not cause any environmental or public health and safety concerns. This development is consistent with the Provincial Policy Statement.

The proposed Multiple Dwelling represents a housing type and density that meets the requirements of current and future residents, that meets the social, health and well-being of current and future residents, represents a form of residential intensification, is set in a location with access to infrastructure, public service facilities, and is close to commercial land uses.

The proposed Multiple Dwelling is located within an area that contains other Multiple Dwelling buildings of similar form and is compatible within its context.

The proposed zoning by-law amendment is consistent the PPS, with the policy direction of the City of Windsor Official Plan, is compatible with existing and permitted uses in the surrounding neighbourhood and constitutes good planning.

Planning Act Matters:

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

Greg Atkinson Manager of Development/Deputy City Planner

Neil Robertson Acting City Planner

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

JP

Approvals:

Name	Title
Greg Atkinson	Manager of Development/Deputy City Planner
Neil Robertson	Acting City Planner
Wira Vendrasco	Deputy City Solicitor, Legal Services & Real Estate
Jelena Payne	Commissioner of Economic Development & Innovation
Joe Mancina	Chief Administrative Officer

Notifications:

Name	Address	Email
Riverside Horizons Inc. (Wing On Li)	4510 Rhodes Dr. Suite 520, Windsor ON N8W 5K5	
Dillon Consulting Limited (Melanie Muir)	3200 Dezeil Drive, Suite 608, Windsor ON N8W 5K8	

Name	Address	Email
Councillor Sleiman		

Appendices:

- 1 Z 001-22 Liaison Comments
- 2 Concept Plan
- 3 Urban Design Brief - March 2023

COMMENTS

Jennifer Nantais – Environmental & Sustainability Coordinator

The Environmental Sustainability and Climate Change Team would like to request an energy strategy.

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

Energy Conservation, Air Quality and Climate Change:

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

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

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

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

Stormwater Management:

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

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

Please note that this area of Windsor has a risk of basement flooding. The applicant should be aware of this risk if developing basements in any buildings.

Landscaping

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

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

Via Rail

VIA has no concerns in principle, the only issue would be that the proponent may need to address railway generated noise if the site is within 300m of VIA's right-of-way (not CN's).

Enbridge – Windsor Mapping

After reviewing the provided drawing at 3251 Riverside Dr and consulting our mapping system, please note that Enbridge Gas has active infrastructure in the right-of-way surrounding the proposed area. A PDF drawing has been attached for reference.

Please Note:

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

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

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

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



Sherif Barsom – Parks D&D

We just want to draw attention to the required tree protection during the construction processes for the existing ROW street boulevard trees which located at the Bellevue Ave. and defined in the EIS as follows:

- 1- Tree Norway Maple
- 2- Tree Hackberry

Otherwise, Parks Development has no comments pertaining the LIAISON: Z-001/22 [ZNG/6653] - Riverside Horizons - 3251 Riverside Dr E & 222 Bellevue Ave.

Jason Scott – Transit Windsor

Transit Windsor has no objections to this development. The closest existing transit route to this property is with the Crosstown 2. The closest existing bus stop to this property is located on Wyandotte at Bellevue Northeast Corner. This bus stop is approximately 270 metres from this property falling within our 400 metre walking distance guideline to a bus stop. This will be maintained with our Council approved Transit Master Plan.

ERCA

The following is provided as a result of our review of Zoning By-Law Amendment Z-001-22 ZNG 6653. The applicant is requesting a Zoning By-law Amendment from the RD2.2 and CD1.7 to a site specific zone similar to the Residential District 3.3 (RD3.3) zone to permit the construction of a 10 storey, 77 unit residential development with 129 parking spaces. Site specific relief is required to facilitate the applicant's desired building design, including requiring relief from:

- The minimum lot area to permit a site area of 3,599m²;
- The maximum lot coverage from 35% to 65%;
- The maximum building height to 40.0m;
- The minimum landscaped open space from 35% to 15%; and
- Class 4 Area Designation (Noise and Vibration) to be applied to the building

DELEGATED RESPONSIBILITY TO REPRESENT THE PROVINCIAL INTEREST IN NATURAL HAZARDS AND REGULATORY RESPONSIBILITIES ASSOCIATED WITH THE CONSERVATION AUTHORITIES ACT

The following comments reflect our role as representing the provincial interest in natural hazards as outlined by Section 3.1 of the Provincial Policy Statement of the *Planning Act* as well as our regulatory role as defined by Section 28 of the *Conservation Authorities Act*.

We have reviewed our floodline mapping for this area and it has been determined this site is not located within a regulated area that is under the jurisdiction of the ERCA (Section 28 of the *Conservation Authorities Act*). As a result, a permit is not required from ERCA for issues related to Section 28 of the *Conservation Authorities Act*, Development, Interference with Wetlands and Alteration to Shorelines and Watercourses Regulation under the *Conservations Authorities Act*, (Ontario Regulation No. 158/06).

WATERSHED BASED RESOURCE MANAGEMENT AGENCY

The following comments are provided in an advisory capacity as a public commenting body on matters related to watershed management.

SECTION 1.6.6.7 Stormwater Management (PPS, 2020)

ERCA has concerns with the potential impact of the quality and quantity of runoff in the downstream watercourse due to the proposed development on this site. ERCA recommends that stormwater quality and stormwater quantity will need to be addressed up to and including the 1:100 year storm event and be in accordance with the guidance provided by the Stormwater Management Planning and Guidance Manual, prepared by the Ministry of the Environment (MOE, March 2003) and the "Windsor-Essex Region Stormwater Management Standards Manual".

We further recommend that the stormwater management analysis, be completed, to the satisfaction of the Municipality, at Site Plan Control. We do not require further consultation on this file with respect to stormwater management.

PLANNING ADVISORY SERVICE TO PLANNING AUTHORITIES - NATURAL HERITAGE POLICIES OF THE PPS, 2020

The following comments are provided from our perspective as an advisory service provider to the Planning Authority on matters related to natural heritage and natural heritage systems as outlined in Section 2.1 of the Provincial Policy Statement of the *Planning Act*. The comments in this section do not necessarily represent the provincial position and are advisory in nature for the consideration of the Planning Authority.

The subject property is not within or adjacent to any natural heritage feature that may meet the criteria for significance as defined by the PPS. Based on our review, we have no objection to the application with respect to the natural heritage policies of the PPS.

FINAL RECOMMENDATION

With the review of background information provided and aerial photograph, ERCA advises that a stormwater management plan be completed to the satisfaction of the City of Windsor, at Site Plan Control.

Barbara Rusan – Building Department

The Building Code Act, Section 8.(1) requires that a building permit be issued by the Chief Building Official for construction or demolition of a building. The building permit review process occurs after a development application receives approval and once a building permit application has been submitted to the Building Department and deemed a complete application.

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

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

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

Enwin

HYDRO ENGINEERING:

ENWIN has existing overhead pole lines along the south limits with 16,000 volt primary and 120/240 volt secondary hydro distribution.

ENWIN has existing overhead pole lines along the north limits with 120/240 volt secondary streetlight distribution.

ENWIN has existing overhead pole lines along the east limits with 120/240 volt secondary streetlight distribution.

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

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

WATER ENGINEERING:

Water Engineering has no objections to the rezoning.

Kristina Tang – Heritage Planner

Built Heritage

The subject property is located in close vicinity or adjacent to a number of identified heritage resource on the Windsor Municipal Heritage Register:

3001 Riverside Dr E / 3150 Wyandotte St E	Ford Powerhouse Ford City	1922	Arch. Albert Kahn
~3150 Riverside Dr E	Ford Powerhouse Screen House Ford City	1923	Arch. Albert Kahn
3336 Riverside Dr E Farm/Foursquare	Damase Pratt House Ford City	c1902	French
3368 Riverside Dr E City	Charles Pratt House	c1910	French Farm Ford
3404 Riverside Dr E Georgian Revival	Cruickshank House Ford City	c1893	Summer Residence
3404 Riverside Dr E	Cruickshank House Garage Ford City	c1893	Summer Residence
243 Pratt Pl City	House	1921	Arts & Crafts Ford

Heritage sensitive considerations should be given to ensure that the proposed large-scale high rise is designed without negative impacts to the heritage resources and so as not to trigger later requests for a Built Heritage Impact Study/Heritage Impact Assessment (Heritage Impact Assessment Guidelines provided for reference). At this point, the Urban Design comments have requested for a Shadow Impact Study, which would be evaluated to determine the impacts on the nearby heritage resources.

The proponent should demonstrate that there would not be negative impacts of vibrations from construction activity on adjacent heritage resources. Depending on the proposal, a Construction Vibration Assessment may be required later as a condition of SPC.

Archaeology

"Stage 1-2 Archaeological Assessment of 3251 Riverside Drive East in part of Lot 101, Concession 1 Petite Cote, Township of Sandwich, Now City of Windsor, Essex County, Ontario", Dated May 30, 2021, Filed with MHSTCI Toronto Office on N/A, MHSTCI Project Information Form Number P1289-0035-2021, MHSTCI File Number 0013878" has been entered into the Ontario Public Register of Archaeological Reports without technical review.

The reports states that "All work met provincial standards and no archaeological sites were identified during the Stage 2 assessment. If construction plans change to incorporate new areas that were not subject to a Stage 2 field survey, these must be assessed prior to the initiation of construction. In keeping with legislative stipulations, all construction and demolition-related impacts (including, for example, machine travel, material storage and stockpiling, earth moving) must be restricted to the areas that were archaeologically assessed and cleared by the Ministry of Heritage, Sport, Tourism, and Culture Industries through acceptance of the assessment report into the provincial register. As no archaeological resources were found on the subject property, no further archaeological assessment of the property is required."

The applicant is to note the following archaeological precautions:

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

Contacts:

Windsor Planning & Building Department:

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

Windsor Manager of Culture and Events:

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

Ontario Ministry of Heritage, Sport, Tourism and Culture Industries

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

Windsor Police: 911

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

Adam Coates – Urban Design

Many of the design decision, site layout and building design choices have taken into account urban design principals that align with the City of Windsor Official Plan. That being said, there are areas of concern that can still be addressed in order to ensure that

the proposed development is designed to function as an integral and complementary part of the areas existing development pattern.

Consideration should be given to:

- Building Height
 - The proposed building height may have an impact on the heritage properties located to the Northeast of the subject property, across Riverside Drive. A shadow study would illustrate the extent of potential impacts on the adjacent properties.
- Main Entrance to the Building
 - The controlled pedestrian entrance along Pratt Place could be designed to be clearly visible from the public R.O.W. This can include elements that intuitively signify an entrance. (eg. Change in building material, canopy or awning, increased glazing, change in exterior building plane, etc.)
- Appealing Street Facades
 - The Riverside elevation along the ground floor has opportunity to be more visually interesting. The use of parking along the ground floor, facing a scenic drive is not encouraged. Further actions can be pursued through the use of Landscape treatments to help soften the interface between the public R.O.W. and the development along Riverside Dr.
 - Riverside Drive is designated as a Civic Way and as such has an impact on the image of the City of Windsor. The building design can address the intersection of Riverside Drive and Pratt Place in a more sensitive manner, with regards to pedestrian scale and architectural proportions. In the absence of being able to utilize permanent landscape elements in the daylight corner, it is encouraged that these concerns be addressed in the building design.

Stefan Fediuk – Landscape Architect

Pursuant to the application for a zoning amendment (**Z-001/22**) to permit site specific RD3.3 zoning on the subject, including requiring relief from:

- The minimum lot area to permit a site area of 3,599m²;
- The maximum lot coverage from 35% to 65%;
- The maximum building height from 30.0m to 40.0m;
- The minimum landscaped open space from 35% to 15%; and
- Class 4 Area Designation (Noise and Vibration) to be applied to the building.

Please note the following comments:

Zoning Provisions for Parking Setback:

The Planning Justification Report (PJR) provided by the applicant cites several documents including the City of Windsor Zoning Bylaw 8600 (ZB).

It is recognized that the site is constrained by the intensity of the proposed development and the desire by the developer to provide additional buffer to the area residences immediate south of the site.

Therefore, the **Maximum Lot Coverage Allowed 35.0 % to a Proposed 65%** and the **Minimum Landscaped Open Space Required 35.0% of lot area to a Proposed 15%** seem to be in conflict with that statement.

The PJR suggests that the landscape open space is minor in nature however, it represents a 57% reduction in the total landscape open space. This is not to be considered a minor reduction as will severely limit the useable landscape open space as amenity areas and to combat climate change or address policies and objectives of the Official Plan as outlined in the Climate Change and Urban Design Sections of these comments.

Based on the parking calculations provided on drawing SPC-2, there are 90 parking spaces required. A total of 114 spaces have been provided within the parking structure for the residents of the building plus 17 additional spaces for visitors external for a total of 131 spaces. This represents a surplus of parking of 24 spaces. Section 3.4.9 of the PJR provided by the applicant, indicates that there is a great opportunity encourage use of public transit through this development. With that, the overall landscape deficiency could be significantly reduced by removing the external parking lot in its entirety and moving it into the parking structure. There would still be a surplus of 7 parking spaces and the impact on the immediately adjacent residences to the south would reduced.

Climate Change:

The Planning Justification Report (PJR) provided by the applicant cites several documents including the Provincial Policy Statement 2020 (PPS). PPS Policy 1.7.1 requires that development minimize negative impacts from changing climate and further emphasizes that climate change be mitigated through vegetation and Green Infrastructure in development (PPS 1.8.1 f)).

The PJR references energy conservation, air quality and climate change in section 3.4.9 by identifying the impact and interconnectivity to existing public amenities, public transportation opportunities and compact form. However, the report is silent on how the proposed site-specific reduction in landscape area will affect the resiliency of the development to the impacts of climate change.

Urban Design:

Both the Urban Design Brief and Planning Justification Report provided by the applicant cite several documents including the City of Windsor Official Plan (OP).

The UDB section 1.1.2 Vision for Area Character references that the OP by stating:

"City Council is committed to enhancing the enjoyment and image of Windsor, along with its people, through urban design principles. It is stated that a memorable, attractive and liveable city is one where people feel comfortable and are inspired by their surroundings. As such, development should use design to protect, maintain and improve the quality of life for present and future generations by integrating the principles of sustainability and place making."

While this reference includes a figure from a distant datum perspective, it does not address the need for human scale at the street level as found in Section 8.3 of the OP, relating to designing for pedestrian scale (8.3.1.2) and policies outlined in 8.3.2.2, by promoting:

- (a) the placement of continuous horizontal features on the first two storeys adjacent to the road;
- (b) the repetition of landscaping elements, such as trees, shrubs or paving modules;

Section 3.2 of the UDB also references proposed Public/Private Amenity Space Recommendations. These are only recommendations being made and not commitments.

The amenity spaces cited in the UDB is minor in nature for the number of residents which will be occupying the development.

- 1) The main amenity space at the NW corner is less than 3 standard parking spaces in size and will be subject to provision of a 4.5m daylight corner cut-off (referenced in section 3.3 of the UDB) that will further reduce the space and limit the vegetation that has been shown in the example photo on page 15. The primary entrance to the underground parking also restricts this space, and as the only open space, facing Riverside Drive will likely be the home of any Pylon or ground sign for the development. All these features would make this space more of a landscaped open space rather than an inviting amenity area.
- 2) The proposed open-air terraces are predominantly private with exception to the NE & SW corners and are all rendered in plan, elevation and renderings as hard surfaces. Overlaying the third floor with the parking deck floors below, it does not appear possible to provide any form of vegetation, and therefore these areas should be considered as building and not part of the landscape area calculations.

Section 3.3 of the UDB references the Landscaping Recommendations. The requested site-specific zoning amendment including relief for the minimum landscaped open space from 35% to 15%. This section of the UDB recognizes the importance of landscaping for aesthetics, shade, buffers and climate change resilience. The setback along Riverside drive has been proposed as 2.5ft (0.76m) and to include planters. Given that the wall of any planter is between 6-12" (0.15-0.30m), that would leave a very tight space that would only be capable of supporting smaller perennial plants, which would provide very little in the way of height or long-term climate change adaptation.

Additionally, Riverside Drive at this location is identified in the OP as part of the Greenway System Linkage (Section 4.2 and Schedule B) as well as a Civic Way (Section 8.7.2 and Schedule G). Both sections require that the development to protect against climate change and human health through sustainable and responsive environmental design. Exterior building designs along Civic Ways (OP 8.7.2.1) are to respect setbacks, scale and context, through reduction of visual dominance. The proposed parking structure has a singular uniform facade with little visual relief for pedestrians that stretches the entire length of the north frontage.

RECOMMENDATION:

It is recommended that an additional site-specific zoning provision be included, in conjunction with the other proposed amendments, specifying a minimum landscape setback from the Riverside Drive to a minimum of 3.0m to allow for the installation of narrower ornamental tree species with year-round interest, while not to exceed a mature height of 30ft (10m). Such species would include: Liquidambar, Columnar Ginkgo, Pyramidal Magnolia, Pyramidal Beech, Ornamental Pear, or Pyramidal Horbeam. This could be accommodated by moving the Garbage Room (8 ft wide) and Loading Space (11.92ft (3.6m)wide) from the southern end of the building internally to the main floor parking structure; allowing for the entire .

Site Plan Review:

The site will be subject to Site Plan Control and it is further recommended that the applicant provide a conceptual landscape plan to be considered as part of that application review process.

Recommendations 4, 5, and 6 of the UDB indicate an acknowledgement of the need for improvement to the landscape considerations for screening of the parking enclosure, pedestrian scale amenities and planting along Riverside Drive and Pratt Place.

Furthermore, to provide privacy for the abutting residences through a mixed planting of tall growing conifers and deciduous trees to act as visual buffers from the third floor southern amenity area and any residential units, that may overlook into the provide yards of the residences along Pratt Place and Belleview Avenue.

Parkland Dedication:

All requirements will be determined at the time a Site Plan application is received.

Transportation Planning – Rania Toufeili:

- Riverside Drive East is classified as a Scenic Drive according to the Official Plan with a required right-of-way width of 24 meters. The Riverside Drive Vista Environmental Assessment does not identify any required land acquisition at this property and therefore no conveyance is required.
- Belleview Avenue is classified as a Local Road according to the Official Plan with a required right-of-way width of 20 meters. The existing right-of-way width is 15.2 meters, however a land conveyance is not being requested at this time.
- Pratt Place is classified as a Local Road according to the Official Plan with a required right-of-way width of 20 meters. The existing right-of-way width is 16.8 meters, however a land conveyance is not being requested at this time.
- A 4.6 meter corner cut-off is required at the corner of Belleview Avenue and Riverside Drive East.
- A 4.6 meter corner cut-off is required at the corner of Pratt Place and Riverside Drive East.
- More details are required on the proposed emergency exit, how it will operate for use during emergencies and if it will be limited to an exit only.
- All accesses shall conform to the TAC Geometric Design Guide for Canadian Roads and the City of Windsor Standard Engineering Drawings.
- All exterior paths of travel must meet the requirements of the Accessibility for Ontarians with Disabilities Act (AODA).

Environmental Services

- no objections.

Pierfrancesco Ruggeri – Engineering & ROW

The subject lands are located at 3251 Riverside Drive East and 222 Belleview Avenue. The applicant is proposing to construct a 10-storey, 77 dwelling unit residential development with 129 parking spaces. The lands are currently designated Residential and Commercial by the City of Windsor Official Plan and zoned Residential District 2.2 (RD2.2) and Commercial District 1.7 (CD1.7) by Zoning By-Law 8600. The applicant is requesting an amendment to Zoning By-Law 8600 to rezone the site to Residential District 3.3 with Site-Specific provisions (RD3.3).

SEWERS – This site may be serviced by a combination of the 600mm vitrified clay combined sewer on Riverside Drive East, 825mm RCP sanitary sewer on Riverside Drive East, 675mm RCP storm sewer on Riverside Drive East, 200mm vitrified clay combined sewer on Belleview Avenue, 375mm vitrified clay combined sewer on Pratt Place and a 600mm RCP storm sewer on Pratt Place. A sewer servicing study is required to demonstrate that there is adequate capacity in the municipal sanitary and storm sewer networks. It must be demonstrated that no negative impacts will be realized by existing areas adjacent to the proposed development. This study must be completed in accordance with the City of Windsor Development Manual and the Windsor/Essex Region Stormwater Management Standards Manual. Approved site servicing drawing(s), lot grading plan(s), and a stormwater management plan are required.

The applicant is currently in discussions with Public Works regarding the relocation of the 900mm concrete pipe storm sewer that runs through the subject lands. A cost sharing agreement between the two parties will be required, subject to Council Approval for the City's share of the costs.

RIGHT-OF-WAY – The Official Plan classifies Riverside Drive East as a Scenic Parkway. An Environmental Assessment for the Riverside Drive Vista Improvement Project does not identify any conveyances required along the frontage of this property. Schedule X of the Official Plan classifies both Belleview Avenue and Pratt Place as Local Roads, requiring a right-of-way width of 20.0m. The current right-of-way widths are 15.20m and 16.80m respectively; requiring a land conveyance of 2.40m and 1.60m, however, a conveyance is not being requested at this time.

A 4.6 meter corner cut-off is required at the north-east corner of Riverside Drive East & Pratt Place, and also at the north-west corner of Riverside Drive East and Belleview Avenue.

Pratt Place is deficient of Curb/gutter. As a condition of approval, the applicant will be construct curb and gutter across the entire Pratt Place frontage to the satisfaction of the City Engineer. The proposed vehicle access to the subject lands is from the abutting alley to the south. The applicant will be required to pave and provide drainage to the entire alley abutting the subject lands. If the surrounding sidewalks or boulevard in the right-of-

way are damaged during construction, then they must be restored to the satisfaction of the City Engineer.

Driveways are to be constructed as per AS-221 or AS-222, complete with straight flares and no raised curbs within the right-of-way. Redundant curb cuts and sidewalks shall be removed and restored in accordance with City Standards to the satisfaction of the City Engineer. More details are required on the proposed emergency exit, how it will operate for use during emergencies and if it will be limited to an exit only. A Street Opening permit will be required for any work in the right-of-way.

In summary we have no objection to the proposed rezoning, subject to the following requirements (requirements will be enforced at the time of Site Plan Control):

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

Alley Paving – The owner shall agree to drain and pave at the owner's entire expense, the alley abutting the subject lands. The minimum acceptable cross-section will be 230 mm Granular "A" and 75 mm surface course asphalt in accordance with Standard City of Windsor Specifications, Selected Granular Base Course (S4) and Hot Mix, Hot Laid Asphaltic Concrete (S-10). The geometrics of the pavement shall comply with City of Windsor Standard Drawing AS-201. All work shall be to the satisfaction of the City Engineer.

Corner Cut-off – The owner agrees prior to the issuance of a construction permit, to gratuitously convey a 4.6m x 4.6m (15'x15') corner cut-off at the north-east intersection of Riverside Drive East and Pratt Place and also at the north-west intersection of Riverside Drive East and Belleview Avenue in accordance with City of Windsor Standard Drawing AS-230.

Curbs and Gutters – The Owner further agrees, at the discretion of the City Engineer, to construct at their own expense and according to City of Windsor Standard Specifications, a concrete curb and gutter along the entire Pratt Street frontage of the subject lands. All work to be to the satisfaction of the Corporation's City Engineer.

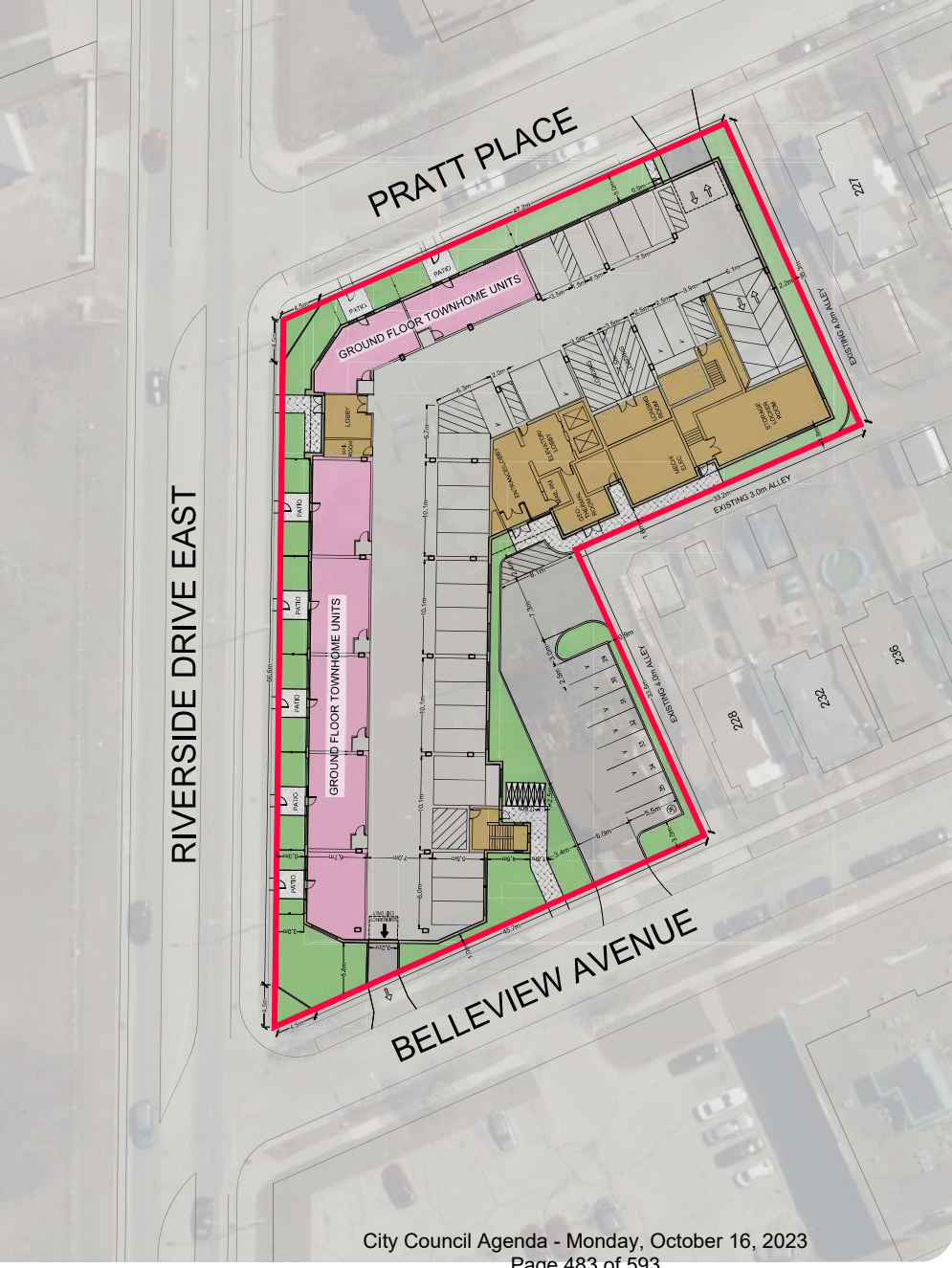
Redundant Curb Cuts – The owner agrees to remove and reinstate any redundant curb cuts on Riverside Drive East and Belleview Avenue with full height curb and properly restore the area to the satisfaction of the City Engineer.

Servicing Study – The owner agrees, at its own expense, to retain a Consulting Engineer to provide a detailed servicing study report on the impact of the increased flow to the existing municipal sewer system, satisfactory in content to the City Engineer and prior to the issuance of a construction permit. The study shall analyze both the sanitary and stormwater flow from the proposed development. The following information shall be provided in the stormwater study:

1. Determine the drainage area for the outlet,

2. Develop a hydrologic model to analyze the drainage area for both the minor and major storm event to determine a conservative release rate,
3. Provide hydraulic grade lines for both storm events as well as a grading plan depicting how the minor and major storm events will be contained.

SITE DATA MATRIX		
	REQUIRED	PROVIDED
1	PROJECT DESCRIPTION	N/A
2	ZONING DESIGNATION	RD3.3 Site Specific*
3	LAND USE	N/A
4	MAJOR OCCUPANCY(S)	N/A
5	MINIMUM SITE AREA	4,082m ²
6	BUILDING AREA (GROUND FLOOR FOOTPRINT)	N/A
7	PROPOSED ATTACHED TOWNHOME STYLE UNITS	-
8	PROPOSED APARTMENT STYLE UNITS	-
9	PROPOSED TOTAL NUMBER OF UNITS	84
10	LOT COVERAGE	35%
11	MINIMUM LOT WIDTH	45m
12	MAXIMUM BUILDING HEIGHT	30.0m
13	MINIMUM FRONT YARD DEPTH	3.0m
14	MINIMUM REAR YARD DEPTH	2.0m
15	MINIMUM EXTERIOR SIDE YARD DEPTH - BELLEVIEW AVENUE	1.0m
16	MINIMUM EXTERIOR SIDE YARD DEPTH - PRATT PLACE	3.0m
17	REQUIRED SPACES - STANDARD	83
18	PROPOSED UNCOVERED PARKING	-
19	PROPOSED FIRST FLOOR PARKING	-
20	PROPOSED SECOND FLOOR PARKING	-
21	PROPOSED THIRD FLOOR PARKING	-
22	REQUIRED SPACES - ACCESSIBLE	6 (3 TYPE A AND 3 TYPE B)
23	REQUIRED SPACES - VISITOR (15%)	16
24	PARKING SPACES - TOTAL	105
25	MINIMUM REQUIRED BICYCLE SPACES	8
26	LOADING SPACES	2
27	LANDSCAPED AREA - SOFT	N/A
28	LANDSCAPED AREA - HARD	615,766m ²
29	LANDSCAPED AREA - TOTAL	158,009m ²
30	DWELLING UNITS PER HECTARE	240*



RIVERSIDE HORIZONS INC.
3251 RIVERSIDE DRIVE EAST

CONCEPTUAL DEVELOPMENT PLAN - GROUND FLOOR LAYOUT
FIGURE 4.0

PROJECT: 20-3740
STATUS: DRAFT
DATE: 01/10/2023

SCALE: 1:250

MAP/DRAWING INFORMATION
THIS DRAWING IS FOR INFORMATION PURPOSES ONLY. ALL INFORMATION CONTAINED HEREIN SHOULD BE VERIFIED BY A/C CHECKED BY: MAM DESIGNED BY: AMG

SOURCE: THE COUNTY OF ESSEX INTERACTIVE MAPPING (2020)

LEGEND:

- SUBJECT SITE (0.35 ha/ 0.86 ac)
- PROPOSED MULTI-UNIT BUILDING
- PROPOSED TOWNHOME STYLE UNITS
- PROPOSED PAVEMENT
- PROPOSED SIDEWALK
- PROPOSED LANDSCAPED AREA

SITE DATA MATRIX		
	REQUIRED	PROVIDED
1	PROJECT DESCRIPTION	N/A
2	ZONING DESIGNATION	RD3.3 Site Specific*
3	LAND USE	N/A
4	MAJOR OCCUPANCY(S)	N/A
5	MINIMUM SITE AREA	4,082m ²
6	BUILDING AREA (GROUND FLOOR FOOTPRINT)	N/A
7	PROPOSED ATTACHED TOWNHOME STYLE UNITS	-
8	PROPOSED APARTMENT STYLE UNITS	-
9	PROPOSED TOTAL NUMBER OF UNITS	84
10	LOT COVERAGE	35%
11	MINIMUM LOT WIDTH	45m
12	MAXIMUM BUILDING HEIGHT	30.0m
13	MINIMUM FRONT YARD DEPTH	-
14	MINIMUM REAR YARD DEPTH	3.0m
15	MINIMUM EXTERIOR SIDE YARD DEPTH - BELLEVIEW AVENUE	-
16	MINIMUM EXTERIOR SIDE YARD DEPTH - PRATT PLACE	-
17	REQUIRED SPACES - STANDARD	83
18	PROPOSED UNCOVERED PARKING	-
19	PROPOSED FIRST FLOOR PARKING	-
20	PROPOSED SECOND FLOOR PARKING	-
21	PROPOSED THIRD FLOOR PARKING	-
22	REQUIRED SPACES - ACCESSIBLE	6 (3 TYPE A AND 3 TYPE B)
23	REQUIRED SPACES - VISITOR (15%)	16
24	PARKING SPACES - TOTAL	105
25	MINIMUM REQUIRED BICYCLE SPACES	8
26	LOADING SPACES	2
27	LANDSCAPED AREA - SOFT	N/A
28	LANDSCAPED AREA - HARD	N/A
29	LANDSCAPED AREA - TOTAL	35%
30	DWELLING UNITS PER HECTARE	225



RIVERSIDE HORIZONS INC.
3251 RIVERSIDE DRIVE EAST

CONCEPTUAL DEVELOPMENT PLAN - SECOND FLOOR PARKING LAYOUT
FIGURE 4.1

PROJECT: 20-3740
STATUS: DRAFT
DATE: 01/10/2023

SCALE: 1:250

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CREATED BY: A/C
CHECKED BY: M/M
DESIGNED BY: A/C

SOURCE: THE COUNTY OF ESSEX INTERACTIVE MAPPING (2020)

LEGEND:

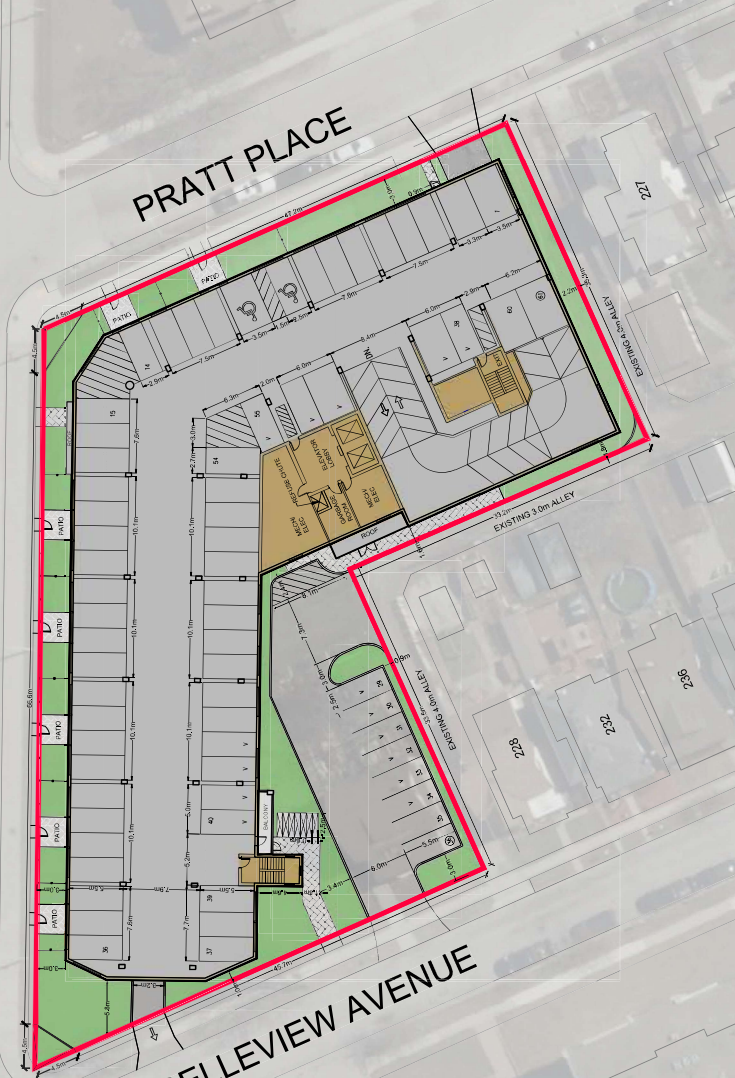
- SUBJECT SITE (0.35 ha/0.86 ac)
- PROPOSED MULTI-UNIT BUILDING
- PROPOSED TOWNHOME STYLE UNITS
- PROPOSED PAVEMENT
- PROPOSED SIDEWALK
- PROPOSED LANDSCAPED AREA

SITE DATA MATRIX		
	REQUIRED	PROVIDED
1	PROJECT DESCRIPTION	N/A
2	ZONING DESIGNATION	RD3.3 Site Specific*
3	LAND USE	N/A
4	MAJOR OCCUPANCY(S)	N/A
5	MINIMUM SITE AREA	4,082m ²
6	BUILDING AREA (GROUND FLOOR FOOTPRINT)	N/A
7	PROPOSED ATTACHED TOWNHOME STYLE UNITS	-
8	PROPOSED APARTMENT STYLE UNITS	-
9	PROPOSED TOTAL NUMBER OF UNITS	84
10	LOT COVERAGE	35%
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16	MINIMUM EXTERIOR SIDE YARD DEPTH - PRATT PLACE	3.0m
17	REQUIRED SPACES - STANDARD	83
18	PROPOSED UNCOVERED PARKING	8
19	PROPOSED FIRST FLOOR PARKING	28
20	PROPOSED SECOND FLOOR PARKING	38
21	PROPOSED THIRD FLOOR PARKING	61
22	REQUIRED SPACES - ACCESSIBLE	6 (3 TYPE A AND 3 TYPE B)
23	REQUIRED SPACES - VISITOR (15%)	16
24	PARKING SPACES - TOTAL	105
25	MINIMUM REQUIRED BICYCLE SPACES	8
26	LOADING SPACES	2
27	LANDSCAPED AREA - SOFT	N/A
28	LANDSCAPED AREA - HARD	615,766m ²
29	LANDSCAPED AREA - TOTAL	158,009m ²
30	DWELLING UNITS PER HECTARE	240*

RIVERSIDE DRIVE EAST

PRATT PLACE

BELLEVIEW AVENUE



- SUBJECT SITE (0.35 ha, 0.86 ac)
- PROPOSED MULTI-UNIT BUILDING
- PROPOSED PAVEMENT
- PROPOSED SIDEWALK
- PROPOSED LANDSCAPED AREA

RIVERSIDE HORIZONS INC.
3251 RIVERSIDE DRIVE EAST

CONCEPTUAL DEVELOPMENT PLAN - THIRD FLOOR PARKING LAYOUT
FIGURE 4.2

MAP/DRAWING INFORMATION
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CREATED BY: A/C
CHECKED BY: M/M
DESIGNED BY: A/C

PROJECT: 20-3740
STATUS: DRAFT
DATE: 01/10/2023

SCALE: 1:250

DILLON CONSULTING



DILLON
CONSULTING

Riverside Horizons Inc.

Official Plan and Zoning By-Law Amendments

Urban Design Brief
3251 Riverside Drive East

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1.0

Background

1.1

Purpose

Dillon Consulting Limited (Dillon) has been retained by Riverside Horizons Inc. (the Developer), to provide an Urban Design Brief to assist in obtaining the necessary planning approvals associated with the proposed 12 storey, 84 unit multiple dwelling residential development with associated parking areas, including three (3) storeys of parking garage located at 3251 Riverside Drive East and 222 Belleview Avenue (the Subject Site) in the City of Windsor. This Urban Design Brief follows the requirements as specified in the Pre-Submission Letter dated February 2, 2021, and provides opportunities and recommendations for the Developer to consider which will help align the proposed development with the goals, objectives and policies found in the City of Windsor Official Plan.

1.1

Description of Site

1.1.1

Existing Area Character

The subject site is located in the East Windsor Planning District on the south side of Riverside Drive East, east of Belleview Avenue and west of Pratt Place. The northern, eastern, and western property lines abut three different streets, while the south lot line is adjacent to east-west alleys with low density dwellings, multi-unit residential and long term care facilities to the east and west. The underutilized site is currently a paved parking area and a vacant single detached dwelling (222 Belleview Avenue), to be demolished. The undeveloped site is 0.35 hectares (0.87 acres), with 75.6m (248ft.) of frontage on Riverside Drive East, 50.2m (164.7ft.) along Belleview Avenue and 51.7m (169.6ft.) along Pratt Place.

The surrounding area is primarily residential, with low rise development consisting of single detached homes, converted dwellings, and a three storey apartment building, as well as high rise development in the form of apartment buildings. In close proximity to the site are some industrial uses, namely the Ford Powerhouse and East Windsor Cogeneration Plant, and open spaces, such as Alexander Park. Beyond the immediate area of the site, there is a range of commercial, residential, and industrial uses.

Pratt Place is a local neighbourhood street cross section with one lane of traffic travelling in either direction. Belleview Avenue is categorized as a one-way local neighbourhood street cross section with only one lane of traffic travelling north and a parking lane. Riverside Drive East is designated as a Scenic Drive in the Official Plan (OP) and has lane of traffic travelling in both directions with a wide painted median. There is no vegetation on the site with three (3) street trees along the western edge of the site.

Figure 1 – Location Map identifies the subject site.

Figure 1 - Location Map



There are sidewalks running along all of the adjacent streets (Riverside Drive, Bellevue Avenue, and Pratt Place), which provide connections into the larger pedestrian sidewalk network running throughout Riverside and the rest of the city. As well, there is a painted bike lane along both sides of Riverside Drive East that provides cyclists with connections throughout the city.

1.1.2 Vision for Area Character

The site, being located within the City of Windsor, is subject to the Urban Design policies detailed in the Official Plan. City Council is committed to enhancing the enjoyment and image of Windsor, along with its people, through urban design principles. It is stated that a memorable, attractive and liveable city is one where people feel comfortable and are inspired by their surroundings. As such, development should use design to protect, maintain and improve the quality of life for present and future generations by integrating the principles of sustainability and place making. As depicted in Figure 2 – Streetscape Surrounding Subject Site, the height of the proposed development is keeping in context with the surrounding area. Along Riverside Drive, there are a number of high rise buildings in close proximity and the height of the proposed development, 45m (12 storeys) is in keeping with what currently exists along much of Windsor's waterfront.

The design aesthetic of the proposed residential development is drawn from The Ford Powerhouse, namely the red brick, fenestration, and architectural details used on the exterior. The intent is to incorporate a similar brick style which is complimentary to The Ford Powerhouse, a neighbouring heritage building to the west.

1.2 Proposed Residential Development

The proposed development includes the construction of one, 12 storey residential building, with 77 apartment style units, five (5) two (2)-storey townhome style units on the ground-floor fronting onto Riverside Drive East, and two (2) one (1)-storey townhome style units on Pratt Place for a total of 84 units. The proposed building consists of three (3) storeys of parking (Floor 1 (Ground Level) to Floor 3) behind the 2 storey townhome units with nine (9) storeys of residential above. On the ground floor of the multiple dwelling residential building, seven (7) townhome style units are proposed along Riverside Drive East and Pratt Place.

The multiple unit residential building will have an entrance from Riverside Drive East with the primary entrance located internal to the site, from the surface parking lot on the southwest portion of the subject site. Secondary entrances to the overall building are to be located along Riverside Drive East and Pratt Place. The main entrance for each ground floor unit is accessed from inside the parking garage, with a patio and amenity space along the right-of-way. The proposed development requires 83 standard parking spaces, 6 accessible parking spaces, and 16 visitor parking spaces for a total of 105 spaces being required with 135 being provided between a three (3) storey parking garage and a small surface parking lot.

There are two (2) proposed site access driveways, one from Pratt Place and one from Belleview Avenue. An additional emergency exit from the parking garage is also proposed out to Belleview Avenue.

The lands are designated Residential in the City of Windsor Official Plan (OP). The units within the building primarily face north, taking advantage of the Detroit River views to the north, and towards the east. The building proposes limited units with south facing windows, all of which limits the habitable windows and balconies compared with the north, west, and east elevations. In order to ensure the privacy of the neighbouring properties, a 6.2 metre minimum separation (setback from the building to the south property line of the alley) between the proposed parking garage and the existing residential dwellings adjacent to the subject site is proposed. The south elevation does not contain any balconies, which protects the privacy for adjacent properties south of the subject site. There is a shared terrace proposed on the fourth floor of the building that includes a portion of the south elevation. The terrace on this portion of the south elevation is set back well over 10.0 metres from the adjacent properties to the south of the subject site, and will be screened with planting and a noise barrier wall.

Seven (7) townhome style units are proposed on the ground floor of the development along Riverside Drive East and Pratt Place. Along Riverside Drive East, the five (5) townhome style units are two (2)-storeys with two (2), one (1)-storey townhome style units proposed along Pratt Place. Each of the townhome style units have a primary entrance from within the parking garage and a secondary entrance from the sidewalks along Riverside Drive East and Pratt Place. Amenity space and patios are provided for each ground floor unit fronting towards the right-of-way. The townhome style units provide for a pedestrian-scale development adjacent to the public realm. In addition, the residential tower is set back above the

third storey, further offsetting the 77 apartment-style units from the existing low rise dwellings surrounding the subject site. This provides an appropriate distance so neighbours can maintain a sense of privacy on their properties. To further ensure the privacy of neighbouring properties, limited habitable windows are located on the south elevation of the proposed development.

The subject site fronts onto Riverside Drive East, which is classified as a Scenic Drive in the City of Windsor Official Plan (OP) Schedule F – Roads and Bikeways. The proposed development provides for parking on-site and makes pedestrian movement safer and more convenient by maintaining the existing sidewalk along the south side of the right-of-way. On Schedule G – Civic Image in the OP, Riverside Drive West is identified as a Civic Way. Civic Ways are intended to promote an attractive image of Windsor and maintain a sense of welcome and arrival for travelers. The existing road pattern in this neighbourhood will be preserved by this proposed development to enhance orientation and maintain the image of Windsor. Landscaping is provided along the adjacent rights-of-ways to visually reinforce the location of the subject site on a Civic Way.

The proposed development enhances the public rights-of-way through the use of design elements such as landscaping to establish a pedestrian-scaled public realm. As shown on Figure 2 – Streetscape Surrounding Subject Site, the proposed development will enhance the prominent vista of Windsor's waterfront and skyline.

Primary vehicular access will be from Pratt Place, via a 2-lane driveway into the enclosed parking garage (one entry lane, and one exit lane to allow for turning in either direction.) The majority of the parking is enclosed within the building, which includes three storeys of parking garage (First Floor, Second Floor, and Third Floor). Under the current proposal, a total of 127 vehicular parking spaces are to be provided within the parking garage. An additional 8 space surface parking lot will be constructed on the southwest side of the building, with access to Belleview Avenue and the open alley to the south for a total of 135 parking spaces on site. Refer to Figure 3 – Conceptual Site Plan – First Floor, Figure 4 – Conceptual Site Plan – Second Floor, and Figure 5 – Conceptual Site Plan – Third Floor.

Figure 3 - Conceptual Site Plan – First Floor



Figure 4 - Conceptual Site Plan – Second Floor



Figure 5 - Conceptual Site Plan – Third Floor



The proposed residential building will be located 1.0 metre from the western property line and will accommodate landscaping on the northwestern corner of the lot, including a 4.5 metre by 4.5 metre daylight corner as required by the City of Windsor. The building is set back 3.0 metres from the northern and eastern property lines abutting Riverside Drive East and Pratt Place with a standard 4.5 metre by 4.5 metre daylight corner being provided at the intersection of the two streets. The building has been configured at this corner to allow for the daylight corner and appropriate sight lines on the three parking garage levels with a cantilever design for the upper residential floors. These setbacks will accommodate landscaping that will enhance the aesthetics of the development and the pedestrian realm along the public sidewalk. Along the southern property line abutting neighbouring homes, a 2.0 metre minimum setback is proposed. The proposed location of the building from the southern lot line ranges from 2.2 metres at ground level up to over 10.0 metres on the upper floors, with the additional 4.0 metres of the existing alley, as a means to enhance the privacy for residents in the low rise residential dwellings by providing an appropriate distance between all residential dwellings.

There is direct access to the residential units via the enclosed parking garage and from outside the building on the north and west sides. The primary building entrance is located on the west side of the building

adjacent to the surface parking area fronting onto Bellevue Avenue, with secondary building entrances accessible from Riverside Drive East, Bellevue Avenue, and from within the enclosed parking garage. Refer to **Figure 6 – North Elevation**, **Figure 7 – West Elevation (Bellevue Avenue)**, Figure 8 – Inner South Elevation, **Figure 9 – Inner West Elevation**, **Figure 10 – South Elevation**, and **Figure 11 – East Elevation (Pratt Street)**.

Figure 6 - North Elevation



Figure 7 - West Elevation (Bellevue Avenue)



Figure 8 - Inner South Elevation



Figure 9 - Inner West Elevation



Figure 10 - South Elevation



Figure 11 - East Elevation (Pratt Street)



Private unit amenity spaces, in the form of balconies, facing Riverside Drive East to the north and Pratt Place to the east will be provided. In addition a clubhouse, internal to the building, as well as common terraces for the residents on the north side are provided on the fourth floor (first residential floor) of the building as additional amenity areas. There is a large fourth floor terrace proposed for provide private communal space on the southeast side of the building near Pratt Place. The fourth floor terrace will include a community garden area, adding to the amenity space available for future residents.

The floor plan for the first residential floor is shown in **Figure 12 – Floor Plan for Residential Floor 4**. Refer to **Figure 13 – Floor Plan for Residential Floors 5 to 9** for the remaining floor plans of the proposed residential development.

Figure 12 - Floor Plan for Residential Floor 4

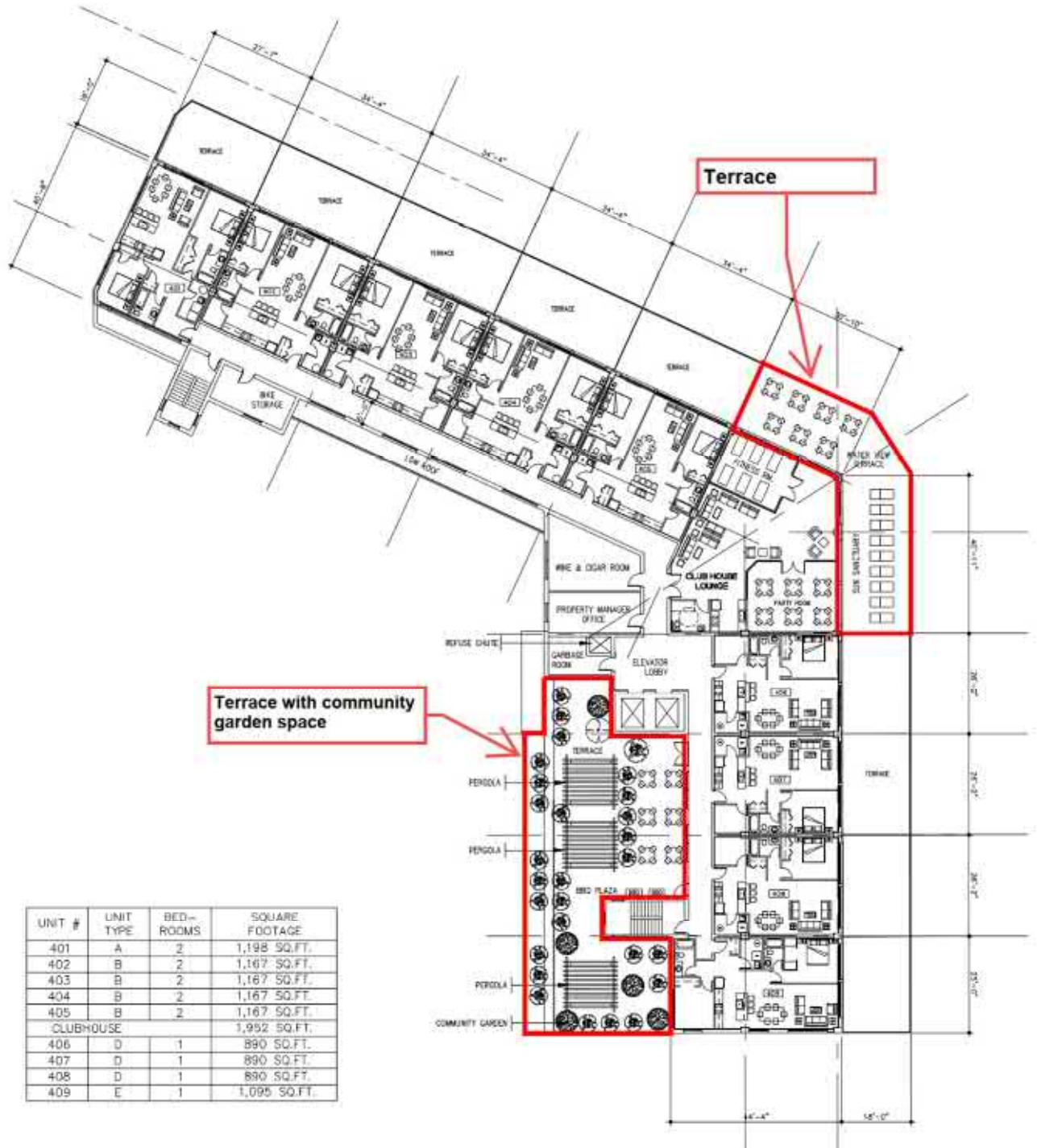
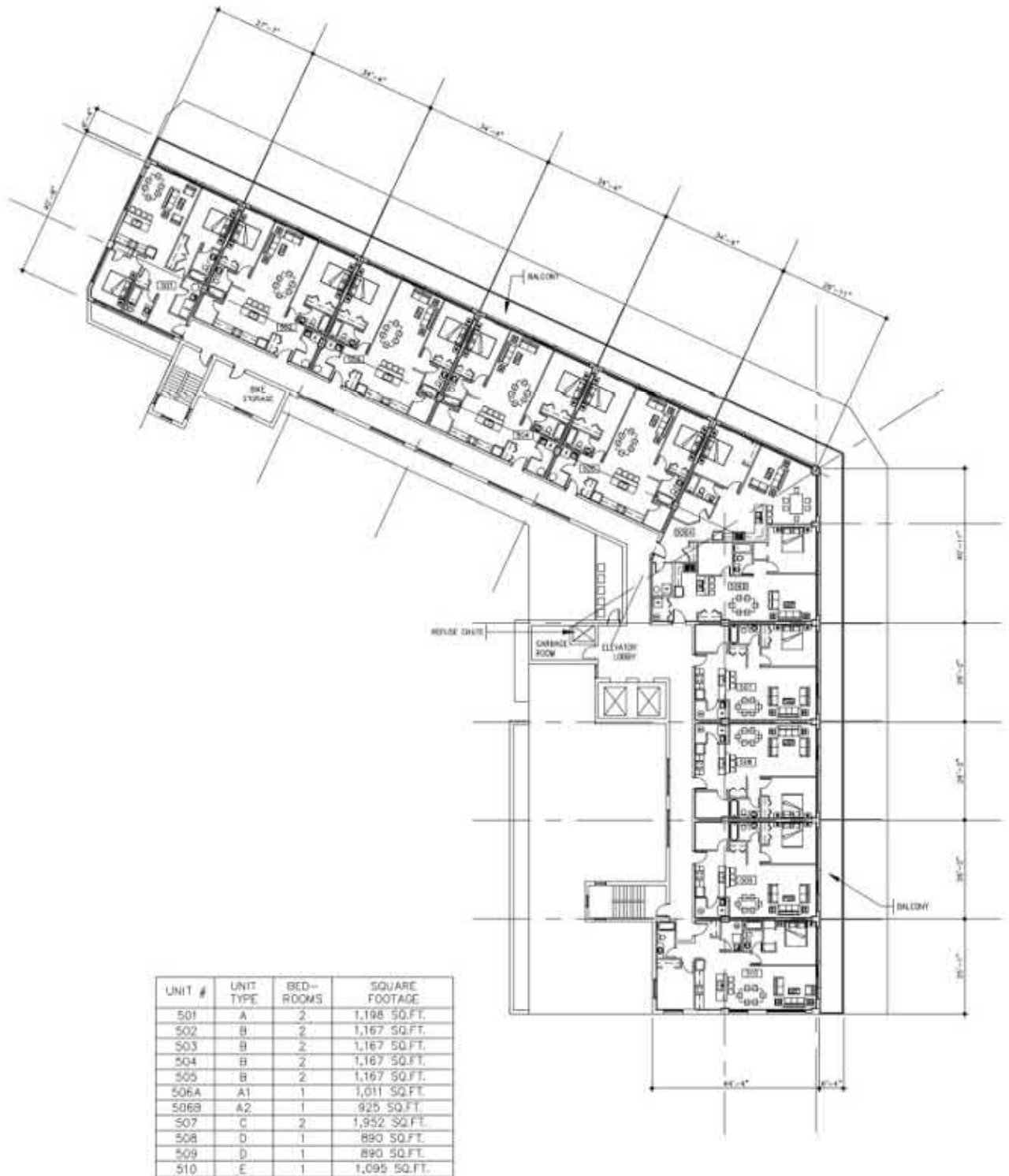


Figure 13 - Floor Plan for Residential Floors 5 to 9



To soften the façade along Riverside Drive, there is a 3.0 metre setback that includes an area for landscaping. Despite the limited landscaping space provided on the ground floor of the subject site, there is a patio proposed along the north elevation of the building and large 291.10 m² (3,133.43 sq. ft.) terrace is proposed on the fourth floor facing south and west, which will provide space for a community garden area, a patio, and seating area to be provided. In addition, balconies will provide amenity space for each dwelling unit. The landscaping buffer provided along the development's frontage and the garden space provided on the terrace will help augment the decreased landscaping on the ground floor.

2.0

Urban Design Evaluation

To determine appropriateness of the proposed development, an evaluation of the site context, building massing, and site/landscape treatment has been undertaken. The planning rationale for the project addresses the various policies and criteria in the Official Plan and identifies and evaluates the potential issues associated with the proposed development. The urban design evaluation assesses how well the proposal integrates with the context and whether the design is appropriate within its setting.

2.1

Context and Orientation

The City of Windsor Official Plan and the Provincial Policy Statement (PPS) promote the development of 'Strong, Healthy Communities' which include a provision of a variety of types and densities of housing forms. This diversity in the residential housing stock allows for a wider range of opportunities for residents of Windsor to live and to allow them to age in place. Both documents also outline the importance of providing pedestrian scale neighbourhoods. This particular site is currently vacant and sits within the East Windsor Planning District.

The subject site, which is located along Riverside Drive East between Belleview Avenue and Pratt Place, is nestled within an existing residential area in close proximity to the Detroit River. Adjacent land uses are mainly residential, comprised of high-rise apartment buildings, a low-rise apartment building, single-detached dwellings, and converted dwellings, with an industrial use located on the opposite side of Riverside Drive East. The height, massing and scale of the existing high-rise residential developments provide a context for the proposed development. See Figure 2 – Streetscape Surrounding Subject Site for a comparison between existing high-rise developments in the area and the proposed development. Connected townhome style units are proposed along the Riverside Drive East and Pratt Place frontages to enhance the public-realm with a pedestrian-scaled design. Other nearby land uses include additional residential and industrial developments, as well as commercial and institutional uses within walking distance from the site. A large open space area along the Detroit River is in close proximity to the site, along with more open space areas to the east.

Site Specific Official Plan and Zoning By-Law Amendments are being sought for the subject site to permit the development. The Residential District 3.3. Zone will be used as the base for the amendment. The proposed development is in keeping with the neighbouring heights and densities found along Riverside Drive. Many of the multi-unit residential dwellings along this stretch of Riverside Drive have similar setbacks and heights. The townhome style units along Riverside Drive East and Pratt Place provide for a transition between the high-rise multiple dwelling building and the low-rise single and semi-detached dwellings along Pratt Place. All of which maintains the existing context of the surrounding neighbourhood.

2.2 Public Realm and Private Amenity Area

The proposed development has provided outdoor amenity spaces for residents to utilize. Every unit has access to a private balcony or a patio (ground floor townhomes). There is also a common terrace proposed on the fourth floor along the north portion of the building as part of the clubhouse, and a larger terrace on the southwest portion of the building on the fourth floor. The southwest amenity area is 291.10 m² (3,133.43 sq. ft.) and includes a community garden, patio space, and a seating area.

Residents will also have access to a landscaped outdoor area which is located at ground level at the northwest corner of the site at the corner of Riverside Drive East and Belleview Avenue. Alexander Park is located approximately 700 meters from the subject site, which provides additional outdoor recreational space for residents. Seating, a shade structure, tree planting and decorative gardens will help to improve the aesthetic appearances of the exterior of the building. There are no apartment-style dwelling units proposed for the ground floor up to the third storey as these floors are proposed as a covered parking area for future residents. The ground level townhome style units are setback 3.0 metres along Riverside Drive East and Pratt Place with fencing for each unit's private patio space. As a result, providing visual and physical separation for any private amenity spaces on the ground floor level is not a concern.

There is a proposed sidewalk provided from the existing pedestrian network along Belleview Avenue, connecting to the west entrance of the proposed residential building. The front entrance along Riverside Drive East is proposed with a connection from the existing sidewalk. In addition, pedestrian sidewalks are provided from the existing sidewalk network along Pratt Place leading to the entrances on the east side of the building. The garbage and recycling room is located on the ground floor in the rear of the building interior to the site to minimize exposure to the residents. A garbage pickup area is proposed on the southwest side of the building, fronting directly towards the existing alley that runs along the southern property line of the subject site, with access provided between Pratt Place, Belleview Avenue, and south to Wyandotte Street East. Waste and recycling receptacles will be wheeled out to the drop off area outside of the garbage room on pick up day.

Currently there are little to no street tree plantings along the development site. The proposed development looks to provide vegetation to soften the interface of the façade along Riverside Drive and the public realm. Vegetation and plantings can enhance the pedestrian realm along the public right of way and to improve microclimatic conditions including protection from wind, sun etc. Due to the required site visibility triangles on the northeast and northwest corners of the subject property, vegetation cannot be planted within these areas.

2.3 Built Form and Massing

The residential apartment building is twelve (12) storeys in height, which is similar to the context of the surrounding area to the east, which is comprised of other high-rise residential buildings. Within the Residential land use designation, high profile developments are not currently permitted. Given that the

proposed development is twelve (12) storeys in height, a site specific Official Plan Amendment is required as per Section 6.3 of the City's Official Plan to permit High Profile buildings. The proposed building is expected to be 45 metres in height, and will be located in an area of Windsor with several existing multi-unit residential buildings that range in height between 20 and 36 metres. A Shadow Study, prepared by Dillon Consulting, demonstrates that the proposed development will have no major impacts on the surrounding properties.

The orientation of the building and the restricting of the residential units facing the south side of the building is intended to minimize the effect on the neighbouring low rise on Pratt Place and Belleview Avenue, reducing any concerns regarding privacy. Vehicular access to the enclosed parking garage is from Pratt Place and is located towards the rear of the development, away from Riverside Drive East, which aims to provide an improved pedestrian realm. The townhome style units screen the first two floors of the enclosed parking area from Riverside Drive East and a single floor along Pratt Place further contributing to a more pedestrian friendly streetscape. On the third floor, above the townhome style units, the enclosed parking area provides a visual transition to the apartment style units setback above.

There are pedestrian sidewalks that provide access to the enclosed parking area, one from Riverside Drive East near the intersection with Pratt Place and the other from the main driveway off of Pratt Place as well as to each of the townhome style units. The main pedestrian access is located at the corner of Riverside Drive East and Pratt Place, which has a unique setback design that leads into the parking garage. A sidewalk connection to the parking area from Belleview Avenue to the secondary building entrance will be provided as well. An emergency access for vehicles from the parking garage to Belleview Avenue is located on the west elevation at the corner of Riverside Drive East and Belleview Avenue.

The materials proposed for the façades are complementary to the existing neighbourhood which consists of more neutral brick and mortar building faces. Design inspiration for this development is drawn primarily from the architectural style of The Ford Powerhouse, located to the west of the site. The community surrounding the subject site has a long history influenced significantly by the Ford Motor Company. In fact, this part of the City of Windsor was formerly part the municipality of Ford City. Ford City emerged in the early 20th century due to the success of the Ford Motor Company and attracted workers and residents to the area. Given the nature of Ford City, the area contained many buildings constructed in a style specific to early 20th century industrial design. A hallmark of this design style is the use of red brick. The primary design inspiration for the proposed development is The Ford Powerhouse. It was designed by renowned architect Albert Kahn and constructed in 1923. The Ford Powerhouse, along with the former Our Lady of the Rosary Church (Waters Edge Event Centre), are two of the remaining structures in the area from the early 20th century and are identified on the City of Windsor Heritage Properties Inventory.

The proposed development incorporates masonry into the built form through the use of red brick, which has a long-standing history in the community. Similar to The Ford Powerhouse, the red brick is visually divided by the use of concrete details throughout the exterior of the proposed development. The

proposed development will also incorporate black mullions into the design, which is similar to the fenestration found at The Ford Powerhouse and other long-standing structures in the community. The details found on the façades of The Ford Powerhouse can be seen in Figure 14 – Exterior Façade of the Ford Powerhouse Building.

The mix of bricks and glazing proposed for the townhome style units help to break up the look of the façade and the neutral colours are consistent with the surrounding community. The façade of the upper floors have some variation in the materials and the setback of the building to break up the look of a continuous wall. The south walls, and some of the west walls, are comprised largely of brick with some windows, limited balconies, and masonry detailing to provide variation.

Figure 14 - Exterior Façade of the Ford Powerhouse Building



3.0

Recommendations

Through this urban design evaluation, a number of recommendations have been developed to help align the proposed development with the vision for the area. The recommendations pertain to the building materiality and massing, public connections, landscape and visual aspects of the proposed development. The aim should be to lessen the impact of the higher density development on the adjacent lower density neighbourhood as well as complement and enhance the public realm right of way along Riverside Drive East, Belleview Avenue, and Pratt Place. The recommendations are outlined below.

3.1

Building Massing and Materiality Recommendations

The main entrances should be clearly defined to avoid confusion, especially for visitors. The Developer should consider adding more visually prominent and welcoming features to the entrances on both sides of the building. Elements could include a change in material such as glazing/glass or architectural elements to provide distinction.

The proposed development incorporates prominent features to the entrances of the building. The main pedestrian entrance is located at the corner of Riverside Drive East and Pratt Place. This entrance includes glazing details and is proposed in a location that clearly defines the entrance for future users. Above the ground level units, there is a change in materials that visually distinguishes the townhome style units from the upper floors with apartment style units.



Example of glass/glazing entrance



Example of elements used to indicate an entrance

To better integrate into the surrounding area and to create a more aesthetically interesting development, the Developer should consider interventions pertaining to the massing of the building to be in harmony with the neighbouring development. The development, as it stands, does not appear to have a major impact on the adjacent properties and fits with the character of the Riverside Drive East streetscape. The introduction of ground level units along Riverside Drive East and Pratt Place break up the appearance of a monotonous wall.

The side walls of the building, especially the façades on the ends of development which face the adjacent residential neighbourhoods and a portion of Belleview Avenue should have brickwork or other features that provide interest and harmonize with the balance of the neighbourhood. By having similar treatments as the north façade, the entirety of the building maintains visual interest. To respect the privacy and scale of the neighbouring dwellings, the windows on the south façade of the building are limited in number and size, and are primarily hallway access corridors.



Example of architectural articulations and window fenestrations



Example of colour and material variation on building façade

The fenestration for the proposed development incorporates similar details found at the Ford Powerhouse Building. Namely, the vertical and horizontal detailing of each window. In addition, the predominantly brick exterior of the proposed development is broken up with concrete detailing in a similar fashion to the Ford Powerhouse Building and neighbouring high rise developments east of the subject site. To best fit with the existing character of the neighbourhood, the proposed development incorporates a modern interpretation of the design aesthetic and desire to play homage to the important history of the area.

3.2 Public / Private Amenity Space Recommendations

The main outdoor amenity space proposed is the landscaped area at the northwest corner of the building, adjacent to the intersection of Riverside Drive East and Belleview Avenue, and around the surface parking area closest to Belleview Avenue. In addition, open air terraces are proposed on the fourth floor, one along Riverside Drive, as part of the club house lounge area and one on the west side of the proposed development. A community garden space is proposed on the west side of the fourth floor terrace. This space adds to the amenity space available for future residents. These open air terraces are proposed above a portion of the garage, where the residential tower is setback. The west-facing open air terrace is separated from the existing residential dwellings via a rear-yard setback providing over 6.0 metres of

separation from the neighbouring dwellings to the south, and is at a height which precludes residents from imposing on the privacy of neighbours. In addition, a noise barrier wall will be installed along the outside walls of the terrace further screening the terrace from the existing residents. Other amenity space is available for future residents via the club house lounge space located within the building on the fourth floor.

This is an important amenity for residents of the development as well as the surrounding community as a gathering space and rest area. The amenity area should be appealing and provide a connection from the public right-of-way. Internal circulation, such as sidewalks and pedestrian thoroughfares, are also important outdoor amenities.



Example of using landscaping to delineate outdoor amenity space.

Amenity spaces should be visually or physically accessible from the public right-of-way for safety purposes and to maximize use. This can be done with changes in materials, pedestrian paths, landscaping, lighting and other public realm features which would invite users into the space. We would recommend that seating, landscaping and lighting be provided throughout the site in the final design, creating multiple viewpoints in both shade and sunny locations for four season use.

Efforts should be made to incorporate aspects of sustainability and climate change proactivity within the development. Along with designing a more energy efficient building, the outdoor amenity spaces can become sustainable as well. This can be accomplished by efforts such as choosing sustainable materials and incorporating stormwater management into the design (i.e. permeable pavers, rain gardens, stormwater collection, etc.), as well as incorporating only local materials and planting.



Example of sustainable design, which incorporates permeable pavement to help with stormwater management¹

Private amenity space has been considered and is important for the residents of the proposed development. Each apartment style unit includes a private balcony. The units on the north side of the building have balconies that face north towards Riverside Drive East with the units on the east side of the building all facing towards Pratt Place. On the ground floor, each townhome style unit has a private patio fronting onto the public right-of-way. The proposed private balconies and patios offer residents their own outdoor amenity space, which is an extension of their homes.

¹ "Permeable interlocking concrete pavement," Paving the Future, accessed October 6, 2021, <https://landscapeontario.com/paving-the-future>.

The community garden space on the fourth floor contributes to the available amenity space for future residents. In addition, plantings are proposed on the fourth floor terrace that will enhance the amenity space provided for future residents. Other private amenity space will be provided within the building, allowing residents to meet and interact when necessary.

3.3 Landscaping Recommendations

The site has potential to better incorporate trees and vegetation within the property's boundaries, contributing to the existing urban tree canopy in the vicinity. The concept plan showcases some areas which can be treated with strategic landscaping which would improve the aesthetic for the amenity area for residents and to soften the transition for residents and pedestrians in the adjacent neighbourhood. Areas for planting are provided along the patios of each townhome style unit adjacent to the public realm.

A landscaped buffer as well as fencing will be installed between the south-facing exterior of the building and the alley, as well as on the west-facing exterior of the building and the neighbours. Due to the 4.5m by 4.5m daylight corners required at both intersections - Pratt Place and Riverside Drive as well as Belleview Avenue and Riverside Drive, the area for planting trees or vegetation on the subject property is limited. Planting is not permitted within the required site line setbacks; however, landscaping can be provided along some of the west portions of the site as well as the possibility for planters included along the sidewalk or between the daylight corner and the building on the east portion of the site. Incorporated within the proposed development, planters will be added on the fourth floor terrace space, enhancing the green space within the subject site. Landscaping features can be incorporated along the frontage of the development facing Riverside Drive East and Pratt Place. This will improve the pedestrian environment for future residents as well as neighbouring properties that use the sidewalks.

The Developer should consider adding screening vegetation to lessen the visual impact of the surface parking lot from the adjacent parcel as well as from the street. In addition to views from outside the site, there is also opportunity to provide additional planting within the parking areas for improved aesthetics. The Developer should also consider organized landscape plantings to add aesthetic quality the space in between the building and property lines where the informal and formal amenity spaces are being proposed.

A Landscape Plan should be completed for the subject site as part of Site Plan Control approval.

3.4 Surrounding Context

Given the location of the subject site, there is an opportunity to incorporate design elements that enhance both the proposed development as well as benefit the surrounding area.

3.4.1 Ford City Community Improvement Plan

The site is located directly outside of a Community Plan Area boundary; however, the building design still incorporates elements from the Ford City Community Improvements Urban Design Guidelines and Policies. As per the Guidelines and Policies, the scale of the building is consistent with heights, mass, widths, and proportions (Ford City CIP, 4.3.2.4.1). This is evidenced in Figure 2 – Streetscape Surrounding Subject Site, which shows the proposed residential development compared with other existing high-rise developments in the area. The building is orientated towards the right-of-way and along the exterior property line as a means to frame and strengthen the street edge (Ford City CIP, 4.3.2.4.2). Further, the at-grade entrances of the residential building should be prominent and facing the public street (Ford City CIP, 4.3.2.4.3). The materials and colours are proposed to be in a palette and of a quality that is compatible with the existing buildings in the neighbourhood (Ford City CIP, 4.3.2.4.6).

3.4.2 Pedestrian Accessible Amenities

There is an excellent opportunity to utilize the parkland which is located within 700m of the proposed development to the northeast. Alexander Park is located on the north side of Riverside Drive East and provides users with access to the riverfront. The park provides for additional amenity space as it includes an expansive grassy area with a number of mature trees that provide shade during the spring and summer months. Throughout Alexander Park there are paved trails and seating available.

Looking to the Greenway System (Schedule B) via the Official Plan, the subject site is located amidst multiple 'Recreation-ways' that connect all parkland across the City of Windsor. Further, Alexander Park includes linkages to additional parks elsewhere in Windsor. The proposed residential development would help to maintain the use of the continuous trail and parkland network and would be a definite benefit and commodity for residents in the future units.

As noted, the proposed residential development will provide pedestrian connections from the site directly into the existing sidewalk networks along Riverside Drive East, Belleview Avenue, and Pratt Place. This public sidewalk network provides direct pedestrian connection between the proposed development and Alexander Park. Providing these connections will achieve the goal for the area of providing a pedestrian focused environment. It will allow the public as well as residents to access the parkland easily. The Developer should ensure that the walkway connections from the site to the existing sidewalk network facilitate easy and safe pedestrian navigation towards Alexander Park. Providing benches and pedestrian scale lighting along the interior pathways would improve the experience for users.

Conclusions

Based on our review of the proposed development if done in consideration of urban design opportunities and recommendations which have been presented we have concluded:

1. The proposed development aligns with the overall vision for the area as outlined in the Official Plan, and with adjustments to some design elements the site can further align with the character as outlined by the City of Windsor and the Ford City CIP recommendations.
2. The proposed development does not adversely affect the neighbouring properties as it is similar in scale, mass and design to many of the high rise buildings in the area. The existing low rise development in the area is already surrounded by higher profile residential, industrial and institutional uses and exist in harmony with these structures.
3. The proposed development provides a transition from the surrounding low rise dwellings through the addition of townhome style units along the ground floor of the development. The one and two storey townhome style units are similar in scale and height to the existing single and semi-detached dwellings along Pratt Place. Townhome style units will enhance the public realm along Riverside Drive East and Pratt Place.
4. The proposed development respects the close proximity to the lower profile buildings and has been positioned on the site as far to the north as possible and has limited the potential for privacy issues by reducing the number of habitable windows along the south side of the building. In addition, any units located on the southernmost elevation have been set back from the edge of the enclosed parking garage and the southwest limit of the property to provide further separation.
5. The proposed development provides visual screening for the ground level parking enclosure through the inclusion of one and two-storey townhome style units.
6. The proposed development should acknowledge, through design, the nearby park. There would be benefits for future residents if connections to the parkland system, located northeast of the site, were easily navigable.
7. The proposed development has opportunities to provide landscaping and planting of vegetation along Riverside Drive East and Pratt Place, softening the interface along the property lines and to provide internal planting to improve the aesthetic appeal of the site.
8. The proposed development should implement the design considerations as presented in the Recommendations section for this development (including pathways, seating, and pedestrian-scale lighting).

July 28, 2023

Attention: The City of Windsor Development and Heritage Standing Committee

Re: File #ZNG/6653 Z-001/22
Proposed Zoning Bylaw Relief for the Multi-Residential Building Development
3251 Riverside Dr E and 222 Belleview

Dear Members of the Development and Heritage Standing Committee:

We are writing this letter as long-time residents of Riverside Drive East who share the vision of a vibrant and flourishing Riverside Drive. While the efforts towards development and progress in our community are appreciated, this document is respectfully submitted to express opposition to the proposed zoning bylaw relief that would allow a significant increase in building height, reduced landscaped space, and expanded lot coverage for the proposed multi-residential building at 3251 Riverside Dr E and 222 Belleview.

First and foremost, the importance of development in our city to accommodate growth and address the needs of our growing population should be acknowledged. However, that development must be carried out responsibly and thoughtfully, with a keen understanding of the existing zoning bylaws and the impact it may have on the neighborhood's character, infrastructure, and environment.

- 1) **Preserving the Current Zoning Bylaw Parameters:** The proposed development is asking the committee to amend the zoning to go from RD2.2 (which allows a 20m maximum height for any building) and CD1.7 (parking lot designation), both to RD3.3. There is no opposition to this change to RD3.3. However, the proposed development is then asking to far overreach the parameters of a newly designated RD3.3 to build *to heights more than double the current zoning, to eliminate most of the green space requirements, and to drastically increase the lot coverage rules*. The subject property is simply too small to accommodate the structure that is being proposed. Current zoning bylaws were established to strike a balance between development and preservation of the existing character of the area. It is essential to adhere to these parameters to maintain a harmonious and cohesive environment that respects the needs of both residents and businesses. Granting excessive height and lot coverage exceptions as well as reducing minimum landscaped space would not only disrupt the existing urban fabric but will set a precedent for further deviations from the original vision.
- 2) **Consideration for Setback from the Road:** The proposed multi-residential building's proximity to Riverside Drive East is of significant concern. The current proposal is only set back a few feet from an extremely busy roadway and is asking permission to rise higher than any surrounding buildings. Combining these factors creates a looming structure that overshadows all else around it and detracts from the visual attractiveness of Riverside Drive East. By setting the building further back from the road, we can create

a more pedestrian-friendly environment, reduce traffic congestion, and improve safety for residents and visitors. Moreover, this setback will ensure the preservation of open spaces and views, contributing to the overall aesthetic appeal and enhancing the streetscape quality.

- 3) Alignment with Riverside Drive Vista Improvement Project Goals: The developer's submitted plan by Dillon Consulting makes reference to attempting to adhere to the Ford City Urban Design but clearly acknowledge that this proposed development is *outside* the area of Ford City. It would be more fitting for this project to align with the Riverside Drive Vista Improvement Project, which was designed with a comprehensive vision for enhancing transportation, aesthetics, civic, and residential functions along the corridor. To achieve these goals, any development should be carefully aligned with this project's principles and contribute positively to the community's well-being. Deviating from the established guidelines and parameters would undermine the project's vision and could potentially lead to missed opportunities for creating a thriving and cohesive neighborhood.
- 4) Sustainable and Responsible Development: As responsible citizens, sustainable development practices that minimize the environmental impact and consider the long-term consequences on our community's well-being must be prioritized. By changing to *but still maintaining the zoning bylaw parameters of RD3.3*, developers are encouraged to design projects that utilize eco-friendly technologies and support a sustainable lifestyle for future generations, while maintaining the aesthetic appeal and functionality of the area that is in line with Windsor's current zoning bylaws.

In conclusion, it should be reiterated that the opposition is **not** against development itself, nor the zoning change to RD3.3, but **opposition is firmly against the request for relief from RD3.3 zoning bylaws**. We all support responsible and well-planned development that aligns with the existing zoning bylaws and maintains the aesthetic and functional appeal of Riverside Drive East. The Development and Heritage Standing Committee is requested to carefully consider these concerns and promote a collaborative approach that respects the aspirations of the community while fostering growth and prosperity.

Thank you for your attention to this matter. We hope these factors will be taken into close consideration in order to create a future that all residents can be proud of.

Sincerely,

Robert Woodall
Linda Tietze
Bill (Vito) Maggio
Michelle Maggio
Dan Mazur
Betty Mazur

From: Stephen Ducharme
Sent: August 21, 2023 3:46 PM
To: Stuart, Kelly <kstuart@citywindsor.ca>; Abbs, James <jabbs@citywindsor.ca>; clerks <clerks@citywindsor.ca>
Subject: Re: FILE NUMBER ZNG/6653 Z-001/22

Hi Kelly,

Thank you for your email. The problem is that I am scheduled to be in Central America that week of September 11. Even though all neighbours that I have spoken to are against this proposed development, the crucial challenge would need to be addressed by me as I am the closest property owner that has already been impacted by the increased traffic congestion on Pratt and Riverside. It is the historical Damase Pratt House, 3336 Riverside Drive East that I own where it has now been multiple times that I have had to re-build my historical fence on Riverside Drive from cars hitting this from increased car traffic in just the past few years alone. It is my property that would be most severely impacted by this proposed development.

I am strongly opposed to this proposed zoning change after having invested so heavily in this specific area. Not only I am opposed of the change of the historical character of this very unique neighbourhood that I have invested so heavily in, but most importantly, the proposed building proximity to Riverside Drive is of grave concern to all residents. This specific intersection is already one of the busiest in the city with extreme traffic congestion. I have witnessed severe traffic accidents including head-on collisions resulting in severe injury. There is also a senior living retirement home with over 135 senior Windsor residents that live only a few feet from this proposed development site that I watch many of them carefully with limited mobility as well as now possibly an unsafe proposed pedestrian set back from Riverside Drive. I strongly believe someone should speak on their behalf as well as those in the community have the obligation to look after their interest.

Both increased density as well as unsafe setback from Riverside Drive as proposed, to all pedestrian traffic is dangerous. This specific issue is important enough that if I am able to, I would be willing to fly all the way from Central America to be able to be addressed. It will be very difficult for me to be given such short notice of only August 29th for me to change my schedule and cancel my other meetings to make arrangements to fly all the way back. It would be very helpful if this file could be added to the following standing committee meeting after September 11th to ensure that I can attend as September 11th is already extremely short notice for me and will be very difficult for me to attend. Please do let me know if this could be added to the next meeting after September 11th, along with as far in advance notice as possible so that I can have a voice in a community that I have invested in and love so much.

Thank you,
Stephen P. Ducharme

September 11, 2023
Development & Heritage Standing Committee
Item 7.1 – Written Submission

From: Tara Rabie
Sent: August 29, 2023 9:19 AM
To: clerks <clerks@citywindsor.ca>
Subject: Written Submission RE: OPA/171 and ZNG/6653

I'm writing in regards to OPA/171 and ZNG/6653 - Application Riverside Horizons - 3251 Riverside Drive E and 222 Belleview. I'm strongly opposed to the amendment to the zoning by-law 8600.

This original plan was for a 4 storey building. 12 storeys would overshadow our neighbourhood and the traffic would be a nuisance to residents on Pratt and Belleview. The proposed building would be larger than the Ford Powerhouse building, which is a beautiful landmark in our area, as well as the Holy Rosary Church / Water's Edge Event Centre building. Our neighbourhood block consists of 2 storey homes built mostly between 1910 - 1921.

We have had issues with nearby Lifetimes staff and guests and other nearby apartment residents taking up street parking and parking on the boulevard in front of our homes (no curbs), despite having adequate parking, which now causes flooding in some areas on our street and sidewalks. Belleview residents also have issues with street parking and the apartment on their street. Should the building's parking not be used by tenants or guests, it would cause more stress and I am concerned about the added traffic when leaving our driveways. If cars properly park, the street is narrow and our driveways are small, offering little warning when cars are driving or speeding down the street. Other apartment buildings in the area have driveways from Riverside Drive / Erskine / Wyandotte, separating them and offering traffic relief. This building would only have access from Belleview and Pratt. I'm also concerned about the future changes to our street to accommodate this building (possible one way). The proposed driveways for the building are located on Pratt are closely located where the emergency vehicles (fire trucks) park when called for the nursing home. I've seen as many as 4 fire trucks parked on that corner. Turning left onto Riverside or Wyandotte would be difficult during busy times, potentially backing up traffic. Had this issue when Strabane was being worked on and traffic was detoured to our street. It made coming and going very difficult, and I would not want this on a daily basis. The nursing home frequently has a large Sysco truck that makes deliveries, and garbage / recycling trucks for them and the Skyline apartment.

The apartment buildings in the neighbourhood are currently surrounded by landscaped open space, this building would have a reduced area offering little separation from the residential homes. Green space and trees currently offer a nice buffer between our homes and buildings. I often sit in my living room where my north facing windows show the bright blue sky, and the sun is reflected from the Lifetimes windows / building towards my home, this would negatively affect this building according to the shadow report. We would be almost completely surrounded by oversized apartment buildings, decreasing the enjoyment / views from our homes. No one wants to feel like they're being watched all the time while trying to enjoy their own space.

Also the lack of green space for pet owners. I don't want my yard used as a replacement. I've had people in apartments using my garbage to dispose waste, and renters without yards using our front yards, killing some of my garden plants and not cleaning up frequently down the block. This would be multiplied. <https://www.theglobeandmail.com/real-estate/toronto/article-torontos-condo-communities-have-a-dog-poo-problem/>

My home was built in 1921, I spent a significant amount of money repointing my bricks and improving my home and am very concerned about the proximity, and the negative effects the construction may have on our properties.

I'm not opposed to the development, but I'm strongly opposed to the size and negative impact it would have in our neighbourhood. Buildings of this size, in this close proximity negatively impact our homes. This would be better suited for Drouillard and Riverside. Our neighbourhood needs something complementary to our neighbourhood.

Thank you,

Tara R.



Committee Matters: SCM 244/2023

Subject: Zoning By-law Amendment Application for 3335 Woodward Boulevard, Z-021/23 [ZNG-7066], Ward 9

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Fred Francis

Decision Number: **DHSC 547**

- I. THAT Zoning By-law 8600 **BE AMENDED** for the lands located on the southwest corner of Seymour Boulevard and Woodward Boulevard, described as Block A & Part of Block B, Plan 1513, by adding a site specific provision to permit *One Single Unit Dwelling* as an additional permitted use within the existing former St. Christopher's Parish Hall, subject to additional regulations:

485. SOUTHWEST CORNER OF SEYMOUR BOULEVARD AND WOODWARD BOULEVARD

- (1) For the lands comprising of Block A & Part of Block B, Plan 1513, PIN No. 01561-2695 LT, *One Single Unit Dwelling* shall be an additional permitted use within the existing former St. Christopher's Parish Hall and the following shall apply:

1. Provisions in section 13.1.5
2. Gross Floor Area - Single Unit Dwelling - 400.0 m² maximum

[ZDM 12; ZNG/7066]

- II. THAT the holding (H) symbol **BE REMOVED** when the applicant/owner submits an application to remove the holding (H) symbol and the following condition is satisfied:
 - a) The owner shall demonstrate that the existing former St. Christopher's Parish Hall will comply with the Noise Exposure Forecast/Noise Exposure Projection (NEF/NEP) limits set forth

under *Table C-4 Indoor Aircraft Noise Limits (Applicable over 24-hour period)* of the Ministry of the Environment and Climate Change (MOECC) *Environmental Noise Guideline - Stationary and Transportation Sources - Approval and Planning (NPC-300)* to the satisfaction of the Chief Building Official.

[ZDM 12; ZNG/7066]

Carried.

Report Number: S 95/2023

Clerk's File: Z/14605

Clerk's Note:

1. The recommendation of the Development & Heritage Standing Committee and Administration are the same.
2. Please refer to Item 7.2 from the Community Services Standing Committee held on September 11, 2023.
3. To view the stream of this Standing Committee meeting, please refer to:
<http://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20230911/-1/9432>

Subject: Zoning By-law Amendment Application for 3335 Woodward Boulevard, Z-021/23 [ZNG-7066], Ward 9

Reference:

Date to Council: September 11, 2023
Author: Brian Nagata, MCIP, RPP
Planner II - Development Review
(519) 255-6543 ext. 6181

Planning & Building Services
Report Date: August 3, 2023
Clerk's File #: Z/14605

To: Mayor and Members of City Council

Recommendation:

- I. THAT Zoning By-law 8600 **BE AMENDED** for the lands located on the southwest corner of Seymour Boulevard and Woodward Boulevard, described as Block A & Part of Block B, Plan 1513, by adding a site specific holding symbol (H) and provision to permit *One Single Unit Dwelling* as an additional permitted use within the existing former St. Christopher's Parish Hall, subject to additional regulations and the removal of the (H):

485. SOUTHWEST CORNER OF SEYMOUR BOULEVARD AND WOODWARD BOULEVARD

(1) For the lands comprising of Block A & Part of Block B, Plan 1513, PIN No. 01561-2695 LT, *One Single Unit Dwelling* shall be an additional permitted use within the existing former St. Christopher's Parish Hall and the following shall apply:

1. Provisions in section 13.1.5
2. Gross Floor Area - Single Unit Dwelling - 400.0 m²
maximum

[ZDM 12; ZNG/7066]

- II. THAT the holding (H) symbol **BE REMOVED** when the applicant/owner submits an application to remove the holding (H) symbol and the following condition is satisfied:
 - a) The owner shall demonstrate that the existing former St. Christopher's Parish Hall will comply with the Noise Exposure

Forecast/Noise Exposure Projection (NEF/NEP) limits set forth under *Table C-4 Indoor Aircraft Noise Limits (Applicable over 24-hour period)* of the Ministry of the Environment and Climate Change (MOECC) *Environmental Noise Guideline - Stationary and Transportation Sources - Approval and Planning (NPC-300)* to the satisfaction of the Chief Building Official.

[ZDM 12; ZNG/7066]

Executive Summary:

N/A

Background:

Application Information:

Location: 3315 & 3335 Woodward Boulevard
(Block A & Part of Block B, Plan 1513; Roll No. 070-240-19000; PIN No. 01561-2695 LT)

Ward: 9

Planning District: Devonshire

Zoning District Map: 12

Owner: H.I.A. Harmony In Action Windsor

Applicant: H.I.A. Harmony In Action Windsor
(Elizabeth Esposito - Executive Director)

Authorized Agent: None

Proposal:

The applicant is requesting an amendment to Zoning By-law 8600 for the lands located on the southwest corner of Seymour Boulevard and Woodward Boulevard, known municipally as 3315 and 3335 Woodward Boulevard (the subject property).

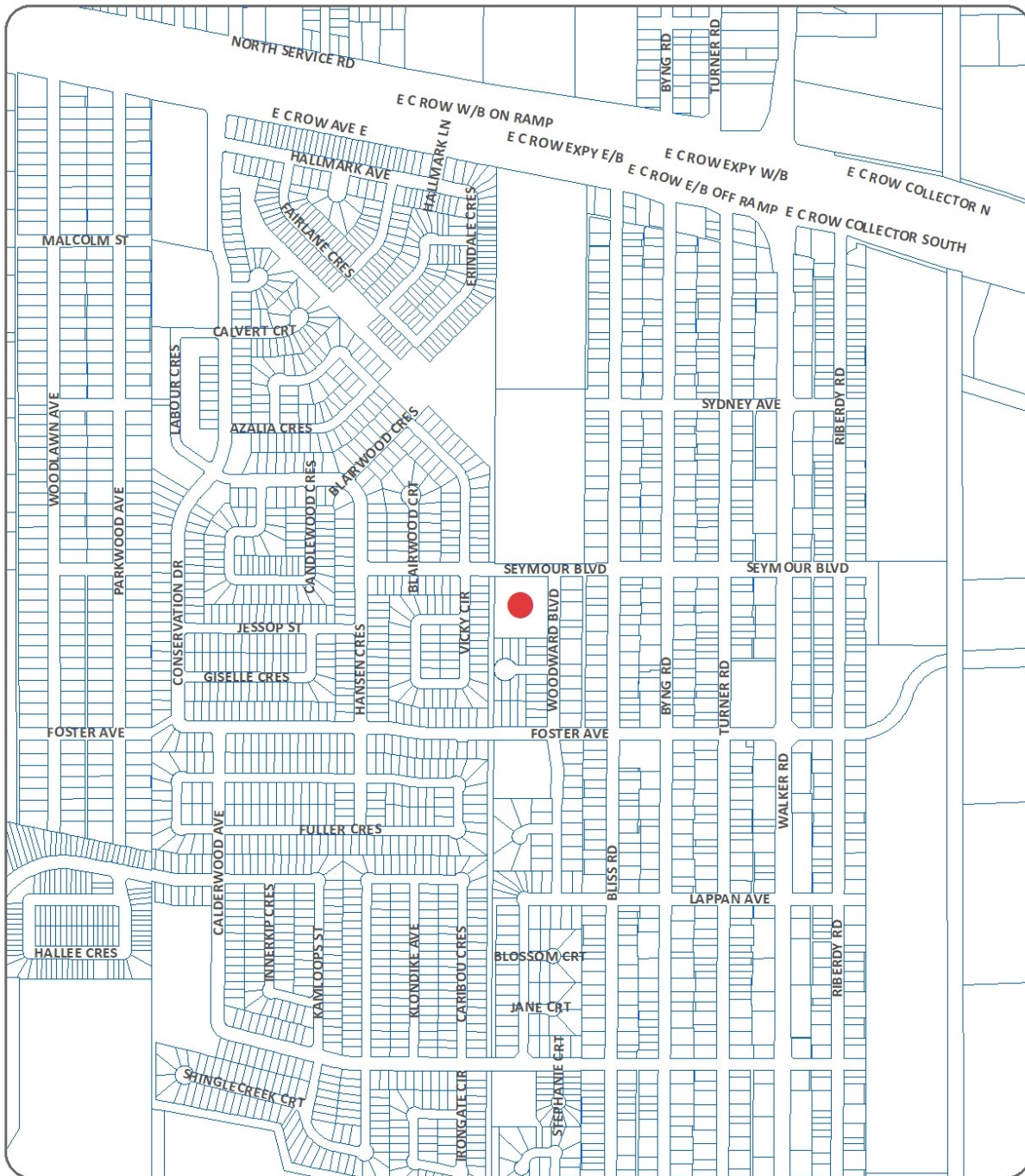
The applicant proposes to perform interior alterations to the former St. Christopher's Parish Hall to establish a Single Unit Dwelling to accommodate a client with an intellectual disability. The Institutional District 1.1 (ID1.1) zoning does not permit a Single Unit Dwelling use. The applicant proposes to change the current ID1.1 zoning to a Residential District 1.1 (RD1.1) zoning to allow a Single Unit Dwelling use.

Submitted Information: Conceptual Floor Plan (See Appendix A), Conceptual Site Plans (See Appendix A), Deed and Zoning By-law Amendment Application Form.

Site Information:

Official Plan	Zoning	Current Use	Previous Use
Residential	Institutional District 1.1 (ID1.1)	Business Office of a non-profit charitable organization Club (Legal Non-Conforming)	Place of Worship (Church)
Lot Width	Lot Depth	Lot Area	Lot Shape
85.9 m	100.6 m	8,639.6 m ²	Rectangular
<i>All measurements are based on Reference Plan 12R-22310.</i>			

The subject property contains two (2) circa 1950 one (1) storey institutional buildings (formerly St. Christopher’s Roman Catholic Church and St. Christopher’s Parish Hall), a one (1) storey circa 1950 detached two (2) car garage, a parking area and an outdoor amenity area. The remainder of the subject property is maintained as landscaped open space yard. The institutional buildings have been used as a Business Office of a non-profit charitable organization and a Legal Non-Conforming Club (Harmony In Action Windsor) since approximately 2010. The subject property was used for agricultural purposes prior to the establishment of St. Christopher’s Roman Catholic Church.

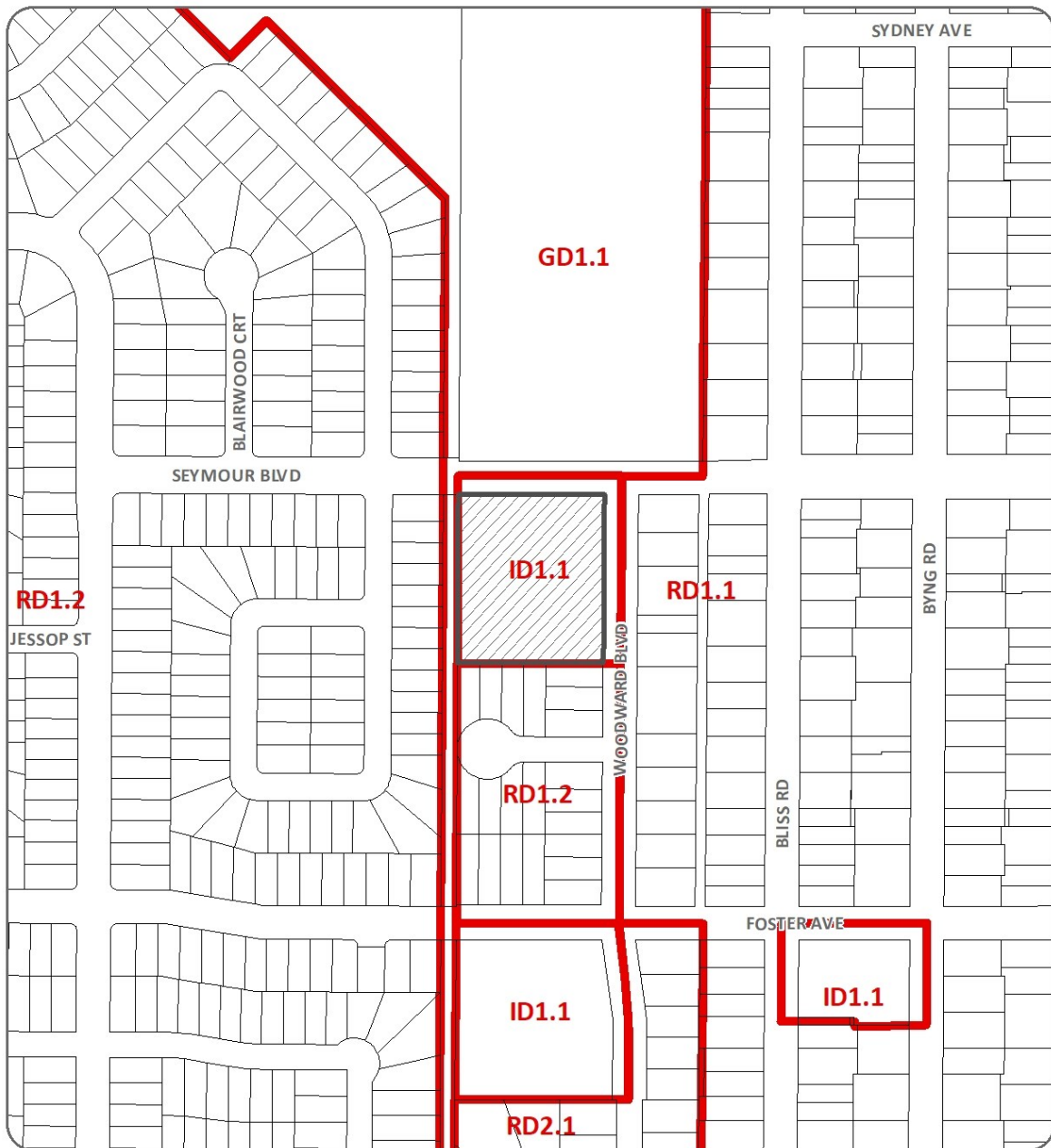


KEY MAP - Z-021-23, ZNG-7066



● SUBJECT LANDS

Figure 1 - Key Map



PART OF ZONING DISTRICT MAPS 12

N.T.S.

REZONING

Applicant: Harmony In Action



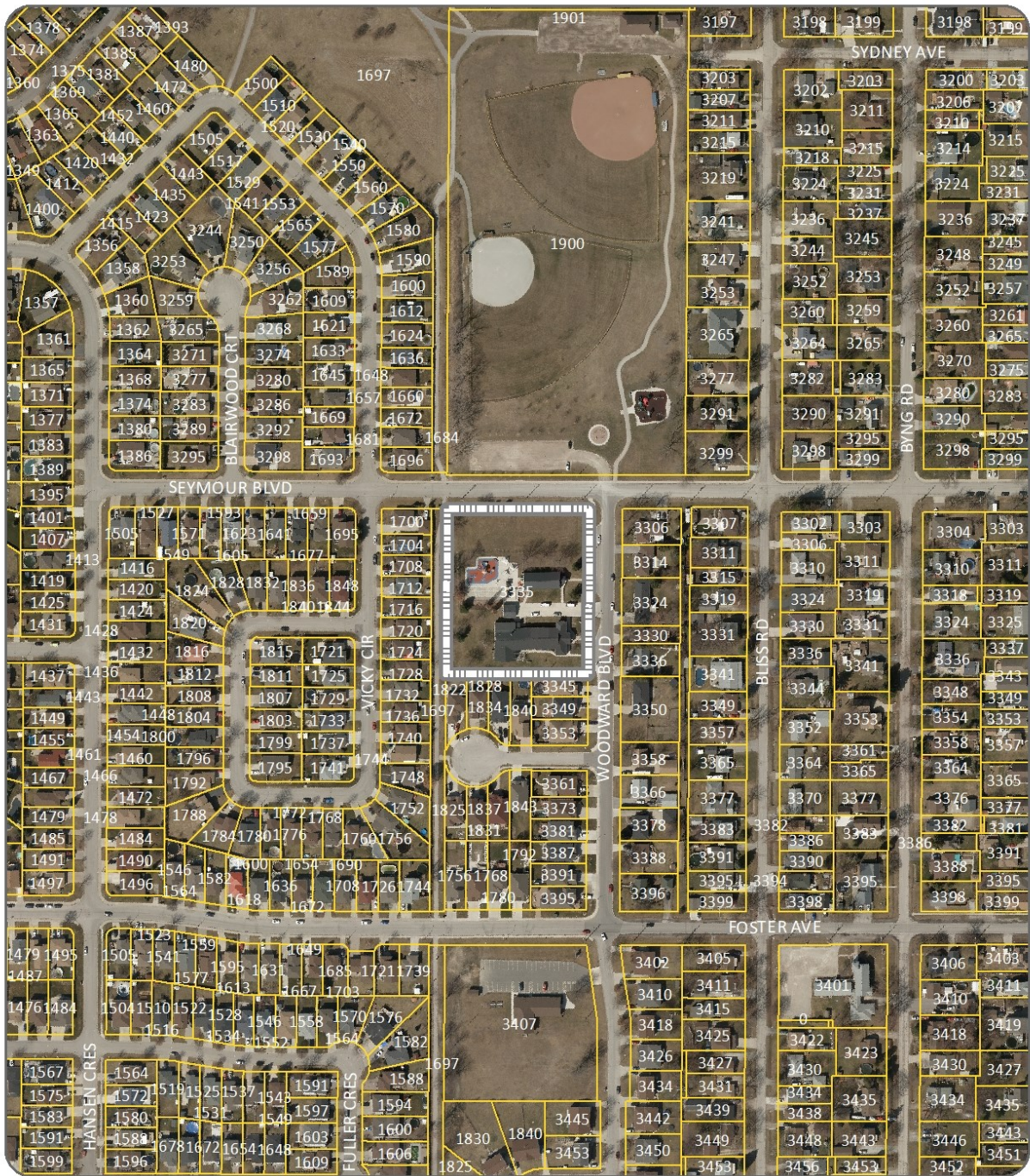
SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT



DATE : JUNE 2023
FILE NO. : Z-021/23, ZNG/7066

Figure 2 - Subject Parcel - Rezoning



NEIGHBOURHOOD MAP - Z-021/23, ZNG-7066



SUBJECT LANDS

Figure 3 - Neighbourhood Map

Neighbourhood Characteristics:

The subject property is located within the eastern part of the Devonshire neighbourhood. The Devonshire neighbourhood constitutes the area north of Division Road, east of the Detroit River Tunnel Company rail corridor, south of E. C. Row Expressway and west of the Canadian National Railway corridor.

The neighbourhood is primarily occupied by a mix of commercial, industrial and low-density residential uses, interspersed with institutional, natural heritage, and open space uses throughout.

Surrounding Land Uses:

North:

- Hall Farm Park and Walker Homesite Park (1900 Seymour Boulevard)

East:

- Low Density Residential

South:

- Low Density Residential

West:

- Low Density Residential

Municipal Infrastructure:

- Sanitary sewers, storm sewers and water lines are located within the Seymour Boulevard and Woodward Boulevard right-of-ways.
- Seymour Boulevard is classified as a Local Road, which has a two-lane cross section with curbs and gutters on both sides, a sidewalk on the north side and LED streetlights on the south side.
- Walker Homesite Bike Trail runs along the west limit of the subject property.
- Woodward Boulevard is classified as a Local Road, which has a two-lane cross section with curbs and gutters on both sides, and a sidewalk and LED streetlights on the west side.

Discussion:

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

The following policies of PPS 2020 are considered relevant in discussing provincial interests related to this amendment:

1.0 Building Strong Healthy Communities

Policy 1.1.1 states:

- *Healthy, liveable and safe communities are sustained by:*
 - *b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), to meet long-term needs.*
 - This amendment will allow for a Single Unit Dwelling use aimed at providing safe and accessible housing for a person with an intellectual disability.
 - *c) avoiding development and land use patterns which may cause environmental or public health and safety concerns.*
 - This amendment will not cause any environmental or public health and safety concerns.
 - *f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society.*
 - This amendment will provide housing for a person with an intellectual disability, helping to alleviate stress on the Ontario health care system, which currently houses many persons with intellectual disabilities.
 - *g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs.*
 - The former St. Christopher’s Parish Hall is serviced by the 200-millimetre watermain, 250-millimetre asbestos concrete sanitary sewer and overhead hydro lines within the Woodward Boulevard right-of-way.
 - The subject property has direct access to a public highway in the form of Woodward Boulevard.
 - J.A. McWilliam Public School, St. Christopher Catholic Elementary School and Optimist Community Centre/W.F. Chisholm Public Library are located within 900.0 metres, 1.20 kilometres and 3.50 kilometres of the subject property respectively.
 - Harmony In Action Windsor (HIA) is a *non-profit*, incorporated, registered charity providing day support opportunities for individuals with developmental disabilities.

Policy 1.1.3.1 states:

- *Settlement areas shall be the focus of growth and development.*
 - The subject property is located within a Settlement area.

Policy 1.4.3 states:

- *Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:*
 - *b) permitting and facilitating:*
 - *1. all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities; and*
 - Refer to the responses provided to PPS Policies 1.1.1 b) and 1.1.1 f) herein.
 - *c) directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;*
 - Refer to the response provided to PPS Policy 1.1.1 g) herein.

One or more of the aforesaid responses to PPS Policy 1.1.1 also speak to the following relevant PPS Policy:

- *1.1.3.2 Land use patterns within settlement areas shall be based on densities and a mix of land uses which:*
 - *a) efficiently use land and resources;*
 - *b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;*

Official Plan

Relevant excerpts from Volume I of the Official Plan are attached as Appendix C. The following policies from these excerpts are considered relevant in discussing the amendment's conformity with the Official Plan.

The subject property is located within the Devonshire Planning District on *Schedule A - Planning Districts & Policy Areas*, adjacent to a Recreationway (Walker Homesite Bike Trail) and within close proximity to a Community and Regional Park (Hall Farm Park and

Walker Homesite Park) on *Schedule B - Greenway System*, within an Airport Operating Area with a Noise Exposure Forecast of 30 on *Schedule C - Development Constraint Areas* and within a Residential land use designation on *Schedule D - Land Use Plan* of Volume I to the City of Windsor *Official Plan*.

Volume I

Chapter 3 - Development Strategy

This amendment complies with the following applicable key policy direction for managing growth consistent with the Vision of the City of Windsor Community Strategic Plan.

3.2.1 - Safe, Caring and Diverse Communities

Encouraging a range of housing types will ensure that people have an opportunity to live in their neighbourhoods as they pass through the various stages of their lives. Residents will have a voice in how this new housing fits within their neighbourhood. As the city grows, more housing opportunities will mean less sprawl onto agricultural and natural lands. (Policy 3.2.1.2)

Chapter 6 - Land Use:

6.1 Goals

This amendment complies with the following applicable land use goals:

- *Housing suited to the needs of Windsor residents. (Goal 6.1.3)*
- *To direct residential intensification to those areas of the City where transportation, municipal services, community facilities and goods and services are readily available. (Goal 6.1.14)*

6.3 Residential

6.3.1 Objectives

The amendment complies with the following applicable Residential land use objectives:

- *To support a complementary range of housing forms and tenures in all neighbourhoods. (Objective 6.3.1.1)*
- *To promote residential redevelopment, infill and intensification initiatives in locations in accordance with this plan. (Objective 6.3.1.3)*

6.3.2 Policies

Permitted Uses

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

- A Single Unit Dwelling is classified as a Low Profile dwelling unit.

Locational Criteria

New residential development and intensification shall be located where: (Policy 6.3.2.4)

- *(a) there is access to a collector or arterial road;*
 - The subject property is located within approximately 150.0 metres of Foster Avenue, a Class II Collector Road.
- *(b) full municipal physical services can be provided;*
 - Refer to the response provided to PPS Policy 1.1.1 g) herein.
- *(c) adequate community services and open spaces are available or are planned; and*
 - Refer to the responses provided to PPS Policy 1.1.1 g) and the Surrounding Land Uses section herein.
- *(d) public transportation service can be provided.*
 - The subject property is located within approximately 375.0 metres of the Walkerville 8 transit route.

Evaluation Criteria

At the time of submission, the proponent shall demonstrate to the satisfaction of the Municipality that a proposed residential development within an area having a Neighbourhood development pattern is: (Policy 6.3.2.5)

- *(a) feasible having regard to the other provisions of this Plan, provincial legislation, policies and appropriate guidelines and support studies for uses:*
 - *(i) within or adjacent to any area identified on Schedule C: Development Constraint Areas and described in the Environment chapter of this Plan;*
 - The subject property is within an Airport Operating Area with a Noise Exposure Forecast above 30.
 - Refer to responses to Official Plan Policy 7.2.10.2 herein.
 - *(c) compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and amenity areas.*
 - This amendment will allow for the adaptive re-use of the former St. Christopher's Parish Hall to establish a Single Unit Dwelling.
 - This amendment will not result in any changes to the scale, massing, height, siting, orientation, setbacks, parking or amenity areas of the subject property.

- The subject property is situated within an area consisting primarily of low density residential uses.
- *(d) provided with adequate off street parking;*
 - This amendment does not require any additional parking to be provided, as the parking required for the proposed use is less than that required for the existing use.

Chapter 7 - Infrastructure:

7.2 Transportation System

7.2.10 Air Transportation Policies

Council shall protect the Windsor Airport from incompatible development. Accordingly, all proponents of development within the Airport Operating Area designated on Schedule ‘C’: Development Constraint Areas shall be subject to the following: (Policy 7.2.10.2)

- *(b) Redevelopment of existing sensitive land uses may only be considered above 30 NEF/NEP provided the proponent successfully completes a noise study to:*
 - *(i) Support the feasibility of the proposal;*
 - *(ii) Identify and implement appropriate mitigation measures (refer to Procedures chapter);*

Notwithstanding this requirement, the Planning Department is recommending that a site-specific Holding symbol “H” (or “h”) provision be added to require the owner to demonstrate that, prior to the issuance of a building permit, the existing former St. Christopher’s Parish Hall will comply with the Noise Exposure Forecast/Noise Exposure Projection (NEF/NEP) limits set forth under *Table C-4 Indoor Aircraft Noise Limits (Applicable over 24-hour period) of the Ministry of the Environment and Climate Change (MOECC) Environmental Noise Guideline - Stationary and Transportation Sources - Approval and Planning (NPC-300)* to the satisfaction of the Chief Building Official.

- This will ensure that a Single Unit Dwelling is constructed in a manner that ensures that its occupants are protected from unacceptable levels of noise associated with Windsor International Airport.
 - This approach achieves the same outcome as a noise study, which would evaluate the noise associated with Windsor International Airport and recommend mitigation for achieving a Single Unit Dwelling that falls within the aforesaid NEF/NEP limits.
- *(c) Redevelopment of existing residential uses and other sensitive land use in areas above 30 NEF/NEP may only be considered if it has been demonstrated that there will be no negative impacts on the long-term function of the airport;*

- Windsor Airport through their comments to the associated Planning Pre-Submission application (File No. PS-024/23) stated that they have “no comments or concerns on this development as it should have no negative effect on the airport operations.”
- (d) Land uses which may cause a potential aviation safety hazard are discouraged;
 - Refer to response to Official Plan Policy 7.2.10.2(c) above.

Chapter 11 - Tools:

Land use compatibility throughout Windsor is an implementation goal to be achieved when administering a planning tool under this Chapter. Compatibility between land uses is also an objective of the Zoning By-law Amendment planning tool (Policy 11.6.1.2).

- Land use compatibility was considered as part of the evaluation of the applicable Official Plan and PPS policies referenced herein.

Policy 11.6.3.3 states:

- *When considering applications for Zoning By-law amendments, Council shall consider the policies of this Plan and will, without limiting the generality of the foregoing, consider such matters as the following:*
 - (a) *The relevant evaluation criteria contained in the Land Use Chapter of this Plan, Volume II: Secondary Plans & Special Policy Areas and other relevant standards and guidelines;*
 - (b) *Relevant support studies;*
 - (c) *The comments and recommendations from municipal staff and circularized agencies;*
 - (d) *Relevant provincial legislation, policies and appropriate guidelines; and*
 - (e) *The ramifications of the decision on the use of adjacent or similar lands.*
 - This amendment is not anticipated to have any ramifications on the use of adjacent or similar lands.

The aforesaid matters were considered as part of the evaluation of the applicable Official Plan and PPS policies referenced herein.

Zoning By-Law

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

The subject property is within an ID1.1 zone of Zoning By-law 8600, which does not permit a Single Unit Dwelling use.

The applicant is requesting an amendment to Zoning By-law 8600 to change the zoning to RD1.1 to allow a Single Unit Dwelling.

The applicant's request has been considered and is supported in part within this report. The Planning Department supports the amendment to allow a Single Unit Dwelling as an additional permitted use, however does not support changing the zoning district for the following reasons.

- The RD1.1 zoning is intended for Single Unit Dwellings, Existing Semi-Detached Dwellings and Existing Duplex Dwelling on lots typically significantly smaller than the subject property.
- The RD1.1 zoning does not permit a Business Office of a non-profit charitable organization, which could hinder future developments associated directly with HIA's operations.
- The ID1.1 provisions are appropriate for the adaptive reuse of the former St. Christopher's Parish Hall.

The Planning Department is consequently recommending that the zoning for the subject property be amended in the following manner to support the proposed Single Unit Dwelling development.

- Adding a site specific holding provision to permit *One Single Unit Dwelling* as an additional permitted use within the existing former St. Christopher's Parish Hall, subject to the following additional regulations:
 - ID1.1 Provisions in section 13.1.5
 - Gross Floor Area - Single Unit Dwelling - maximum of 400.0 m²
 - This provision is included under the surrounding low density residential RD1.1, Residential District 1.2 (RD1.2) and Residential District 2.1 (RD2.1) zoning districts, and is being recommended to be included through this amendment in order to remain consistent with these zoning districts.
 - The holding provision will remain until such time that the condition referenced herein has been fulfilled to the satisfaction of the Chief Building Official.

No other zoning deficiencies have been identified or supported.

A draft amending by-law is attached as Appendix F. Subsection 24 (1) of the *Planning Act*, R.S.O. 1990, c. P.13., prohibits a by-law from being passed that does not conform with the Official Plan. As discussed through the Official Plan section herein, the proposed amendment conforms to the applicable policies of the Official Plan.

Risk Analysis:

N/A

Climate Change Risks

Climate Change Mitigation:

Residential intensification minimizes the impact on the community greenhouse gas emissions. Development within existing communities and neighbourhoods while using currently available infrastructure such as sewers, sidewalks, and public transit helps to mitigate development impact.

Climate Change Adaptation:

N/A

Financial Matters:

N/A

Consultations:

Comments received from City Departments, external agencies and members of the public on this application were taken into consideration when preparing this report. A record of the comments is included as Appendix E herein.

The Public Works Department through their comments and conversation with the Planning Department has confirmed that the Encroachment Agreement for the layby in front of the former St. Christopher's Roman Catholic Church needs to be finalized (File No. EN 16-160555). This matter has no bearing on this amendment, however should be resolved so that the file can be closed.

There are no objections to the proposed amendment.

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

The owner of 1696 Blairwood Crescent, Georges Raad, contacted the Planning Department on August 22, 2023 via telephone to ask some general questions on this amendment.

Conclusion:

The *Planning Act* requires that a decision of Council in respect of the exercise of any authority that affects a planning matter, "*shall be consistent with*" Provincial Policy Statement 2020. The recommended zoning amendment has been evaluated for consistency with the Provincial Policy Statement 2020 and conformity with the policies of the City of Windsor Official Plan.

The recommended zoning by-law amendment is consistent the PPS, with the policy direction of the City of Windsor Official Plan, is compatible with existing and permitted uses in the surrounding neighbourhood and constitutes good planning.

Planning Act Matters:

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

*Greg Atkinson, MCIP, RPP
Manager of Development*

*Neil Robertson, MCIP, RPP
Acting City Planner*

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

JP JM

Approvals:

Name	Title
Greg Atkinson	Manager of Development/Deputy City Planner
Neil Robertson	Acting City Planner / Executive Director, Planning & Development Services
Wira Vendrasco	Deputy City Solicitor, Legal Services & Real Estate
Jelena Payne	Commissioner, Economic Development & Innovation
Joe Mancina	Chief Administration Officer

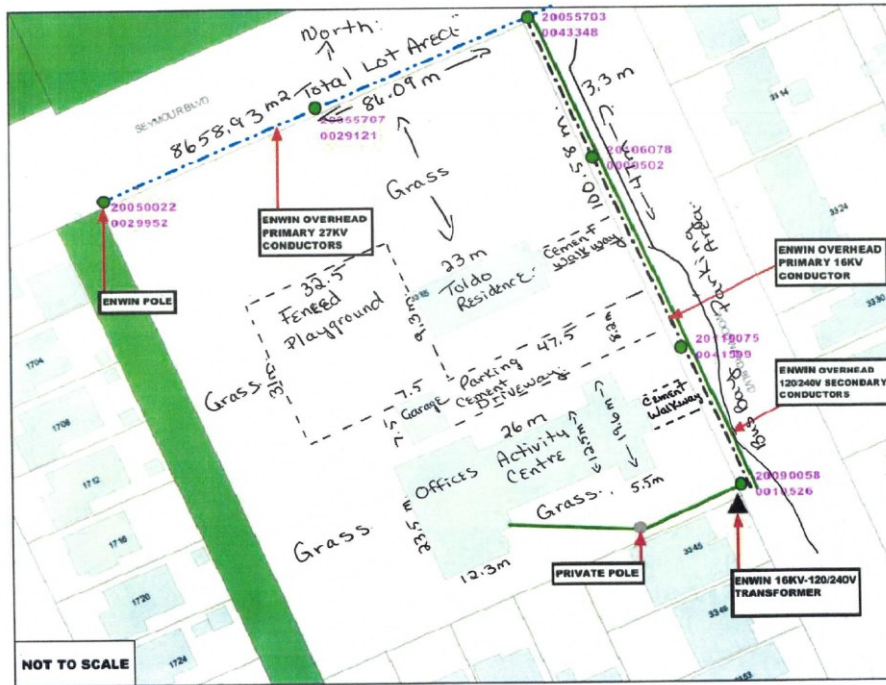
Notifications:

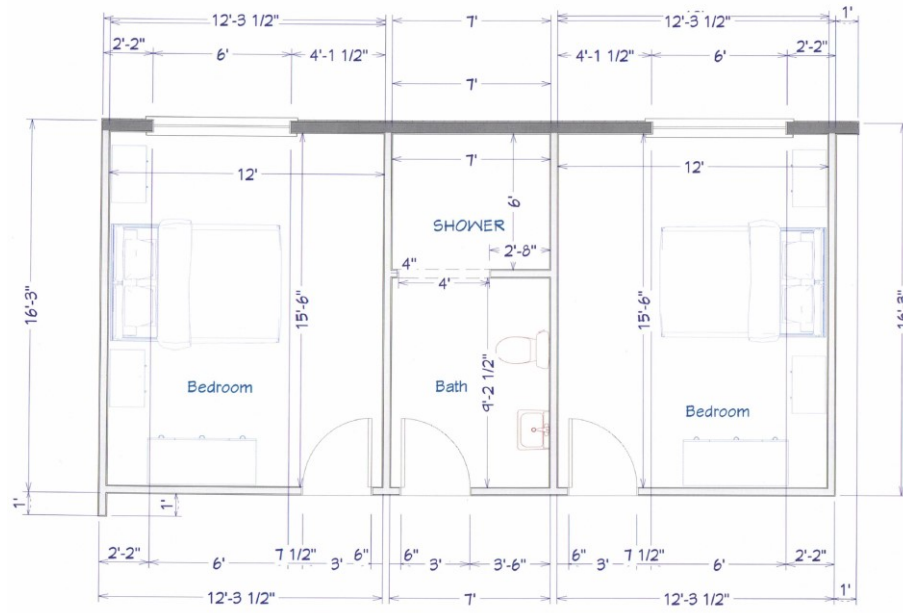
Name	Address	Email
Harmony In Action Windsor c/o Elizabeth Esposito	3335 Woodward Boulevard Windsor, ON N8W 2Y7	executivedirector@ harmonyinaction.com
Councillor Kieran McKenzie (Ward 9)		kmckenzie@citywindsor.ca
Abutting property owners, tenants/occupants within 120-meter (400 feet) radius of the subject property		

Appendices:

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

APPENDIX "A" Conceptual Plans





APPENDIX "B"
Site Photos (August 3, 2023)



Figure 1 - Former St. Christopher's Parish Hall viewed from Woodward Boulevard



Figure 2 - Looking northwest towards former St. Christopher's Parish Hall from Woodward Boulevard



Figure 3 - Looking southwest towards former St. Christopher's Parish Hall from Woodward Boulevard



Figure 4 - Looking southwest towards former St. Christopher's Parish Hall from intersection of Woodward Boulevard and Seymour Boulevard



Figure 5 - Looking southeast towards former St. Christopher's Parish Hall from Seymour Boulevard



Figure 6 - Looking east towards former St. Christopher's Parish Hall from rear of subject property



Figure 7 - Harmony In Action Amenity Area to rear of former St. Christopher's Parish Hall



Figure 8 - Looking north towards former St. Christopher's Parish Hall from parking area



Figure 9 - Looking east towards parking area from rear of subject property

APPENDIX “C”
Excerpts from Official Plan Volume I

3 Development Strategy

3.2 Growth Concept

3.2.1 Safe, Caring and Diverse Community

*NEIGHBOURHOOD
HOUSING VARIETY*

3.2.1.2 Encouraging a range of housing types will ensure that people have an opportunity to live in their neighbourhoods as they pass through the various stages of their lives. Residents will have a voice in how this new housing fits within their neighbourhood. As the city grows, more housing opportunities will mean less sprawl onto agricultural and natural lands.

6 Land Use

6.1 Goals

In keeping with the Strategic Directions, Council’s land use goals are to achieve:

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

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

6.3 Residential

6.3.1 Objectives

*RANGE OF
FORMS &
TENURES* 6.3.1.1 To support a complementary range of housing forms and tenures in all neighbourhoods.

*INTENSIFICATION,
INFILL &
REDEVELOPMENT* 6.3.1.3 To promote selective residential redevelopment, infill and intensification initiatives.

6.3.1 Policies

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

*LOCATIONAL
CRITERIA* 6.3.2.4

Residential development shall be located where:

- (a) there is access to a collector or arterial road;
- (b) full municipal physical services can be provided;
- (c) adequate community services and open spaces are available or are planned; and
- (d) public transportation service can be provided.

*EVALUATION
CRITERIA FOR A
NEIGHBOURHOOD
DEVELOPMENT
PATTERN* 6.3.2.5

At the time of submission, the proponent shall demonstrate to the satisfaction of the Municipality that a proposed residential development within an area having a Neighbourhood development pattern is:

- (a) feasible having regard to the other provisions of this Plan, provincial legislation, policies and appropriate guidelines and support studies for uses:
 - (i) within or adjacent to any area identified on Schedule C: Development Constraint Areas and described in the Environment chapter of this Plan;
- (c) compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and amenity areas;
- (d) provided with adequate off street parking;

7 Infrastructure

7.2 Transportation System

7.2.10 Air Transportation Policies

*DEVELOPMENT
WITHIN THE
AIRPORT
OPERATING
AREA* 7.2.10.2

Council shall protect the Windsor Airport from incompatible development. Accordingly, all proponents of development within the Airport Operating Area designated on Schedule 'C': Development Constraint Areas shall be subject to the following:

- (a) New sensitive land uses shall not be permitted in areas above 30 NEP/NEF as set out on maps approved by Transport Canada;

- (b) Redevelopment of existing sensitive land uses may only be considered above 30 NEF/NEP provided the proponent successfully completes a noise study to:
 - (i) Support the feasibility of the proposal;
 - (ii) Identify and implement appropriate mitigation measures (refer to Procedures chapter);
- (c) Redevelopment of existing residential uses and other sensitive land use in areas above 30 NEF/NEP may only be considered if it has been demonstrated that there will be no negative impacts on the long-term function of the airport;
- (d) Land uses which may cause a potential aviation safety hazard are discouraged;

11 Tools

11.6 Zoning

11.6.1 Objectives

*COMPATIBLE
USES*

- 11.6.1.2 To ensure compatibility between land uses.

11.6.3 Zoning By-law Amendment Policies

*EVALUATION
CRITERIA*

- 11.6.3.3 When considering applications for Zoning By-law amendments, Council shall consider the policies of this Plan and will, without limiting the generality of the foregoing, consider such matters as the following:

- (a) The relevant evaluation criteria contained in the Land Use Chapter of this Plan, Volume II: Secondary Plans & Special Policy Areas and other relevant standards and guidelines;
- (b) Relevant support studies;
- (c) The comments and recommendations from municipal staff and circularized agencies;
- (d) Relevant provincial legislation, policies and appropriate guidelines; and
- (e) The ramifications of the decision on the use of adjacent or similar lands.

APPENDIX “D”
Excerpts from Zoning By-law 8600

SECTION 10 - RESIDENTIAL DISTRICTS 1. (RD1.)

(B/L 10358 Jul 16/1990; B/L 11093 Jul 20/1992; B/L 33-2001 Oct 23/2001, OMB Decision/Order No. 1716 Case No. PL010233; B/L 370-2001 Nov 15/2001; B/L 363-2002 Dec 31/2002; B/L 220-2002, Feb 24/2003; B/L 10-2004 OMB Order PL040143, File No. R040023, Decision/Order No. 0055, Issued Jan 12/2005 B/L 114-2016 Sep 19/2016); B/L 164-2017, Dec. 7/2017 [ZNG/5270]; B/L 95-2019, Sept. 27/2019; B/L 101-2022, July 11, 2022

10.1 RESIDENTIAL DISTRICT 1.1 (RD1.1)

10.1.1 PERMITTED USES

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

10.1.5 PROVISIONS

	Duplex Dwelling	Semi-Detached Dwelling	Single Unit Dwelling
.1 Lot Width – minimum	9.0 m	15.0 m	15.0 m
.2 Lot Area – minimum	360.0 m ²	450.0 m ²	450.0 m ²
.3 Lot Coverage – maximum	45.0%	45.0%	45.0%
.4 Main Building Height – maximum	9.0 m	9.0 m	9.0 m
.5 Front Yard Depth – minimum	6.0 m	6.0 m	6.0 m
.6 Rear Yard Depth – minimum	7.50 m	7.50 m	7.50 m
.7 Side Yard Width – minimum	1.20 m	1.20 m	1.50 m
.8 Gross Floor Area – main building – maximum	400 m ²	400 m ²	400 m ²

(AMENDED by B/L 101-2022, July 11, 2022)

SECTION 13 - INSTITUTIONAL DISTRICTS 1. (ID1.)

(B/L 9465 OMB Order R890032 Sep 28/1989; B/L 209-1998 Aug 11/1998; B/L 33-2001 Oct 23/2001, OMB Decision/Order No. 1716 Case No. PL010233; B/L 363-2002 Dec 31/2002; B/L 110-2009 OMB Order PL090722, Nov 20/2009 amended by Order PL090722, Dec 4/2009; B/L 126-2011 Jul 21/2011; B/L 114-2016 Sep 19/2016; B/L 129-2016 Sep 19/2016) [ZNG/4628; ZNG5270] B/L 164-2017, Dec. 7, 2017

13.1 INSTITUTIONAL DISTRICT 1.1 (ID1.1)

13.1.1 PERMITTED USES

Business Office of a non-profit or charitable organization

Child Care Centre Place of Worship School

Any one or more of the following uses within an existing building which is owned and maintained by a Public Authority: Business Office; Professional Studio

Any use accessory to the above uses

13.1.5 PROVISIONS

.1	Lot Frontage – minimum	20.0 m
.2	Lot Area – minimum	700.0 m ²
.3	Lot Coverage – maximum	50.0%
.4	Main Building Height – maximum	14.0 m
.5	Front Yard Depth – minimum	6.0 m
.6	Rear Yard Depth – minimum	7.50 m
.7	Side Yard Width – minimum	3.00 m
.8	Landscaped Open Space Yard – minimum	20.0%

APPENDIX “E” Consultations

BELL CANADA WSP

No comments provided

CALDWELL FIRST NATION COMMUNITY

No comments provided

ENBRIDGE GAS

After reviewing the provided drawing at 3335 Woodward Blvd and consulting our mapping system, please note that Enbridge Gas has active infrastructure in the proposed area. A PDF drawing has been attached for reference.

Please Note:

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

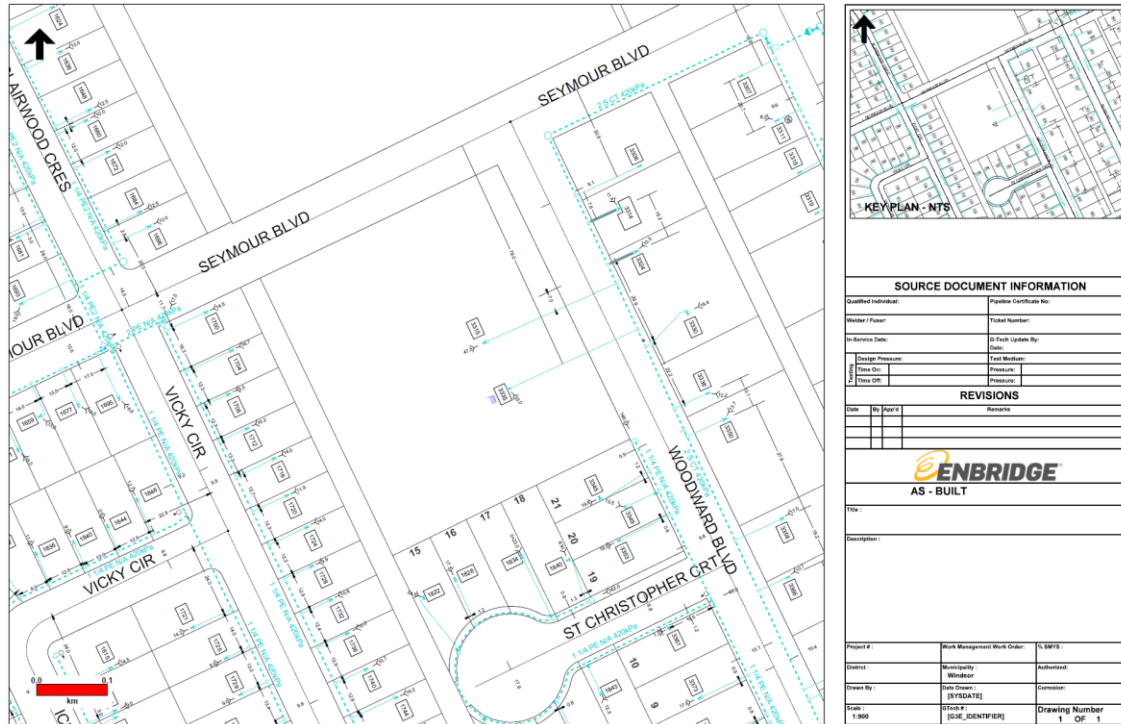
Enbridge Gas requires a minimum separation of 0.6 m horizontal and 0.3 m vertical from all of our plant less than NPS 16 and a minimum separation 1.0 m horizontal and 0.6 m vertical between any CER-regulated and vital pipelines. For all pipelines (including vital pipelines), when drilling parallel to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

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

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

Please contact me if you have any further questions or concerns.

[Samuel Nguyen, Summer Student Engineer]



ENWIN UTILITIES - HYDRO

No objection provided adequate clearances are achieved and maintained. Be advised of the existing overhead primary and secondary conductor east of the property, and the existing secondary service running along the south edge of the property.

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

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

[Jeremy Allossery, Hydro Engineering Technologist]

ENWIN UTILITIES - WATER

Water Engineering has no objections to the rezoning.

[Bruce Ogg, Title]

FORESTRY DEPARTMENT

This project does not affect any city owned trees, however there are mature trees on this lot. Forestry will like to review a tree preservation plan or landscaping plan which will address re-establishment of canopy coverage together with the planned development.

[Yemi Adeyeye, City Forester, Manager Forestry & Natural Areas]

PARKS DEPARTMENT

Parks Development & Design and Natural Areas has no concerns with this LIAISON: Z 021/23 [ZNG/7066].

[Sherif Barsom, Landscape Architect]

PLANNING DEPARTMENT - LANDSCAPE**Tree Preservation & Climate Change:**

There are several trees throughout the site which will provide relief from any urban heat island affect to be experienced by the existing build infrastructure. Therefore, no additional concerns to be mitigated at this time.

Parkland Dedication:

There are no parkland implications beyond the usual requirement for cash-in-lieu of 5% parkland dedication for Residential and 2% for all other zoning, to the satisfaction of the Executive Director of Parks, as per By-law 12780 and the Planning Act.

[Stefan Fediuk, Landscape Architect]

PLANNING DEPARTMENT - URBAN DESGN**Urban Design & Zoning Provisions for Parking Setback:**

There are no immediate plans for additional site development associated with the proposed rezoning. Therefore, no additional provisions required from a landscape or urban design perspective.

[Stefan Fediuk, Landscape Architect]

PUBLIC WORKS DEPARTMENT

We have reviewed the subject Rezoning application and have no objection to the proposed development, subject to the following requirements:

Encroachment Agreement - The owner agrees to submit application for and execute an agreement with the Corporation for the proposed encroachments into the right-of-way (two lay-by's located within the Woodward Boulevard right-of-way) to the satisfaction of the City Engineer.

[Andrew Boroski, Technologist II]

TRANSPORTATION PLANNING

Woodward Blvd is classified as a Local Road with a required right-of-way width of 20 meters. The current right-of-way width is sufficient; therefore, a conveyance is not required.

Seymour Blvd is classified as a Local Road with a required right-of-way width of 20 meters. The current right-of-way width is sufficient; therefore, a conveyance is not required.

All parking must comply with Zoning By-Law 8600. A single-unit dwelling requires 1 parking space according to the ZBL. However, the Encroachment Agreement proceeds (as per Engineering Right-of-Way's comments), the required parking must be provided and comply with ZBL.

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

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

[Clare Amicarelli, Transportation Planning Coordinator]

WALPOLE ISLAND FIRST NATION

No comments provided

WINDSOR AIRPORT

I have no comments or concerns on this development as it should have no negative effect on the airport operations.

[Steve Tuffin, Director of Airport Operations]

APPENDIX "F"
Draft Amending By-law

B Y - L A W N U M B E R -2023

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

Passed the day of , 2023.

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

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

1. That subsection 1 of Section 20, of said by-law, is amended by adding the following clause:

485. SOUTHWEST CORNER OF SEYMOUR BOULEVARD AND WOODWARD BOULEVARD

(1) For the lands comprising of Block A & Part of Block B, Plan 1513, PIN No. 01561-2695 LT, *One Single Unit Dwelling* shall be an additional permitted use within the existing former St. Christopher’s Parish Hall and the following shall apply:

- 1. Provisions in section 13.1.5
- 2. Gross Floor Area - Single Unit Dwelling - maximum 400.0 m²

[ZDM 12; ZNG/7066]

2. The said by-law is further amended by changing the Zoning District Maps or parts thereof referred to in Section 1, of said by-law and made part thereof, so that the lands described in Column 3 are delineated by a broken line and further identified by the zoning symbol shown in Column 5:

1. Item Number	2. Zoning District Map Part	3. Lands Affected	4. Official Plan Amendment Number	5. Zoning Symbol
1	12	Block A & Part of Block B, Plan 1513, PIN No. 01561- 2695 LT (located on the southwest corner of Seymour Boulevard and Woodward Boulevard)	--	S.20(1)H485

3. THAT the holding (H) symbol **BE REMOVED** when the applicant/owner submits an application to remove the holding (H) symbol and the following condition is satisfied:

- a) The owner shall, prior to the issuance of a building permit, demonstrate that the existing former St. Christopher’s Parish Hall will comply with the Noise Exposure Forecast/Noise Exposure Projection (NEF/NEP) limits set forth under *Table C-4 Indoor Aircraft Noise Limits (Applicable over 24-hour period)* of the Ministry of the Environment and Climate Change (MOECC) *Environmental Noise Guideline - Stationary and Transportation Sources - Approval and Planning (NPC-300)* to the satisfaction of the Chief Building Official.

[ZDM 12; ZNG/7066]

DREW DILKENS, MAYOR

CLERK

First Reading - , 2023
Second Reading - , 2023
Third Reading - , 2023

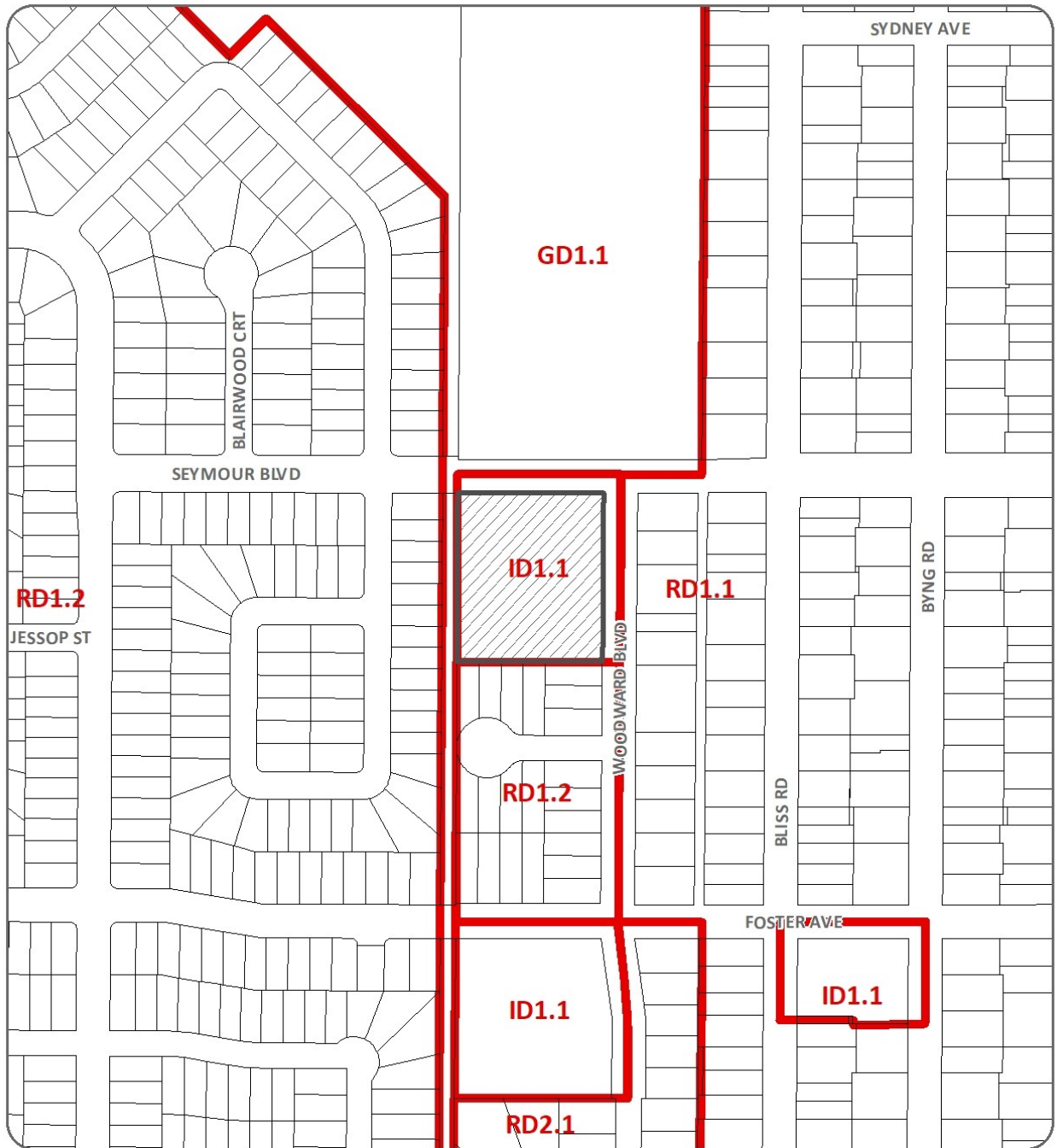
SCHEDULE 2

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

To amend the zoning of the lands located on the southwest corner of Seymour Boulevard and Woodward Boulevard, legally described as Block A & Part of Block B, Plan 1513, PIN No. 01561-2695 LT, so as to permit the development of one single unit dwelling on the subject land.

The amending by-law maintains the ID1.1 zoning on the subject land and adds a special zoning provision permitting one single unit dwelling with a maximum gross floor area of 400.0 m² within the existing former St. Christopher's Parish Hall on the subject land, subject to a holding (H) symbol to ensure that the existing former St. Christopher's Parish Hall will comply with the Noise Exposure Forecast/Noise Exposure Projection (NEF/NEP) limits set forth under *Table C-4 Indoor Aircraft Noise Limits (Applicable over 24-hour period)* of the Ministry of the Environment and Climate Change (MOECC) *Environmental Noise Guideline - Stationary and Transportation Sources - Approval and Planning (NPC-300)*.

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



PART OF ZONING DISTRICT MAPS 12

N.T.S.

SCHEDULE 2

Applicant: Harmony In Action



SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT



DATE : JUNE 2023
FILE NO. : Z-021/23, ZNG/7066



Committee Matters: SCM 242/2023

Subject: Delegation Authority for Heritage Matters (City-wide)

Moved by: Councillor Kieran McKenzie
Seconded by: Councillor Mark McKenzie

Decision Number: **DHSC 550**

- I. THAT the City Planner By-law 139-2013 **BE AMENDED** to distinguish the Delegation of Authority to the City Planner for *Planning Act* items in Schedule “A” from *Ontario Heritage Act* items in Schedule “B”;and,
- II. THAT Schedule B **PROVIDE AUTHORITY** to the City Planner:
 - (a) to sign agreements with property Owners that the restrictions set out in paragraph 2 of subsection 29(1.2) and paragraph 1 of subsection 29 (8) of the *Ontario Heritage Act* do not apply to a *Planning Act* application,
 - (b) to determine if applications under s. 33, 34 or 42 of the *Ontario Heritage Act* are complete or incomplete, and
 - (c) to process and consent to categories of alterations to designated heritage properties pursuant to s.33 of the *Ontario Heritage Act*, with or without terms and conditions; and,
- III. THAT the existing delegated authority provisions for classes of alteration for Sandwich Heritage Conservation District Plan **BE TRANSFERRED** from Schedule “A” to Schedule “B” of By-law 139-2013.
Carried.

Report Number: S 90/2023
Clerk’s File: AS/7748

Clerk’s Note:

1. The recommendation of the Development & Heritage Standing Committee and Administration are the same.
2. Please refer to Item 10.1 from the Community Services Standing Committee held on September 11, 2023.
3. To view the stream of this Standing Committee meeting, please refer to:
<http://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20230911/-1/9432>

Subject: Delegation Authority for Heritage Matters (City-wide)

Reference:

Date to Council: September 11, 2023
Author: Kristina Tang, MCIP, RPP
Heritage Planner
ktang@citywindsor.ca
519-255-6543 X 6179
Planning & Building Services
Report Date: July 10, 2023
Clerk's File #: AS/7748

To: Mayor and Members of City Council

Recommendation:

- I. That the City Planner By-law 139-2013 **BE AMENDED** to distinguish the Delegation of Authority to the City Planner for *Planning Act* items in Schedule "A" from *Ontario Heritage Act* items in Schedule "B";and,
- II. That Schedule B **PROVIDE AUTHORITY** to the City Planner:
 - (a) to sign agreements with property Owners that the restrictions set out in paragraph 2 of subsection 29(1.2) and paragraph 1 of subsection 29 (8) of the Ontario Heritage Act do not apply to a Planning Act application,
 - (b) to determine if applications under s. 33, 34 or 42 of the Ontario Heritage Act are complete or incomplete, and
 - (c) to process and consent to categories of alterations to designated heritage properties pursuant to s.33 of the Ontario Heritage Act, with or without terms and conditions; and,
- III. That the existing delegated authority provisions for classes of alteration for Sandwich Heritage Conservation District Plan **BE TRANSFERRED** from Schedule "A" to Schedule "B" of By-law 139-2013.

Executive Summary: N/A

Background:

Recent *Ontario Heritage Act* amendments establish a 90-day timeline for issuing a notice of intention to designate when the listed (non-designated) property is subject to a Planning Act application, unless the owner and Council of a municipality agree that the 90-day restriction does not apply.

Other changes have been contemplated to meet the Legislation and its Regulation, provide clarity on application requirements, and expedite heritage alterations that are required in timely fashion. The delegated authority to process and consent heritage permits will benefit heritage property Owners for the faster timelines of review, enable administration to deliver better and faster service to Owners, and reduce administrative burdens of reporting where the proposed work is of good heritage standard.

Legal Provisions:

S. 33(15) of the Ontario Heritage Act provides the authority for the delegation of alterations to designated properties. Ontario Regulation 385/21 outlines the prescribed information and material for Heritage Applications. For more details, refer to Appendix A.

Discussion:

The proposed amended City Planner Delegation By-law 139-2013 in Appendix B consolidates the Planning Act items in Schedule “A” and Heritage items in Schedule “B”.

No change is contemplated in Schedule A except for deleting the delegated authority for Sandwich Heritage Conservation District Plan items that are being transferred to Schedule “B”. Provision for Schedule “B” are elaborated below:

- I. The maximum of a 90 day timeline for issuing a notice of intention to designate when a listed property is subject to a Planning Act application is often insufficient time to prepare a report and to be scheduled for consideration on Heritage Committee and Council. Further, where a project is actively being negotiated, the heritage attributes are often being discussed and may at times be more ideal to be finalized closer to the end of the project review process. Projects may also be subject to multiple Planning Act applications, which may impact legal property descriptions that are required information in the designation bylaw. Therefore, the required maximum 120 day timeline to pass the designation bylaw may also be insufficient. However, Ontario Regulation 385/21 provides some flexibility to the property owner and the city to sign an agreement that these timelines does not apply. The delegated authority will allow for a formalization of the agreement to allow for more time for discussion and to complete a designation. A draft agreement has been attached in Appendix C.
- II. Ontario Heritage Act has required more information as part of Heritage Permit applications and timeline to notify applicants when an application is complete or not. While staff has been applying these changes in principle, the delegation bylaw formalizes what has been directed by heritage legislation as a housekeeping amendment.
- III. The delegation of alterations to Part IV individually designated heritage items to the City Planner is permitted by s. 33(15) of the Ontario Heritage Act. The proposed delegated items are minor in nature, or of acceptable heritage standards. The specific delegated powers are set out in s.4.1.1 of Schedule B to the amending by-law. The administration decision will greatly facilitate timely repairs to be made by property Owners, and encourage designated property

owners to approach administration with changes proposed and engage in a discussion for heritage appropriate alterations. It is possible that given the lengthy process for heritage approvals, alterations are occurring at designated heritage properties without notification to the City for the changes. The facilitation of expedient decision making on appropriate alterations will increase the collaborative relationship between the City and heritage property owners. It will also formalize a process for administration to record and approve alterations to designated heritage properties, especially those that are minor in nature but have a potential to impact the heritage attributes of a property. Examples are landscaping fences, masonry repointing work (that do not always require building permits), alterations to non-historic detached garages.

For clarity, the City Planner retains the option to refer items eligible for administrative approval to the Heritage Committee for a recommendation and subsequently to City Council for a decision. The following types of application also require Council approval and cannot be delegated to Administration, if the application:

- is considered complex, sensitive or contentious by the City Planner;
- is demolition or removal under section 27, 34 or 42 of the Ontario Heritage Act;
- is an alteration which requires Council approval as specified by the Heritage Conservation District Plan;
- fails to achieve acceptable heritage standards (including but not limited to Standards and Guidelines for the Conservation of Historic Places in Canada, broadly accepted/recognized heritage conservation practices, and HCD plan policies and guidelines);
- is recommended to be refused by the City Planner or the Heritage Committee;
- where requested by the owner or where the owner is not agreeable with the recommendations and terms of the heritage permit by the City Planner.

IV. There is no change in substance to the delegated classes of work in the Sandwich Heritage Conservation District Plan. The content has been moved from the existing Schedule "A" to Schedule "B" of the delegation bylaw to consolidate Heritage items

Reporting Procedures: Administration will provide regular annual reporting of a summary of the delegated heritage permits issued.

Official Plan Policy:

The Windsor Official Plan includes (9.3.6.1.), "Council will manage heritage resources by: (e) providing support and encouragement to organizations and individuals who undertake the conservation of heritage resources by private means".

The Plan includes protection (9.3.4.1). "Council will protect heritage resources by: (c) Requiring that, prior to approval of any alteration, partial demolition, removal or change

in use of a designated heritage property, the applicant demonstrate that the proposal will not adversely impact the heritage significance of the property ...”

Risk Analysis:

The absence of the delegated authority for 90 day timeline to issue a notice of intent to designate would result in properties possibly missing the opportunity to be designated and therefore unprotected. The delegation authority allows for expedient oversight of property heritage properties that are otherwise not being reported or may be disadvantaged due to the long approval times of Heritage alterations.

Climate Change Risks

Climate Change Mitigation: N/A

Climate Change Adaptation: N/A

Financial Matters:

There is no quantifiable financial implication of the proposed delegation of heritage permits. However, the expediency of delegated authority will save administration time in reporting, and potential costs to heritage property owners.

Consultations:

City of Windsor Legal staff.

Conclusion:

Administration recommends that Council approve the recommendations in this report to provide administration with the ability to protect heritage resources and more expedient service to heritage property owners, for the benefit and conservation of heritage properties.

Planning Act Matters: N/A

Approvals:

Name	Title
Neil Robertson	Acting City Planner / Executive Director Planning & Building
Wira Vendrasco	Deputy City Solicitor
Jelena Payne	Commissioner of Economic Development & Innovation
Joe Mancina	Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:

- 1 Appendix A- Extracts from Ontario Heritage Act and Ontario Regulation 385/21
- 2 Appendix B- Proposed Amendment to Bylaw 139-2013
- 3 Appendix C- Draft Agreement between property owner and City

DESIGNATION OF PROPERTIES BY MUNICIPALITIES

Designation by municipal by-law

29 (1) The council of a municipality may, by by-law, designate a property within the municipality to be of cultural heritage value or interest if,

- (a) where criteria for determining whether property is of cultural heritage value or interest have been prescribed, the property meets the prescribed criteria; and
- (b) the designation is made in accordance with the process set out in this section. 2005, c. 6, s. 17 (1); 2019, c. 9, Sched. 11, s. 7 (1); 2022, c. 21, Sched. 6, s. 4 (1).

Notice required

(1.1) Subject to subsections (1.2) and (2), if the council of a municipality intends to designate a property within the municipality to be of cultural heritage value or interest, it shall cause notice of intention to designate the property to be given by the clerk of the municipality in accordance with subsection (3). 2005, c. 6, s. 17 (1); 2019, c. 9, Sched. 11, s. 7 (2).

Limitation

(1.2) The following rules apply if a prescribed event has occurred in respect of a property in a municipality:

1. If the prescribed event occurs on or after January 1, 2023, the council of the municipality may give a notice of intention to designate the property under subsection (1) only if the property is listed in the register under subsection 27 (3), or a predecessor of that subsection, as of the date of the prescribed event.
2. The council may not give a notice of intention to designate such property under subsection (1) after 90 days have elapsed from the event, subject to such exceptions as may be prescribed. 2022, c. 21, Sched. 6, s. 4 (2).

If no notice of objection or no withdrawal

(8) If no notice of objection is served within the 30-day period under subsection (5) or a notice of objection is served within that period but the council decides not to withdraw the notice of intention to designate the property, the council may pass a by-law designating the property, provided the following requirements are satisfied:

1. The by-law must be passed within 120 days after the date of publication of the notice of intention under clause (3) (b) or, if a prescribed circumstance exists, within such other period of time as may be prescribed for the circumstance.
2. The by-law must include a statement explaining the cultural heritage value or interest of the property and a description of the heritage attributes of the property and must comply with such requirements in relation to the statement and the description as may be prescribed and with such other requirements as may be prescribed.
3. The council must cause the following to be served on the owner of the property, on any person who objected under subsection (5) and on the Trust:
 - i. A copy of the by-law.
 - ii. A notice that any person who objects to the by-law may appeal to the Tribunal by giving the Tribunal and the clerk of the municipality, within 30 days after the date of publication under paragraph 4, a notice of appeal setting out the objection to the by-law and the reasons in support of the objection, accompanied by the fee charged by the Tribunal.
4. The council must publish notice of the by-law in a newspaper having general circulation in the municipality, which must provide that any person who objects to the by-law may appeal to the Tribunal by giving the Tribunal and the clerk of the municipality, within 30 days after the date of publication under this paragraph, a notice of appeal setting out the objection to the by-law and the reasons in support of the objection, accompanied by the fee charged by the Tribunal. 2019, c. 9, Sched. 11, s. 7 (6); 2021, c. 4, Sched. 6, s. 74 (2).

Alteration of property

33 (1) No owner of property designated under section 29 shall alter the property or permit the alteration of the property if the alteration is likely to affect the property's heritage attributes, as set out in the description of the property's heritage attributes in the by-law that was required to be registered under clause 29 (12) (b) or subsection 29 (19), as the case may be, unless the owner applies to the council of the municipality in which the property is situate and receives consent in writing to the alteration. 2019, c. 9, Sched. 11, s. 11.

Application

(2) An application under subsection (1) shall be accompanied by the prescribed information and material. 2019, c. 9, Sched. 11, s. 11.

Other information

(3) A council may require that an applicant provide any other information or material that the council considers it may need. 2019, c. 9, Sched. 11, s. 11.

Notice of complete application

(4) The council shall, upon receiving all information and material required under subsections (2) and (3), if any, serve a notice on the applicant informing the applicant that the application is complete. 2019, c. 9, Sched. 11, s. 11.

Notification re completeness of application

(5) The council may, at any time, notify the applicant of the information and material required under subsection (2) or (3) that has been provided, if any, and any information and material under those subsections that has not been provided. 2019, c. 9, Sched. 11, s. 11.

Decision of council

(6) The council, after consultation with its municipal heritage committee, if one is established, and within the time period determined under subsection (7),

(a) shall,

(i) consent to the application,

(ii) consent to the application on terms and conditions, or

(iii) refuse the application; and

(b) shall serve notice of its decision on the owner of the property and on the Trust.
2019, c. 9, Sched. 11, s. 11.

Same

(7) For the purposes of subsection (6), the time period is determined as follows:

1. Unless paragraph 2 applies, the period is 90 days after a notice under subsection (4) is served on the applicant or such longer period after the notice is served as is agreed upon by the owner and the council.
2. If a notice under subsection (4) or (5) is not served on the applicant within 60 days after the day the application commenced, as determined in accordance with the regulations, the period is 90 days after the end of that 60-day period or such longer period after the end of the 60-day period as is agreed upon by the owner and the council. 2019, c. 9, Sched. 11, s. 11.

Delegation of council's consent

(15) The power to consent to alterations to property under this section may be delegated by by-law by the council of a municipality to an employee or official of the municipality if the council has established a municipal heritage committee and has consulted with the committee prior to delegating the power. 2019, c. 9, Sched. 11, s. 11.

Scope of delegation

(16) A by-law that delegates the council's power to consent to alterations to a municipal employee or official may delegate the power with respect to all alterations or with respect to such classes of alterations as are described in the by-law. 2019, c. 9, Sched. 11, s. 11.

Demolition or removal

34 (1) No owner of property designated under section 29 shall do either of the following, unless the owner applies to the council of the municipality in which the property is situate and receives consent in writing to the demolition or removal:

1. Demolish or remove, or permit the demolition or removal of, any of the property's heritage attributes, as set out in the description of the property's heritage attributes in the by-law that was required to be registered under clause 29 (12) (b) or subsection 29 (19), as the case may be.
2. Demolish or remove a building or structure on the property or permit the demolition or removal of a building or structure on the property, whether or not the demolition or removal would affect the property's heritage attributes, as set out in the description of the property's heritage attributes in the by-law that was required to be registered under clause 29 (12) (b) or subsection 29 (19), as the case may be. 2019, c. 9, Sched. 11, s. 12.

(1.1), (1.2) REPEALED: 2019, c. 9, Sched. 11, s. 12.

Application

(2) An application under subsection (1) shall be accompanied by the prescribed information and material. 2019, c. 9, Sched. 11, s. 12.

Other information

(3) A council may require that an applicant provide any other information or material that the council considers it may need. 2019, c. 9, Sched. 11, s. 12.

Notice confirming complete application

(4) The council shall, upon receiving all information and material required under subsections (2) and (3), if any, serve a notice on the applicant informing the applicant that the application is complete. 2019, c. 9, Sched. 11, s. 12.

Notification re completeness of application

(4.1) The council may, at any time, notify the applicant of the information and material required under subsection (2) or (3) that has been provided, if any, and any information and material under those subsections that has not been provided. 2019, c. 9, Sched. 11, s. 12.

Notification re completeness of application

(4.1) The council may, at any time, notify the applicant of the information and material required under subsection (2) or (3) that has been provided, if any, and any information and material under those subsections that has not been provided. 2019, c. 9, Sched. 11, s. 12.

Decision of council

(4.2) The council, after consultation with its municipal heritage committee, if one is established, and within the time period determined under subsection (4.3),

(a) shall,

(i) consent to the application,

(ii) consent to the application, subject to such terms and conditions as may be specified by the council, or

(iii) refuse the application;

(b) shall serve notice of its decision on the owner of the property and on the Trust; and

(c) shall publish its decision in a newspaper having general circulation in the municipality. 2019, c. 9, Sched. 11, s. 12.

Same

(4.3) For the purposes of subsection (4.2), the time period is determined as follows:

1. Unless paragraph 2 applies, the period is 90 days after a notice under subsection (4) is served on the applicant or such longer period after the notice is served as is agreed upon by the owner and the council.

2. If a notice under subsection (4) or (4.1) is not served on the applicant within 60 days after the day the application commenced, as determined in accordance with the regulations, the period is 90 days after the end of that 60-day period or such longer period after the end of the 60-day period as is agreed upon by the owner and the council. 2019, c. 9, Sched. 11, s. 12.

Erection, demolition, etc.

42 (1) No owner of property situated in a heritage conservation district that has been designated by a municipality under this Part shall do any of the following, unless the owner obtains a permit from the municipality to do so:

1. Alter, or permit the alteration of, any part of the property, other than the interior of any structure or building on the property.
2. Erect any building or structure on the property or permit the erection of such a building or structure.
3. Demolish or remove, or permit the demolition or removal of, any attribute of the property if the demolition or removal would affect a heritage attribute described in the heritage conservation district plan that was adopted for the heritage conservation district in a by-law registered under subsection 41 (10.1).
4. Demolish or remove a building or structure on the property or permit the demolition or removal of a building or structure on the property. 2005, c. 6, s. 32 (1); 2019, c. 9, Sched. 11, s. 19 (1); 2022, c. 21, Sched. 6, s. 7 (1).

Exception

(2) Despite subsection (1), the owner of a property situated in a designated heritage conservation district may, without obtaining a permit from the municipality, carry out such minor alterations or classes of alterations as are described in the heritage conservation district plan in accordance with clause 41.1 (5) (e) to any part of the property in respect of which a permit would otherwise be required under subsection (1). 2005, c. 6, s. 32 (1).

Application for permit

(2.1) The owner of property situated in a designated heritage conservation district may apply to the municipality for a permit to alter any part of the property other than the interior of a building or structure on the property or to do anything referred to in paragraph 2, 3 or 4 of subsection (1) in respect of the property. 2005, c. 6, s. 32 (1); 2019, c. 9, Sched. 11, s. 19 (2).

Content of application

(2.2) An application under this section shall include such information as the council of the municipality may require. 2005, c. 6, s. 32 (1).

Notice of receipt

(3) The council, upon receipt of an application under this section together with such information as it may require under subsection (2.2), shall cause a notice of receipt to be served on the applicant. 2002, c. 18, Sched. F, s. 2 (26); 2005, c. 6, s. 32 (2); 2022, c. 21, Sched. 6, s. 7 (2).

Delegation

(16) The council of a municipality may delegate by by-law its power to grant permits for the alteration of property situated in a heritage conservation district designated under this Part to an employee or official of the municipality if the council has established a municipal heritage committee and consulted with it before the delegation. 2005, c. 6, s. 32 (6).

Same

(17) A by-law under subsection (16) may specify the alterations or classes of alterations in respect of which power to grant permits is delegated to the employee or official of the municipality. 2005, c. 6, s. 32 (6).

Ontario Heritage Act

ONTARIO REGULATION 385/21

RULES RE SECTION 29 OF THE ACT

Limitation, s. 29 (1.2) of the Act

1. (1) For the purposes of subsection 29 (1.2) of the Act, the following events that occur on or after July 1, 2021 are prescribed in respect of a property in a municipality:

1. A council or planning board, as applicable, has completed giving notice in accordance with clause 22 (6.4) (a) of the *Planning Act* of a request for amendment referred to in that clause, if the subject land to which the proposed amendment applies includes the property.
2. A council has completed giving notice in accordance with clause 34 (10.7) (a) of the *Planning Act* of an application for an amendment to a by-law referred to in that clause, if the subject land to which the proposed amendment applies includes the property.

3. A council or planning board, as the approval authority, has completed giving notice in accordance with clause 51 (19.4) (a) of the *Planning Act* of an application referred to in that clause, if the subject land to which the application applies includes the property. O. Reg. 385/21, s. 1 (1).

(2) The following exceptions are prescribed for the purposes of paragraph 2 of subsection 29 (1.2) of the Act:

1. The restriction set out in paragraph 2 of subsection 29 (1.2) of the Act does not apply if an event described in subsection (1) occurs in respect of a property and, at any time after the event occurs, the owner of the property and the council of the municipality agree that the restriction does not apply.
2. If an event described in subsection (1) occurs in respect of a property and the owner of the property and the council of the municipality, within 90 days after the day on which the event occurs, agree to extend the period of time set out in paragraph 2 of subsection 29 (1.2) of the Act, the period of time for the purposes of that subsection is the period that the council and the owner have agreed upon.

Prescribed circumstances, par. 1 of s. 29 (8) of the Act

2. (1) The following circumstances and corresponding periods of time are prescribed for the purpose of paragraph 1 of subsection 29 (8) of the Act:

1. If, before the end of the 120-day period referred to in paragraph 1 of subsection 29 (8) of the Act, the council and the owner of the property agree to extend the period of time set out in that paragraph, the period of time for the purposes of that paragraph is the period that the council and the owner have agreed upon.

INFORMATION AND MATERIAL — SUBSECTIONS 33 (2) AND 34 (2) OF THE ACT

Prescribed information and material

6. (1) For the purpose of subsections 33 (2) and 34 (2) of the Act, the following information and material shall accompany an application:

1. The name, address, telephone number and, if applicable, the email address of the applicant.
2. The name of the municipality from which consent is being requested.
3. A description of the property that is the subject of the application, including such information as the concession and lot numbers, reference plan and part numbers, and street names and numbers.

4. Photographs that depict the existing buildings, structures and heritage attributes that are affected by the application and their condition and context.
5. A site plan or sketch that illustrates the location of the proposed alteration, demolition or removal.
6. Drawings and written specifications of the proposed alteration, demolition or removal.
7. The reasons for the proposed alteration, demolition or removal and the potential impacts to the heritage attributes of the property.
8. All technical cultural heritage studies that are relevant to the proposed alteration, demolition or removal.
9. An affidavit or a sworn declaration by the applicant certifying that the information required under this section and provided by the applicant is accurate.

(2) The information or material referred to in subsection (1) must also include any information or material that is required to accompany an application by a municipal by-law, resolution or official plan.

(3) The owner of the property shall serve an application made under subsection 33 (1) or 34 (1) of the Act on the council of the municipality.

(4) Use of a municipality's electronic system to submit an application mentioned in subsection (3) is a method for the purpose of clause 67 (1) (d) of the Act.

(5) Service using a municipality's electronic system is effective on the day the application is submitted unless the application was submitted after 5 p.m., in which case it is effective on the following day. If the day on which service would be effective is a Saturday or a holiday, service is instead effective on the next day that is not a Saturday or a holiday.

(6) For the purpose of paragraph 2 of subsection 33 (7) of the Act and paragraph 2 of subsection 34 (4.3) of the Act, an application is considered to have commenced on the day that it is served on the council of the municipality.

BY-LAW NUMBER __-2023

A BY-LAW TO AMEND BY-LAW NUMBER 139-2013, BEING A BY-LAW TO
DELEGATE AUTHORITY TO THE CITY PLANNER TO APPROVE AND PROCESS
CERTAIN APPLICATIONS UNDER THE PLANNING ACT AND PERMITS UNDER THE
ONTARIO HERITAGE ACT

Passed the __ day of __, 2023.

WHEREAS By-law Number 139-2013 was passed by the Council of The Corporation of the City of Windsor on August 26, 2013;

AND WHEREAS By-law Number 126-2019, being a by-law to amend By-law Number 139-2013, was passed by the Council of The Corporation of the City of Windsor on November 18, 2019;

AND WHEREAS By-law Number 99-2022, being a by-law to amend By-law Number 139-2013, was passed by the Council of The Corporation of the City of Windsor on July 11, 2022;

AND WHEREAS it is deemed expedient to further amend said By-law Number 139-2013 of The Corporation of the City of Windsor;

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

1. That By-law 139-2013 be amended as follows:
 - a. by deleting Schedule “A” in its entirety and replacing it with the schedule attached hereto as Schedule “A”; and
 - b. by inserting as Schedule “B” the schedule attached hereto as Schedule “B”.
2. This by-law shall come into force and take effect on the day of the final passing thereof.

DREW DILKENS, MAYOR

CITY CLERK

First Reading - , 2023

Second Reading - , 2023
Third Reading - , 2023

SCHEDULE “A”

Council hereby delegates to the City Planner the authority:

Complete Application

- 1.1 a) To determine whether an application submitted to Council pursuant to sections 22, 34, 41 and 51 of the Act is complete or incomplete in accordance with the provisions of the Act and Official Plan for the City of Windsor.
 - b) To notify an applicant as to the completeness or incompleteness of an application.
 - c) To notify the applicant within 30 days of receipt of the processing fee for a planning application, whether the application is complete or incomplete. An incomplete application notification shall identify the missing or deficient information and material necessary to complete the application.
- 1.2 The provisions of subsection 1.1 apply, with necessary modifications, to each subsequent remedial submission provided to complete the application.
- 1.3 Within 15 days after the City Planner gives notice to the applicant that the application is complete, to:
- (i) give the prescribed persons and public bodies, in the prescribed manner, notice of the application under section 22, 34, 41 or 51 of the Act, accompanied by the prescribed information; and
 - (ii) make the information and material provided by the applicant available to the public.
- 1.4 Any notice required under this section shall be given to the applicant in writing by regular letter mail, email or using Cloudpermit. Notice by regular letter mail shall be deemed to be received within 7 business days of the date of the notice. Notice by email or using Cloudpermit shall be deemed to be received on the date it is sent, if sent during business hours of the City of Windsor. If sent after business hours of the City of Windsor, then it shall be deemed to be received on the next following business day.

Exemption from Part Lot Control

- 2.1 To approve applications for exemption from part lot control under s. 50(7) of the Act.

Extension of Condominium and Subdivision Approval

- 3.1 To approve applications to extend the draft approval pursuant to s.51 (33) of the Act, for 3 years, and further extend the draft approval for another 3 years, of the draft subdivision/condominium or condominium conversion approval as the case may be, provided such approval is given before the draft approval lapses.
- 4.1 Intentionally deleted.

Neighbourhood Residential Rehabilitation Grant Program

- 5.1 To approve applications for *Neighbourhood Residential Rehabilitation Grant Program* projects to a maximum of \$15,000.00 and where sufficient budget funding is available.

Municipal Development Fees Grant Program

- 6.1 To approve applications for *Municipal Development Fees Grant Program* when it is requested as part of the *Neighbourhood Residential Rehabilitation Grant* only, to a maximum of \$2,000.00 and where sufficient budget funding is available.

Building Facade Improvements

- 7.1 Along with the Chief Financial Officer/City Treasurer, to approve beautification projects under \$5,000.00 identified in Category A-Beautification under the City of Windsor Building Facade Improvement Program and Urban Design Guidelines for Main Street.

Site Plan Control Approval

- 8.1 To approve Site Plan Control plans and drawings as set out in Subsections 41(4) and (5) of the Act, and to impose conditions to such approval as set out in Subsection 41 (7) of the Planning Act.

Execute and Cause to be Registered Site Plan Agreements

- 8.1 To approve and execute the Site Plan Agreement(s) and cause them to be registered against the land in accordance with Subsection 41 (10) of the Act.

Removal of Site Plan Control Agreements from Title

- 8.3 To terminate an agreement entered into by the Corporation as provided for in Section 8.2 when the development provided for in the said agreement has not

commenced or an alternate development has been approved in accordance with Section 8.1.

Community Improvement Plan Grant Assignment Agreements

- 9.1 To approve and execute the Community Improvement Grant Assignment Agreements for existing Community Improvement Grant Agreements, satisfactory in form and content to the City Solicitor, and in financial content to the City Treasurer.

SCHEDULE “B”

Council hereby delegates to the City Planner the authority:

Agreements

- 1.1 To sign agreements stating that the restrictions set out in paragraph 2 of subsection 29(1.2) and paragraph 1 of subsection 29 (8) of the *Ontario Heritage Act* (the “Heritage Act”) do not apply to applications under the Heritage Act.

Complete Application

- 2.1 a) To determine whether an application submitted to Council pursuant to sections 33, 34 or 42 of the Heritage Act is complete or incomplete in accordance with *Ontario Regulation 385/21*.
- b) To notify an applicant as to the completeness or incompleteness of an application.

Sandwich Heritage Conservation District Plan – Heritage Alteration Permit

- 3.1 To process applications for and issue permits for alterations pursuant to s. 42 (1) of the Heritage Act for the following works:
 - (i) Window or door removal without replacement,
 - (ii) Additions of a window or door in a new or altered opening,
 - (iii) Shutter removal (if original),
 - (iv) Addition or removal of front and side fencing,
 - (v) Decorative trim and bracket removal or replacement,
 - (vi) Removal of chimneys, if significant visual feature,
 - (vii) Removal or installation of cladding and siding,
 - (viii) Painting of previously unpainted brick or stone,
 - (ix) Re-roofing with different materials,
 - (x) Window removal where window is a significant feature from street,
 - (xi) Removal of brick or stone piers (if original), and
 - (xii) Wall mounted signage.

Heritage Permits for Properties Designated on the Windsor Heritage Register

- 4.1 To process applications for and consent to alterations pursuant to s. 33 of the Heritage Act, with or without terms and conditions, through the issuance of Heritage Permits.

4.1.1 Classes of Applications delegated directly to the City Planner are:

- i) considered minor or non-substantive (as determined by City staff), which may include larger-scale alterations
- ii) verified by City staff to be acceptable and appropriate to the Heritage context and according to Heritage Standards (including but not limited to Standards and Guidelines for the Conservation of Historic Places in Canada, broadly accepted/recognized heritage conservation practices, and HCD plan policies and guidelines)
- iii) determined by City staff to not result in negative disruption or displacement to the cultural heritage value or interest of the property, or adversely impact the heritage designation of the property, and
- iv) alterations which may or may not require a building permit or other approvals under the Act.

THIS AGREEMENT made XX day of XXX 202 .

BETWEEN:

THE CORPORATION OF THE CITY OF WINDSOR
(the “City”)

- and -

XXXXXXXXXXXXXXXX
(the “Property Owner”)

WHEREAS the Property Owner owns the property at XXX (municipal address) Windsor, Ontario, more particularly described in Schedule "A" attached hereto and forming part of this Agreement (the “Property”);

AND WHEREAS the Property Owner submitted an application to the City for XXXXX (type of application, OPA, rezoning or subdivision approval) in connection with the Property (the “Application”);

AND WHEREAS the City proposes to designate the Property pursuant to the provisions of the Ontario Heritage Act (the “OHA”);

AND WHEREAS the OHA and O. Reg. 385/21 pursuant to OHA permit the Property Owner and the City (the “Parties”) to agree that the restrictions set out in paragraph 2 of subsection 29(1.2) and paragraph 1 of subsection 29 (8) of the OHA do not apply to the Application;

NOW THEREFORE THE PARTIES AGREE AS FOLLOWS:

1. The Parties hereto agree that the restrictions set out in paragraph 2 of subsection 29(1.2) and paragraph 1 of subsection 29(8) of the OHA do not apply in respect of the Property in connection with the Application.
2. It is further agreed between the Parties hereto that this Agreement shall be binding upon and enure to the benefit of the Parties hereto.
3. This Agreement may be executed in several counterparts, each of which so executed shall be deemed to be an original, and such counterparts together shall constitute but one and the same instrument.
4. The recitals hereto are true and form part of this Agreement

[remainder of page left intentionally blank; signatures to follow]

IN WITNESS WHEREOF the parties have signed this Agreement as of the year and date above written.

THE CORPORATION OF THE CITY OF WINDSOR

XXXXXX
City Planner

I have authority to bind the Corporation

(if corporation)
PROPERTY OWNER:

Name:
Position:

Name:
Position:

We have authority to bind the Corporation

(if individuals)

Name:

Name:

“SCHEDULE “A”

PROPERTY

; in the City of Windsor and County of Essex

SCHEDULE “B”



Subject: City of Windsor Heritage Recognition 2023 (City-wide)

Moved by: Member Joseph Fratangeli

Seconded by: Member Khassan Saka

Decision Number: **DHSC 551**

I. THAT the property owners and project team for the recent heritage conservation works at:

- 787 Ouellette Ave – Former Windsor Utilities Commission
 - Tessonics Corporation (Roman & Elena Maev)
 - Passa Architects (Joseph Passa)
 - Alliance Contractors (Chris Weller)
- 1958-1998 Wyandotte St E – Strathcona Building
 - Rosati Group (Tony Rosati, Nick Rosati, Vince Rosati Jr.)
- 1167 Mercer St – Former International Playing Card Co.
 - Greater Essex County District School Board
 - J.P. Thomson Architects Ltd. (Colin McDonald, Adam Wakulchik, Mark Beaulieu)
 - Haddad Morgan Associates (Will Tape)
 - Fortis Group (Joe Maertens)
- 455 Giles Blvd E – Windsor Grove Cemetery
 - Ontario Ancestors, Essex Branch (Pat Clancy, David Hutchinson, Rosemary Lunau)
 - Windsor Grove/Windsor Memorial Gardens (Tony Andary)

BE RECOGNIZED with the 2023 Built Heritage Awards.

Carried.

Report Number: S 105/2023

Clerk's File: MBA/2274

Clerk's Note:

1. The recommendation of the Development & Heritage Standing Committee and Administration are the same.
2. Please refer to Item 10.2 from the Community Services Standing Committee held on September 11, 2023.
3. To view the stream of this Standing Committee meeting, please refer to:
<http://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20230911/-1/9432>

Subject: City of Windsor Heritage Recognition 2023 (City-wide)

Reference:

Date to Council: September 11, 2023

Author: Kristina Tang

Heritage Planner

ktang@citywindsor.ca

519-255-6543 X 6179

Tracy Tang

Planner II- Revitalization & Policy Initiatives

ttang@citywindsor.ca

519-255-6543 x 6449

Planning & Building Services

Report Date: August 21, 2023

Clerk's File #: MBA/2274

To: Mayor and Members of City Council

Recommendation:

- I. THAT the property owners and project team for the recent heritage conservation works at:
 - 787 Ouellette Ave – Former Windsor Utilities Commission
 - Tessonics Corporation (Roman & Elena Maev)
 - Passa Architects (Joseph Passa)
 - Alliance Contractors (Chris Weller)
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 - Haddad Morgan Associates (Will Tape)
 - Fortis Group (Joe Maertens)

- 455 Giles Blvd E – Windsor Grove Cemetery
 - Ontario Ancestors, Essex Branch (Pat Clancy, David Hutchinson, Rosemary Lunau)
 - Windsor Grove/Windsor Memorial Gardens (Tony Andary)

BE RECOGNIZED with the 2023 Built Heritage Awards.

Executive Summary: N/A

Background:

City of Windsor celebrates heritage recognition annually to recognize and pay tribute to our land and landmarks, our nation's history, our diverse cultures and our traditions. This celebration typically involves Council recognition of individuals and organizations for their heritage stewardship, exceptional rehabilitations, and heritage preservation efforts through the Built Heritage Awards at a regular Council Meeting. In recent years, the Communications Department has also supported this event through creation of a highlight video that includes features of the recipients with interviews, screened at the Council meeting and posted on the City's social media platforms to reach a wider audience.

The nominations were a result of discussions by the citizen Heritage Committee members, facilitated by Heritage Planning staff.

Discussion:

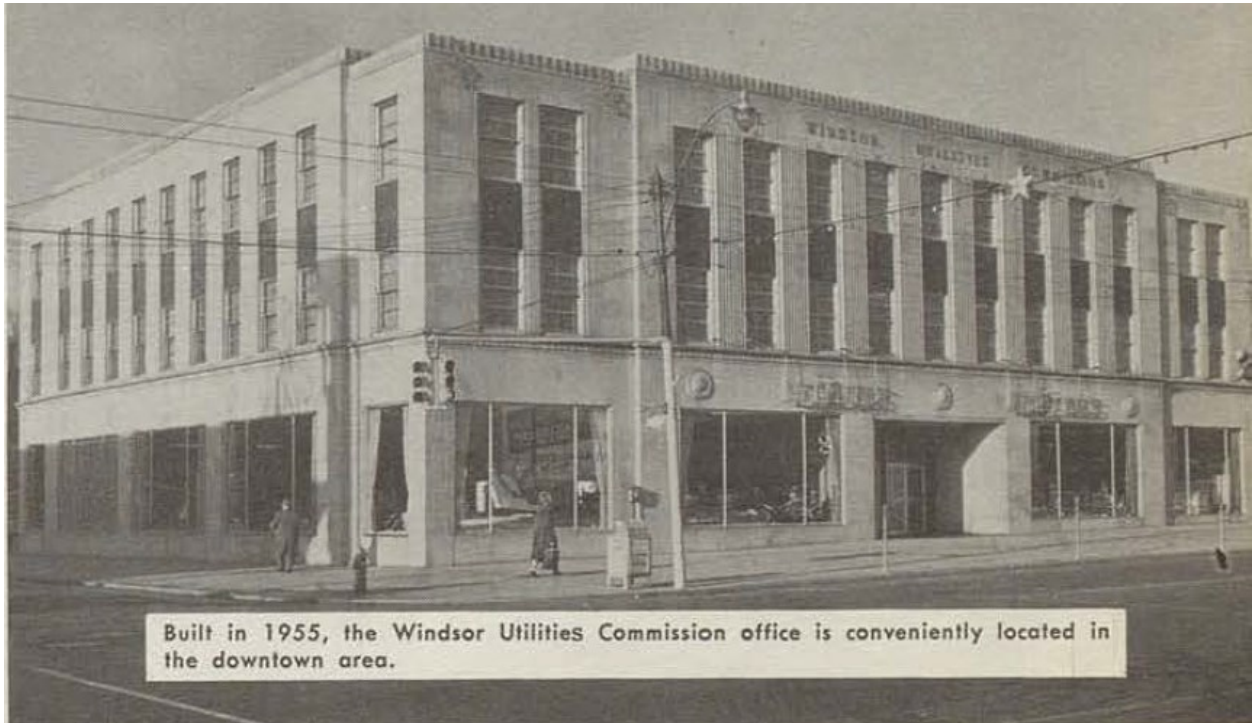
Built Heritage Awards

The following properties/organizations are to be recognized with a Heritage Award:

787 Ouellette Ave – Former Windsor Utilities Commission

787 Ouellette Avenue is recognized on the Windsor Municipal Heritage Register as a listed property, known as the Former Windsor Utilities Commission built in 1955 and designed by locally prominent architect D. J. Cameron. The property owners Roman and Elena Maev of Tessonics Corp. retained the project team (Joseph Passa of Passa Architects and Chris Weller of Alliance Contractors) to clean and restore the facade of the building. The facade improvements include exterior granite panel installation over top of existing limestone along the base of the building, removal of the inappropriate steel exterior band, limestone cleaning, addition of signage, medallions repairs, and patching areas where the limestone is missing for restoration of the medallions along the exterior of the building. The treatment of the building and cleaning methodologies applied are appropriate for the historic character of the building and help preserve the heritage-listed Downtown landmark for future generations. The facade improvements

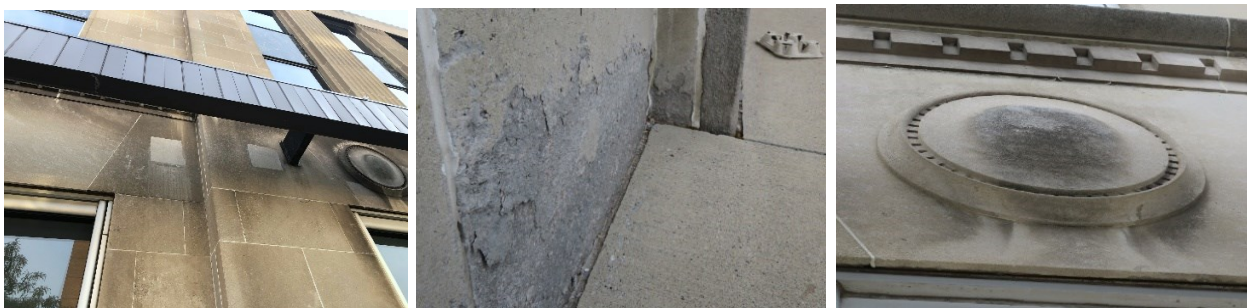
also contribute to the overall revitalization of the downtown and the public realm along the Ouellette Avenue Main Street.



Historic photograph of the Windsor Utilities Commission building from the mid-late 1950s



Google StreetView of the building in March 2021 and December 2020



Photographs of the building in its previous state, showing some erosion, staining, and inappropriate canopy addition



Photographs of the building after cleaning and restoration



Google StreetView of the building post-restoration

1958-1998 Wyandotte St E – Strathcona Building

The Strathcona Building, located at 1958-1998 Wyandotte Street East, was listed on the Windsor Municipal Heritage Register on August 27, 2007. The property is associated with Hiram Walker & Sons' developments and locally significant architect Albert Kahn. In Fall 2021, the Owners of the property (Rosati Construction Inc., represented by Tony Rosati, Nick Rosati, and Vince Rosati Jr.) began discussions with the City about the redevelopment of Strathcona. The Owners worked with City staff to ensure our heritage-conscious recommendations were applied. The project team also consisted of Stephen White of Albert Kahn Associates Inc., Dave McCloskey of D. C. McCloskey Engineering Ltd., Robert Argent of Argent Architecture Design, and Mark Kurzak of Fieldcraft Engineering Ltd.

The scope of the redevelopment work included the removal of layers of paint from the brick facade (which revealed a red brick with purple undertones), masonry repairs, and the restoration of main street-appropriate storefront systems with transoms. The Owners also agreed to recreate the four historic bay windows using modern materials while respecting the original dimensions. They also commissioned a local artist to paint a mural on the rear wall capturing the history of Walkerville, the Strathcona Building, and the land developers. Further, interior improvements were undertaken to accommodate office spaces and restaurants. The Owners and their project team are congratulated for their investment in this historic Walkerville landmark, which may generate future investment and improvement in the surrounding area as well.





Photographs of the building in its previous state, showing some deterioration of storefronts



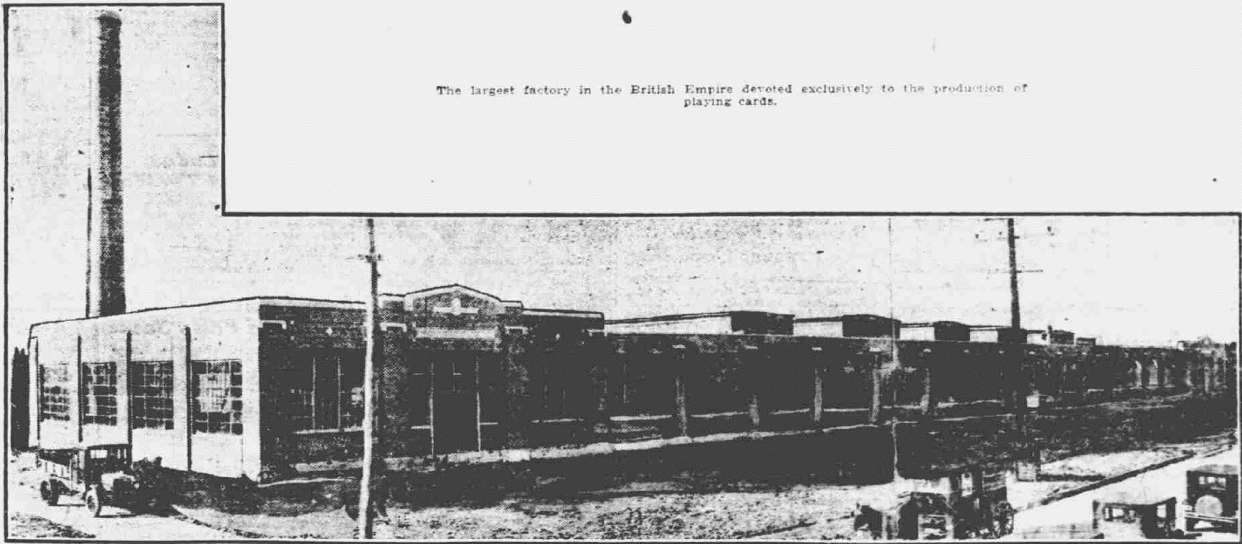
Restoration work conducted and the finished building

1167 Mercer St – Former International Playing Card Co.

This property is designated on the Windsor Municipal Heritage Register as the former International Playing Cards Co. building, constructed in 1930 and designed by architects Pennington & Boyde in simple Art Deco architectural style. Due to its vacancy and severely deteriorated state, the building was originally proposed for demolition.

However, through Council’s heritage designation of the property and great partnership by the Greater Essex County District School Board, their project architect J.P. Thomson Architects Ltd. pursued an alternative approach of adaptive reuse of the building.

The industrial building was transformed into an institutional space, where building walls were carefully salvaged through “deconstruction” and brickwork was reconstructed per original detailed drawings. Careful conservation of historical portions and details, such as repointing and retaining the tall chimney, replacing bricks to a proper match, and sourcing windows that match historic proportions, were incorporated into the project. Further, the new additions took inspiration from the historical use of the former card factory to provide homage in the new design, while salvaged manufacturing equipment are put on display in the library of the new school. The project was completed in late summer of 2022 for the grand opening in September 2022 as the new James L. Dunn Public School. The project is an excellent example of adaptive reuse, and the history of the building can be shared with future generations of the Windsor community. The project team consisted of J. P. Thomson Architects Ltd. (Colin McDonald, Adam Wakulchik, and Mark Beaulieu) as the lead architects, Haddad Morgan Associates (Will Tape) as engineering sub-consultants, Marcus LeTourneau as the third-party Heritage Consultant engaged by the School Board, and Fortis Group (Joe Maertens) as the general contractors for Phase 1 heritage reconstruction of the project.



Historic image of the newly constructed factory building (Border Cities Star, April 14, 1928)



Photographs of the property in its previous vacant state.



Rehabilitated appearance of the property (Courtesy of J.P. Thomson Architects Ltd.)

455 Giles Blvd E – Windsor Grove Cemetery

The Windsor Grove Cemetery is located at Giles Boulevard East and Howard Avenue, and was established by by-law in 1864, making it one of the oldest cemeteries in Windsor-Essex. It was added to the Windsor Municipal Heritage Register on June 9, 2008. Ontario Ancestors, also known as the Ontario Genealogy Society, has a mission to preserve Ontario's genealogical heritage and assist interested persons in historic

research. Through the motto “saving history, one stone at a time”, volunteers with the Ontario Ancestors, Essex Branch have significantly contributed to the heritage preservation of Windsor through their work in recovering headstones, cleaning cemetery markers, and transcribing and documenting the markers as well into a digital database. The Ontario Ancestors, Essex Branch volunteers have previously conducted work at a number of other local cemeteries, including the Assumption Cemetery, Our Lady of the Lake Cemetery (next to Descent of the Holy Ghost), St. Alphonsus Cemetery, St. John’s Anglican Cemetery (Sandwich), and St. Mary’s Cemetery (Walkerville).

Specifically at Windsor Grove (managed by Tony Andary), the Ontario Ancestors, Essex Branch (most significantly Pat Clancy, David Hutchinson, and Rosemary Lunau) and many other volunteers started weekly preservation work in 2019. The volunteers used cemetery maps and probes to identify where markers were missing and uncovered them where they were discovered, used special monument-safe soap and cleaning methods to remove dirt, debris, environmental pollutants, lichen, etc., and documented all the information uncovered or collected. Additionally, the Ontario Ancestors, Essex Branch and the Windsor Grove Cemetery hosted 150 participants during the 2022 Doors Open event, making it a very successful tour location. Notably, in collaboration with the cemetery, they were able to install a cement foundation and a temporary marker for historically significant individual Lindon Clark Brooks, the first electric streetcar motorman and the first black electric streetcar motorman in North America, to keep his name and memory alive. The volunteers work in all weather, rain or shine, and have contributed many hours and efforts in preserving and uncovering the heritage of Windsor so that it can be recognized for years to come.



Photograph of the temporary grave marker that the volunteers and cemetery installed on the unmarked grave of locally significant resident Lindon Clark Brooks (Courtesy of Ontario Ancestors, Essex Branch)



Before and after photographs showing grave marker cleaning and unearthing (Courtesy of Ontario Ancestors, Essex Branch)

Risk Analysis:

No risk has been identified.

Climate Change Risks

Climate Change Mitigation: N/A

Climate Change Adaptation: N/A

Financial Matters:

A nominal cost will be incurred for the Heritage Awards.

Consultations:

The five citizen members of the Heritage component of the Development & Heritage Standing Committee, consisting of William Tape, Joseph Fratangeli, Khassan Saka, John Miller, and Charles Pidgeon, discussed the Heritage Recognition format and convened in past months to discuss candidate sites. The Mayor’s Office and City Communication staff were also consulted and will be involved in media outreach.

Conclusion:

The Owners and project teams for recent heritage conservation work at the properties of 787 Ouellette Ave – Former Windsor Utilities Commission, 1958-1998 Wyandotte St E – Strathcona Building, 1167 Mercer St – International Playing Cards, and 455 Giles Blvd E – Windsor Grove Cemetery, should be recognized for their excellent stewardship and conservation work.

Planning Act Matters: N/A

Approvals:

Name	Title
Neil Robertson	Acting City Planner / Executive Director, Planning & Development Services
Wira Vendrasco	Deputy City Solicitor, Legal Services & Real Estate
Jelena Payne	Commissioner, Economic Development & Innovation
Joe Mancina	Chief Administrative Officer

Notifications:

Notification list of property owners and recipients provided to Clerks.

Appendices: